

MINUTES – NOVEMBER 13, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13th day of November, 2001, 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 recessed the Voting Session at 12:11 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:43 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 2:55 PM.

The Commissioners' Court reconvened the Voting Session at 5:14 PM.

The Commissioners' Court adjourned the Voting Session at 5:21 PM.

PUBLIC HEARINGS

1. DISCUSS AN AMENDED PLAT OF LOTS 1, 2, 5 AND 6, BLOCK 'A', SOUTHBEND SUBDIVISION (AMENDED PLAT – 2 LOTS – 26.385 ACRES – SLAUGHTER LANE – NO FISCAL REQUIRED – CITY OF AUSTIN WATER AND WASTEWATER - COA ETJ). (COMMISSIONER GOMEZ) (9:16 AM)

Motion by Judge Biscoe **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 Todd Baxter	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 Gómez **and seconded by** Commissioner Baxter 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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The action Item for Item 1 is Agenda Item 8. Please refer to Agenda Item 8 for the Court's Motion and Vote.

CITIZENS COMMUNICATION

2. **Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics and Second Vice President, The Rainbow Coalition; and Charles E. Williams, Conservation Coordinator, TNR. (9:18 AM)

CONSENT ITEMS

- 3. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3, and Items 8, 9, 10.A, 13, 15, 18, 20, 21, 22, 23, 24, 25, 26, 27, and 30. (9:25 AM)

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	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 OCTOBER 30, 2001.

- 4.** UPDATE ON STATUS OF 2001 COMBINED CHARITIES CAMPAIGN. (9:29 AM)

Members of the Court heard from: Cecelia Burke, Director, Domestic Relations, and Chair, 2001 Travis County Combined Charities Campaign.

Discussion Only.

HEALTH AND HUMAN SERVICES ITEMS

5. RECEIVE 2001 ANNUAL REPORT FROM TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD. (9:15 AM) (11:49 AM)

Members of the Court heard from: DeWayne Lofton, Chairperson, Children's Protective Services Board (CPS); Joy Stollings, Travis County Health and Human Services (TCHHS); Nancy Williams, Board Member, CPS; Walter Timberlake, Board Member, CPS; and Blanca Leahy, TCHHS.

Discussion Only.

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

6. DISCUSS MANAGEMENT OF 2001 BOND PROGRAM AND TAKE APPROPRIATE ACTION. (10:26 AM)

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

Discussion Only.

7. CONSIDER ADOPTION OF A SOLID WASTE SITING ORDINANCE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE)
(9:30 AM)

Members of the Court heard from: Joyce Best, Private Citizen; David Samuelson, Blackland Prairie Concerned Citizens; Joe Gieselman, Executive Manager, TNR; John Kuhl, Natural Resources Program Manager, TNR; Joe Payne, Private Citizen; Henry Trail, President, Park Springs Neighborhood Association; Tom Nuckols, Assistant County Attorney; Reid Moore, Blackland Prairie Concerned Citizens; and Jeanette Clots, President, North Growth Corridor Alliance.

Motion by Judge Biscoe and seconded by Commissioner Gómez to appoint Industry Representatives: Paul Gosselink, Attorney representing BFI; Derek McDonald, Attorney representing Waste Management; and Bob Gregory, Representing National Solid Waste Management Association/Texas Disposal Systems. Neighborhood Representatives: Trek English, Northeast Action Group, Walnut Place, Chimney Hills, and Harris Branch Neighborhoods, among others; David Samuelson, Blackland Prairie Concerned Citizens; and Bill Hilgers, Jacobsen Road Friends and Neighbors United, Inc. Neutral Affected Citizens: Jim Haley, Attorney, former head of Solid Waste Division at TNRCC; J.D. Porter, Chair of COA Solid Waste Advisory Committee; Jim Gudenrath, Mediator/Chairman of the Committee; and to invite as Staff and participants, but not as formal working group members, County Staff, TNRCC, and the City of Austin.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the draft charge.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The Court clarified that Jim Gudenrath would serve as the Chair of the Committee.

- 8.** APPROVE AN AMENDED PLAT OF LOTS 1, 2, 5 AND 6, BLOCK 'A', SOUTHBEND SUBDIVISION (AMENDED PLAT – 2 LOTS – 26.385 ACRES – SLAUGHTER LANE – NO FISCAL REQUIRED – CITY OF AUSTIN WATER AND WASTEWATER - COA ETJ). (COMMISSIONER GOMEZ) (9:25 AM)

Clerk's Note: Item 8 is the action Item for Item 1.

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

- 9.** APPROVE LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND SLEEPING SHARK PRODUCTIONS TO USE BOB WENTZ PARK IN NOVEMBER, 2001 TO FILM A MOVIE "SPY KIDS II". (9:25 AM)

Clerk's Note: Item 9 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

PLANNING AND BUDGET DEPT ITEMS

- 10.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:25 AM)
 - A.** GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN THE HEALTH & HUMAN SERVICES DEPARTMENT. THE APPLICATION IS TO CONTINUE THE PROGRAM FOR FY 02.

Clerk's Note: Item 10.A added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

11. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:39 AM)

Members of the Court heard from: Alan Miller, Planning and Budget Analyst, Planning and Budget Office (PBO); Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the Budget Amendments and Transfers T1-T5, T8, T9, T11, and T13.

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

Item 11 Budget Amendments and Transfers T6, T7, T10, and T12 to be reposted on November 20, 2001.

ADMINISTRATIVE OPERATIONS ITEMS**12. APPROVE A COUNTY-WIDE DISTRIBUTION OF HUMAN RESOURCES MANAGEMENT DEPARTMENT'S FY '02 TRAINING CALENDAR; A SELECTION OF COURSES SCHEDULED TO ENHANCE EMPLOYEE PERFORMANCE AND PRODUCTIVITY. (11:01 AM)**

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Carol Darby, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 12.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

13. APPROVE PRINTING OF 500+ COPIES FOR PAYROLL STUFFER ON COUNTY TELEPHONE CHANGES. (9:25 AM)

Clerk's Note: The Court requested to include the change worked out during the Work Session to be more specific about Precinct 2 and Precinct 4.

Clerk's Note: Item 13 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

14. APPROVE DELETION OF SERVICE CONTRACT FUNDING PREVIOUSLY PROVIDED FOR BURNET ROAD CUSTODIAL SERVICES AND APPROVE ADDITION OF ONE FULL TIME CUSTODIAN POSITION TO PROVIDE THESE SERVICES. (9:15 AM) (11:03 AM) (1:46 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; John Carr, Director, Building Maintenance and Repair, Facilities Management; Bob Vann, Constable, Precinct 2; and Barbara Bemby, Justice of the Peace, Precinct 2.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Staff's recommendation.

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	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

15. 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 – COUNTY EMPLOYEES FOR PAYMENT PERIOD OF OCTOBER 26 – NOVEMBER 1, 2001. (9:25 AM)

Clerk's Note: Item 15 added to Consent Items. Please refer to Agenda Item 3 (CONSENT ITEMS) for the Court's Motion and Vote.

16. CONSIDER REVISIONS TO TRAVIS COUNTY CODE, CHAPTER 10.041 – MILITARY LEAVE, INCLUDING PROVISION TO ALLOW DEPARTMENTS TO TRANSFER EMPLOYEES ON UNPAID MILITARY LEAVE TO TEMPORARY SLOTS, AND TAKE APPROPRIATE ACTION. (11:03 AM) (2:05 PM) (2:55 PM) (5:14 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, HRMD; John Hille, Assistant County Attorney; Norman McRee, Budget/Process Improvement Analyst, HRMD; Barbara Wilson, Assistant County Attorney; Margo Frasier, Travis County Sheriff; Susan Spataro, Travis County Auditor; Mike Hemby, Research and Planning, Travis County Sheriff's Office (TCSO); and Charles Vaughn, Travis County Auditor's Office.

Motion by Judge Biscoe and seconded by Commissioner Gómez to delete “and accrued sick leave” from paragraphs (f) and (g), and move the “and” to “and accrued vacation time” in both; and the other one was, to put in appropriate language to let the employee decide how much of his accrued leave he or she wanted to be paid for, working with the manager, and that would be subject to budget constraints.

Withdrawal of the previous Motion was made by Judge Biscoe.

Motion by Judge Biscoe and seconded by Commissioner Gómez that, instead of mandatory taking of all leave, we make that discretionary with the employee and the manager, and, that we make clear our intention to provide compensation for sick leave for these personnel that are called away on military service. That would have a funding impact on us, and the Motion would be, basically, to deal with it.

A Clarification of the previous Motion was made by Judge Biscoe that, not part of this Motion, but my additional request, would be, that we revisit that issue for all County employees, because my thinking was, that you would use sick leave when you were sick. This would be a military leave exception.

An Addition to the previous Motion was made by Judge Biscoe that we would also add a line that would say that the fiscal impact would be submitted at the time of the request for the temporary military leave slots. That way you know, when they come ask you for the slots, what the potential costs would be, in terms of the sick leave, and the vacation, and everything else.

ITEM 16 CONTINUED

Judge Biscoe announced that Item 16 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Baxter that we give Staff directions to prepare an appropriate military leave policy, that authorizes the employee and manager to allow the employee to select various leave provisions that may be invoked for the employee's advantage; 2), that we provide compensation of a day for a day, hour for an hour, covering accrued sick leave; 3), that we address the insurance, consistent with the discussion that we have had on two occasions today, this morning, and this afternoon when we discussed this matter in open Court; and that HRMD work with the Sheriff's Department, and other affected Offices, and the County Attorney's Office, to prepare us an appropriate policy for next week; and that the County Attorney be positioned to advise us on the legality of each and every provision.

A Clarification of the previous Motion was made by Judge Biscoe to incorporate any previously approved Motion into this policy, and, to the extent that there are gaps, let's just propose language that will fill those gaps; but the intention is, to authorize HRMD to create slots, and that the exceptions be brought to the Commissioners' Court.

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

- 17. CONSIDER REVISION TO TRAVIS COUNTY CODE, CHAPTER 10.0295 PEACE OFFICER POLICY AND PAY SCALE, FY 2002, IN ACCORDANCE WITH DECISIONS MADE DURING THE BUDGET PROCESS, AND TAKE APPROPRIATE ACTION. (9:26 AM)**

Item 17 pulled from the Agenda.

- 18. APPROVE PERSONNEL AMENDMENTS. (9:25 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.

PURCHASING OFFICE ITEMS

- 19.** APPROVE CONTRACT AWARD FOR THE PROVISION OF GRINDER PUMP STATIONS FOR THE KENNEDY RIDGE WASTEWATER IMPROVEMENTS PROJECT, IFB #B020004-JJ, TO THE SECOND LOW BIDDER, ENVIRONMENTAL IMPROVEMENTS, INC. (TNR) (COMMISSIONER DAVIS) (2:34 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 19.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 20.** APPROVE CONTRACT AWARD FOR MEDICAL SUPPLIES FOR MEDICAL ASSISTANCE PROGRAM PATIENTS, IFB VD01100099, TO THE LOW, RESPONSIVE BIDDER, D&L MEDICAL. (HHS) (COMMISSIONER GOMEZ) (9:25 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 PURCHASE OF COPIER PAPER OFF STATE TERM CONTRACT FOR AN ESTIMATED YEARLY AMOUNT OF \$231,000.00. (RECORDS MANAGEMENT) (COMMISSIONER GOMEZ) (9:25 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 MODIFICATION NO. 7 TO CONTRACT NO. PS990019-LB WITH ASSESSNET FOR DRUG AND ALCOHOL TESTING. (COMMISSIONER GOMEZ) (9:25 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 MODIFICATION NO. 3 TO CONTRACT NO. PS970315-LB WITH VINSON & ELKINS. L.L.P., FOR PROFESSIONAL LEGAL SERVICES. (I.T.S.) (COMMISSIONER GOMEZ) (9:25 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. DECLARE CERTAIN EQUIPMENT AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GOMEZ) (9:25 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. DECLARE CERTAIN EQUIPMENT AS SURPLUS PROPERTY AND APPROVE SALE TO BASTROP COUNTY, PURSUANT TO SECTION 263.151 AND 263.152 (a)(1) OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GOMEZ) (9:25 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. REJECT BID RECEIVED FOR RESIDENTIAL PLUMBING SERVICES, IFB #B010115-MP AND REBID. (HOUSING SERVICES) (COMMISSIONER GOMEZ) (9:25 AM)

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

27. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO.2) TO CONTRACT NO. 00T0074-RG, GRAINGER, INC. FOR ELECTRICAL AND LIGHTING PRODUCTS; CONTRACT APPROVED ON 1/11/00. (FACILITIES MGMT) (COMMISSIONER GOMEZ) (9:25 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.

OTHER ITEMS

- 28.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (2:34 PM)

No action necessary on Item 28.

- 29.** APPROVE ORDER FOR TEXAS DISTRICT AND COUNTY RETIREMENT SYSTEM PLAN FOR COST OF LIVING INCREASE FOR RETIREES. (2:34 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 29.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 30.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 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.

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 CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (2:55 PM) (5:21 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

Clerks Note: Items 31.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 31.A and B would be considered in Executive Session.

No action necessary on Items 31.A and B.

- 32.** RECEIVE UPDATE ON WAGE RATE DISPUTE BY EMPLOYEES OF SIMPLEX GRINNELL FOR SUBCONTRACTING WORK ON THE BLACKWELL THURMAN CRIMINAL JUSTICE CENTER, AND TAKE APPROPRIATE ACTION. ¹ (2:55 PM) (5:17 PM)

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

No action taken on Item 32.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. SAM DESTEFANO, JR. IN CAUSE NO. 453110, AND TAKE APPROPRIATE ACTION. ¹
(2:55 PM) (5:18 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that the County Judge be authorized to execute the proposed deed, which basically returns the property in question to Sam Destefano Jr., who has paid all required fees and costs.

Motion carried:

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

34. CONSIDERATION AND APPROVAL OF MEDIATION RESULTS IN DARBY V. TRAVIS COUNTY. (EMPLOYMENT) ^{1 AND 3} (2:55 PM) (5:18 PM)

Judge Biscoe announced that Item 34 would be considered in Executive Session.

Item 34 to be reposted on November 20, 2001.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE OTHER APPROPRIATE ACTION CONCERNING THE MATTERS OF DAVID LOPEZ AND ROCKNEY RABY. ^{1 AND 3} (2:55 PM) (5:18 PM)

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

Item 35 to be reposted on November 20, 2001.

- 36.** DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASES LOCATED AT 205, 207 AND 209 WEST 9TH STREET BETWEEN TRAVIS COUNTY, TEXAS AND HARRY WHITTINGTON, D/B/A TRAVIS PROPERTIES. ²
(2:55 PM) (5:18 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to give Staff directions to pursue subcontract possibility with the potential Lessee, that we stay in contact with our landowner, Mr. Whittington, and next week, try to update us as much as possible. Also, at the same time, we may as well reconfirm the Justice and Public Safety Department's interest in moving to this building, and try to find out if they have moved to the "total elated" level from "lukewarm happy".

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

Item 36 to be reposted on November 20, 2001.

- 37.** CONSIDER OPTION AND PURCHASE AGREEMENTS FOR ACQUISITION OF LAND FOR A PROPOSED EAST METRO PARK IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) ² (2:55 PM) (5:21 PM)

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

Item 37 to be reposted on November 20, 2001.

- 38. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO THE NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (2:55 PM) (5:19 PM)**

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Baxter that Facilities Management be authorized to order an appraisal for the particular property that we are interested in pursuing; and, simultaneously, that our Real Estate Manager, and all other appropriate Staff, be authorized to submit a purchase contract for this property, pursuant to the terms that have been laid out to us, with one exception, and that is, the termination without loss of earnest money; that we extend that to a 45-day feasibility period, rather than 30-day.

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

Item 38 to be reposted on November 20, 2001.

- 39. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON TRAVIS COUNTY VS. PETER VON WUPPERFELD, CAUSE NO. GV-001152, AND TAKE APPROPRIATE ACTION. ¹ (2:55 PM) (5:20 PM)**

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

Item 39 to be reposted on November 20, 2001.

THE FOLLOWING ITEM IS AN ADDENDUM:

- A1.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE FOR THE INFORMATION & TELECOMMUNICATIONS SYSTEMS (ITS) TRAINING CENTER LOCATED AT 1300 GUADALUPE. EXECUTIVE SESSION ALSO, PURSUANT TO TEX. GOVT. CODE ANN. 551.072. ¹ (2:55 PM) (5:20 PM)

Judge Biscoe announced that Item A1 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to authorize our Real Estate Manager, and all other appropriate County Staff, to do what is necessary to proceed with the cancellation notice that is necessary under our current lease, to go ahead and trigger that, and to let our landlord know that this Department is moving into County-owned space, and we would go by the terms of that lease, as to how we appropriately end our relationship with that landlord.

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

ADJOURNMENT

Motion by Commissioner Baxter **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (5:21 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge