

MINUTES – NOVEMBER 20, 2001

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 20th day of November, 2001, the Commissioners' Court convened the regular Voting Session at 9:16 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 11:21 AM.

The Commissioners' Court reconvened the Voting Session at 12:01 PM.

The Commissioners' Court recessed the Voting Session at 12:01 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:34 PM.

The Commissioners' Court retired to Executive Session at 1:35 PM.

The Commissioners' Court reconvened the Voting Session at 4:35 PM.

The Commissioners' Court adjourned the Voting Session at 4:47 PM.

CITIZENS COMMUNICATION

- 1. Members of the Court heard from:** Gus Peña, President, East Austin Concerned Hispanics, and Second Vice President, The Rainbow Coalition; Eileen Walsh, Timbercreek Subdivision Resident; Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Jimmy Castro, Private Citizen; and Pete Baldwin, Travis County Emergency Management Coordinator, Emergency Services. (9:18 AM)

CONSENT ITEMS

- 2. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5, and Items 8, 9, 10, 11, 13, 14.A, B, C, and D, 15, 17, 18, 21, and 22. (9:33 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 PLAT FOR RECORDING IN PRECINCT ONE – BARTHOLOMEW SUBDIVISION (SHORTFORM PLAT – 1 LOT – 2.06 ACRES – GIESE LANE – NO FISCAL REQUIRED - ON-SITE WASTEWATER - NO ETJ). (COMMISSIONER DAVIS)
- C4.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO – GREENLAWN 35 BUSINESS CENTER, PHASE II (SHORTFORM PLAT – 4 LOTS - 10.481 ACRES – US HIGHWAY 35 – NO FISCAL REQUIRED – WINDERMERE UTILITY WASTEWATER – COA ETJ). (COMMISSIONER SONLEITNER)
- C5.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO – GREENLAWN 35 BUSINESS CENTER - (SHORTFORM PLAT - 1 LOT – 20.259 ACRES US HIGHWAY 35 – NO FISCAL REQUIRED – WINDERMERE UTILITY WASTEWATER – COA ETJ). (COMMISSIONER SONLEITNER)

3. UPDATE ON STATUS OF 2001 COMBINED CHARITIES CAMPAIGN. (9:36 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

4. DISCUSS NEW LEGISLATION THAT REQUIRES COUNTIES TO PROHIBIT OR REGULATE OWNERSHIP OF DANGEROUS WILD ANIMALS, AND TAKE APPROPRIATE ACTION. (9:39 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS); David Lurie, Austin-Travis County Health and Human Services; Dorinda Pulliam, Austin-Travis County Animal Control Services; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to post a public hearing for December 4, 2001, at 9:00 AM and, that we further take any and all reasonable steps to impart actual notice to affected residents. Further, that we indicate that we are leaning in the direction of prohibiting dangerous animals in Travis County, and that we make available the draft ordinance that legal counsel has prepared for the Court.

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

TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

5. APPROVE AN ORDER OF REJECTION OF DEDICATION AND QUITCLAIM DEED FOR PART OF LAKESHORE DRIVE ADJACENT TO LOT 111, LAKESHORE ADDITION, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER BAXTER) (9:55 AM)

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

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez to approve the order of rejection of dedication, and the quitclaim deed, with the caveat that we allow Time Warner to reserve whatever rights they need.

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

6. APPROVE ALTERNATE FISCAL AGREEMENT FOR BARTON CREEK SECTION K, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER BAXTER) (9:16 AM)

Item 6 postponed until November 27, 2001.

7. CONSIDER DEEDING TO THE CITY OF AUSTIN, 2.921 ACRES OF FEE SIMPLE PROPERTY THAT IS CURRENTLY USED AS YAGER LANE RIGHT-OF-WAY IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:58 AM)

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

Discussion Only.

Item 7 to be reposted on December 4, 2001.

PURCHASING OFFICE ITEMS

8. APPROVE CONTRACT (IL020037-EF) MODIFICATION WITH THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR SERVICES PROVIDED BY THE TRAVIS COUNTY SERVICES FOR THE DEAF. (COMMISSIONER GOMEZ) (9:33 AM)

Clerk's Note: Item 8 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

9. APPROVE CONTRACT (CONTRACT NO. IL020019-EF) BETWEEN TRAVIS COUNTY AND AUSTIN/TRAVIS COUNTY MENTAL HEALTH/ MENTAL RETARDATION FOR COMMUNITY ACTION NETWORK COORDINATOR SERVICES. (COMMISSIONER GOMEZ) (9:33 AM)

Clerk's Note: Item 9 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

10. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 01T0052-MP, LASON, INC.-AUSTIN, FOR PRESORT MAILING SERVICES; CONTRACT APPROVED ON 1/9/01. (RECORDS MANAGEMENT AND COMMUNICATION RESOURCES) (COMMISSIONER GOMEZ) (9:33 AM)

Clerk's Note: Item 10 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

11. APPROVE CONTRACT AWARD FOR HANDHELD MOVING TRAFFIC RADAR, IFB# B010116-MP, TO THE RESPONSIVE BIDDER, MPH INDUSTRIES, INC. (T.C.S.O.) (COMMISSIONER GOMEZ) (9:33 AM)

Clerk's Note: Item 11 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 12.** APPROVE A 12-MONTH EXTENSION AND SPECIFICATION CHANGES (MODIFICATION NO. 5) TO CONTRACT NO. 00T0046-OJ, WASTE MANAGEMENT OF TEXAS, FOR REFUSE COLLECTION; CONTRACT APPROVED ON 12/14/99. (COUNTYWIDE) (COMMISSIONER GOMEZ) (10:04 AM)

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

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	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

PLANNING AND BUDGET DEPT ITEMS

- 13.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:33 AM)

Clerk's Note: Item 13 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

14. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:33 AM)
- A. APPROVE GRANT CONTRACT WITH THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE 2001 STATE CRIMINAL ALIEN ASSISTANCE GRANT IN THE SHERIFF'S OFFICE. THE CONTRACT PROVIDES REIMBURSEMENT FOR FY 01 EXPENSES.
 - B. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE VIOLENCE AGAINST WOMEN ACT GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE GRANT CONTINUES THE PROGRAM FOR FY 02.
 - C. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR CRIME VICTIM ASSISTANCE DIVISION GRANT PROGRAM IN THE SHERIFF'S OFFICE. A NEW GRANT PROGRAM TO ENHANCE THE SERVICES PROVIDED TO THE VICTIMS OF CRIME.
 - D. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE VICTIMS OF CRIME ACT GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE GRANT CONTINUES THE PROGRAM FOR FY 02.

Clerk's Note: Items 14.A, B, C, and D added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

ADMINISTRATIVE OPERATIONS ITEMS

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 NOVEMBER 2 – NOVEMBER 8, 2001. (9:33 AM)

Clerk's Note: Judge Biscoe announced that the amount of the reimbursement payment for claims is \$151,772.37.

Clerk's Note: Item 15 added to Consent Items. Please refer to Agenda Item 2 (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 MILITARY LEAVE TO TEMPORARY SLOTS, AND TAKE APPROPRIATE ACTION. (10:04 AM)

Members of the Court heard from: Norman McRee, Budget/Process Improvement Analyst, Human Resources Management Department (HRMD); Barbara Wilson, Assistant County Attorney; John Hille, Assistant County Attorney; Charles Vaughn, Travis County Auditor's Office; Margo Frasier, Travis County Sheriff; Alicia Perez, Executive Manager, Administrative Operations; and Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

Discussion Only.

Item 16 to be reposted on November 27, 2001.

- 17.** APPROVE LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND SLEEPING SHARK PRODUCTIONS TO USE PEARCE ROAD ON NOVEMBER 21, 2001 TO FILM A MOVIE "SPY KIDS II". (COUNTY ATTORNEY) (9:33 AM)

Clerk's Note: Item 17 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 18.** APPROVE PERSONNEL AMENDMENTS. (9:33 AM)

Clerk's Note: Item 18 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

OTHER ITEMS

- 19.** DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (4:47 PM)

No action necessary on Item 19.

20. TRANSFER RECORDS AND DUTIES FROM FORMER COUNTY SURVEYOR'S OFFICE OR TAKE OTHER APPROPRIATE ACTION. (COMMISSIONER BAXTER) (11:15 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; John Hille, Assistant County Attorney; and Tamara Armstrong, Assistant County Attorney.

Motion by Commissioner Baxter **and seconded by** Commissioner Gómez that we have TNR perform the functions of surveying, and that we also allow TNR to be the custodian of the archives, and that we also communicate to the County Clerk our desire to have her perform the current functions of issuing certificates and certifying records and assessing the fees when authorized by law.

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

21. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF OCTOBER, 2001. (9:33 AM)

Clerk's Note: Item 21 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

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

Clerk's Note: Item 22 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

23. APPROVE REIMBURSEMENT RESOLUTION FOR COSTS IN RELATION TO PURCHASE OF LAND FOR NORTH RURAL COMMUNITY CENTER AND CLINIC. (9:17 AM) (4:43 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the reimbursement resolution that has been drafted for the Court, in the amount of \$70,000.00, and is intended to cover earnest money, option monies, appraisal costs, and any other kinds of due diligence; and what our action would do, is set up an appropriate budget, which would necessitate coming through next week, in terms of a budget transfer, to memorialize the action of this reimbursement resolution.

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

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

- 24. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION.** ¹ (9:17 AM) (1:35 PM) (4:35 PM) (4:38 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

Clerk’s Note: Items 24.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 24.A and B would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we approve the claim of Kanetzky in the amount of \$970,730.00, and that we ask the County Attorney to get with our consultant, Dave Stauch, and the appropriate persons from Kanetzky, to draft an appropriate settlement and release agreement.

A Clarification of the previous Motion was made by Commissioner Sonleitner that the intent with that dollar figure is, that we roll in all outstanding issues with Mr. Kanetzky.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 24 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Davis that we direct the County Attorney's Office to review a proposed settlement submitted to us by Pfluger Wiginton and others, to settle their claim, with no money paid by the County, no reimbursement, a waiver of any claim for additional services, and agreement to give the County a certain number of hours in assistance with litigation by telling the truth, 100 hours from PWH, and 50 hours from HMG Mechanical; and that we hopefully have that ready by Tuesday of next week, which is November 27, 2001. It will be basically to review what we have received, touch base with the other side, try to iron out any discrepancies, points of disagreements, and hopefully be ready to act.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Motion by Commissioner Sonleitner and seconded by Judge Biscoe to give instructions to Mr. Stauch, Herndon Stauch and Associates, and others related to Victoria Air Conditioning, that, in terms of that we are not ready to act on any kind of claim on Victoria Air; and they are given instructions to take other counterclaims the County has in relation to the sprinkler damage into consideration as negotiations proceed.

A Restatement of the previous Motion was made by Commissioner Sonleitner that in terms of instructions to Dave Stauch, and anyone else related to trying to get the claim resolved with Victoria Air Conditioning, that it is the desire of the Commissioners' Court that, as that be brought to us, there be counter issues that we might have with Victoria, in relation to damage claims, be brought up and be part of any kind of negotiation.

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

25. CONSIDERATION AND APPROVAL OF MEDIATION RESULTS IN DARBY V. TRAVIS COUNTY. (EMPLOYMENT) ^{1 AND 3} (11:21 AM) (1:35 PM) (4:38 PM)

Judge Biscoe announced that Item 25 would be considered in Executive Session.

Item 25 to be reposted on November 27, 2001.

26. 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} (1:35 PM) (4:40 PM)

Judge Biscoe announced that Item 26 would be considered in Executive Session.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize the County Attorney's Office to share with them our belief that the damages are a lot more limited than they claim, but that we increase our counter offer to settle from \$13,500.00 to \$20,000.00 each; and to ask the County Attorney to convey that we are doing this in the spirit of trying to get this matter behind us; and also to keep working, gathering facts, and doing what we need to do to resolve this if we can.

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

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION REGARDING CLAIM BY CHRISTINA ARMIJO (ARMIJO; FRASIER; CONTRACT, PERSONAL INJURY). ¹ (1:35 PM) (4:41 PM)

Judge Biscoe announced that Item 27 would be considered in Executive Session.

Item 27 to be reposted on December 4, 2001.

28. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON TRAVIS COUNTY VS. PETER VON WUPPERFELD, CAUSE NO. GV-001152, AND TAKE APPROPRIATE ACTION. ¹ (1:35 PM)

Item 28 postponed until November 27, 2001.

- 29. 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 (1:35 PM) (4:41 PM)**

Judge Biscoe announced that Item 29 would be considered in Executive Session.

No action necessary in Item 29.

Item 29 to be reposted on December 4, 2001.

- 30. 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 (1:35 PM) (4:41 PM)**

Judge Biscoe announced that Item 30 would be considered in Executive Session.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we give instructions to our Real Estate Manager in Facilities that the sole remaining user of space on the second floor is going to be a reduced amount for EMS; and that it is our desire for Facilities Staff to work with the County Attorney's Office to develop a sublease for all remaining space that the County has on the second floor; that they be directed to send an appropriate notification of our desire to develop a sublease to Mr. Harry Whittington, who is the owner of this property; and that we direct Facilities Management to work with the County Attorney's Office to develop a clarification of lease for all of our remaining leases at 205 and 209 W. 9th, regardless of floor.

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

- 31. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (9:17 AM) (1:35 PM) (4:42 PM)**

Judge Biscoe announced that Item 31 would be considered in Executive Session.

No action necessary on Item 31.

Item 31 to be reposted on November 27, 2001.

32. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE FOR THE INFORMATION & TELECOMMUNICATIONS SYSTEMS (ITS) TRAINING CENTER LOCATED AT 1300 GUADALUPE, AND THE RELOCATION OF THE (ITS) TRAINING CENTER TO UNIVERSITY SAVINGS BUILDING (USB), 2ND FLOOR. ² (1:35 PM) (4:44 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we declare our intention to relocate ITS, one of our County Departments, the Information and Telecommunications Training Program, from 1300 Guadalupe, to our University Savings Building, which is located at 1010 Lavaca, right here in Austin, Texas.

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

33. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH SOULAR FOODS, INC., D/B/A HOOVER'S CATERING AND COOKING, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) ² (1:35 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we give instructions to the appropriate legal staff, that we would really like to avoid rejecting the proposed Farmers Market lease on the Hoovers Catering; if it is acceptable, to substitute in on the lease term, an initial one-term contract with 3 one-year options; and, if that is acceptable, and it will be initialed by Mr. Rylander, that is something the Court would find acceptable. Otherwise, if we hear something to the contrary, we will take an appropriate rejection action next week, because we can't go with the terms that have been presented to us.

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

34. APPROVE OR REJECT PROPOSED FARMERS' MARKET RENEWAL LEASE AGREEMENT WITH D. RUSSELL ENGLEMAN, D/B/A STONEHOUSE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) ² (1:35 PM)

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

Item 34 to be reposted on November 27, 2001.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (4:47 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge