

## **MINUTES – DECEMBER 18, 2001**

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

On Tuesday, the 18<sup>th</sup> day of December, 2001, the Commissioners' Court convened the regular Voting Session at 9:17 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 12:07 PM.

The Commissioners' Court reconvened the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 5:31 PM.

The Commissioners' Court reconvened the Voting Session at 6:27 PM.

The Commissioners' Court adjourned the Voting Session at 6:36 PM.

**PUBLIC HEARINGS**

1. DISCUSS TEMPORARILY CLOSING RUNNING DEER TRAIL BETWEEN GERONIMO TRAIL AND LONGBOW TRAIL IN PRECINCT THREE FROM JANUARY 7, 2002 UNTIL COMPLETION OF CONSTRUCTION OF RUNNING DEER TRAIL ROADWAY IMPROVEMENT. (COMMISSIONER BAXTER)  
(9:18 AM)

**Motion by** Commissioner Baxter **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 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); Lance Hudley, Board Member, Apache Shores Property Owners' Association; and Carl Van Ostrand, Private Citizen.

**Motion by** Commissioner Baxter **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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The action Item for Item 1 is Agenda Item 15. Please refer to Agenda Item 15 for the Court's Motion and Vote.

## RESOLUTIONS & PROCLAMATIONS

2. APPROVE A RESOLUTION FOR PAT JOHNSON AS SHE RETIRES FROM TRAVIS COUNTY AFTER 35+ YEARS OF DEDICATED SERVICE. (9:28 AM)

**Members of the Court heard from:** Jim Rust, Director, Community Supervision and Corrections Department (CSCD); Rosie Duran, CSCD; and Pat Johnson, CSCD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 2.

<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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

## CITIZENS COMMUNICATION

3. **Clerk's Note:** There were no speakers during Citizens Communication. (9:34 AM)

**CONSENT ITEMS**

- 4. Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C12, and Items 12, 14, 19.A-E, 26, 27, 28, 29, 30, 31, 32, 33, 34.A and B, 35, 36, 43, 44, 46, and 47. (9:35 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 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.** REAPPOINT FLORENCIO SOLIZ, III AND REGGIE WILLIAMS TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #4, TERM EFFECTIVE UNTIL DECEMBER 31, 2003. (COMMISSIONER DAVIS)
- C4.** REAPPOINT MIKE HOWE TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #2, (PFLUGERVILLE), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- C5.** REAPPOINT WADINE MILES TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #2, (PFLUGERVILLE), EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2003. (COMMISSIONER SONLEITNER)
- C6.** APPROVE PLAT FOR RECORDING IN PRECINCT ONE: SCENIC POINT SUBDIVISION, PHASE TWO – (LONG FORM PLAT – 122 LOTS – 71.442 ACRES – JOHNNY MORRIS ROAD – FISCAL POSTED WITH THE CITY OF AUSTIN - SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN - CITY OF AUSTIN ETJ. (COMMISSIONER DAVIS)
- C7.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: STEINER RANCH PHASE ONE, SECTION 8 – (LONG FORM PLAT – 206 LOTS – 216.03 ACRES – QUINLAN PARK ROAD – TRUST DEED POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY TCID #17 - COA ETJ). (COMMISSIONER SONLEITNER)

**CONSENT ITEMS CONTINUED**

- C8.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: RDO EQUIPMENT – (SHORT FORM PLAT – 2 LOTS – 9.999 ACRES – I.H. 35 – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY COMPANY – COA ETJ). (COMMISSIONER SONLEITNER)
- C9.** APPROVE A PUBLIC HEARING DATE OF JANUARY 8, 2002 IN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE 5' PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINES BETWEEN LOTS 65, 66, 67 AND 68, PARADISE MANOR SECTION 4, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER)
- C10.** APPROVE A PUBLIC HEARING DATE OF JANUARY 8, 2002 TO DISCUSS TEMPORARILY CLOSING PORTIONS OF BRATTON LANE, GRAND AVENUE PARKWAY, LONG VISTA DRIVE, AND WELLS PORT DRIVE IN ORDER TO HOLD THE IRON KIDS TRIATHLON SERIES. (COMMISSIONER SONLEITNER)
- C11.** APPROVE A PUBLIC HEARING DATE OF JANUARY 8, 2002 TO APPROVE THE FILING OF AN ORDER OF ABANDONMENT FOR PORTION OF EDGEWATER DRIVE IN EDGEWATER BEACH SECTION 1, A SUBDIVISION IN PRECINCT THREE.
- C12.** APPOINT ALAN GRAIF TO SERVE AS COMMISSIONER ON THE EMERGENCY SERVICE DISTRICT #8 BOARD (PEDERNALES), TERM EFFECTIVE UNTIL DECEMBER 31, 2003, (REPLACING NORMAN SADIK). (COMMISSIONER BAXTER)

**HEALTH AND HUMAN SERVICES ITEMS**

5. CONSIDER PROPOSED TRAVIS COUNTY ORDINANCE ADDRESSING NEW LEGISLATION THAT REQUIRES COUNTIES TO PROHIBIT OR REGULATE OWNERSHIP OF DANGEROUS WILD ANIMALS, AND TAKE APPROPRIATE ACTION. (TRAVIS COUNTY TENTATIVELY PLANS TO PROHIBIT SUCH WILD ANIMALS.) (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, Director, Austin-Travis County Health and Human Services; Dorinda Pulliam, Austin-Travis County Animal Shelter; Jim Smith, Private Citizen; Mary Etta Gerhardt, Assistant County Attorney; and Lori Smith, Private Citizen.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to accept the latest ordinance that has been presented to the Court, dealing with dangerous wild animals; and also, make the necessary exceptions within that ordinance for the Austin Zoo, and also, Crow's Nest Farm.

**An Addition to the previous Motion was made by** Commissioner Davis to include the changes mentioned by the Assistant County Attorney in the Motion.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that the effective date of the order is December 1, 2001.

**A further Clarification of the previous Motion was made by** Judge Biscoe that the proposed ordinance is to prohibit, rather than regulate.

<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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

6. CONSIDER PROVIDING ADDITIONAL FUNDING TO EASTER SEALS-CENTRAL TEXAS FOR MEDICAL CLAIMS ADMINISTRATION, AND TAKE APPROPRIATE ACTION. (4:08 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health and Human Services and Veterans' Services (TCHHS&VS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 6.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that the source of the funding is the HHS reserve.

<b>Motion carried:</b> 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	yes

## TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

7. CONSIDER RESOLUTION REGARDING THE USE OF EXCESSIVE FORCE IN ORDER TO MEET GRANT REQUIREMENTS OF THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) (4:12 PM)

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

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

<b>Motion carried:</b> 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	yes

8. RECEIVE BRIEFING FROM THE SOLID WASTE WORKING GROUP AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE)  
(9:17 AM) (10:18 AM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; David Samuelson, Former Travis County Commissioner, Precinct 1; Bill Hilgers, Jacobsen Road Friends and Neighbors United, Inc; Paul Gosselink, Attorney representing BFI; Derek McDonald, Attorney representing Waste Management; John Hutchinson, President, Walnut Place Neighborhood Association; Trek English, President, North East Action Group; Joyce Best, Private Citizen; Christina Kubek, Secretary, Walnut Place Neighborhood Association; Jeannette Klotz, President, North Growth Corridor Alliance; Zora Williams, LBJ Neighborhood; Amy Kersten, Chimney Hills North; Joyce Thoresen, Resident, Walnut Place; John McCullough, General Manager, Harris Branch; and Austin Dullnig, Co-Chair, Travis County Green Party.

Discussion Only.

9. APPROVE INITIAL ISSUANCE OF BONDS AUTHORIZED IN 2001 FOR FISCAL YEAR 2002. (6:36 PM)

No action necessary on Item 9.



- 10. APPROVE REIMBURSEMENT RESOLUTION TO PERMIT THE PURCHASE OF LAND FOR SOUTHEAST METROPOLITAN PARK. (COMMISSIONER GOMEZ)**  
(6:34 PM)

**Clerk's Note:** Items 10 and 20 are associated with one another and were called for concurrent discussion. Please refer to Item 20 for the Court's additional Motion and Vote.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve a reimbursement resolution in the amount of \$450,000.00, which basically represents a loan from the General Fund to purchase this property until the bonds have been issued, and once that's been done, bond proceeds will be taken, and the loan from the General Fund will be repaid.

**Maker accept the Friendly Amendment by Commissioner Gómez** to also approve the budget amendment in the amount of \$450,000.00, and that Greg Chico, Transportation and Natural Resources, work with the Planning and Budget Office to get budget amendment A1 to appropriately reflect the \$450,000.00 figure.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

<b>Motion carried:</b> 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	yes

- 11. APPROVE REIMBURSEMENT RESOLUTION TO PERMIT THE PURCHASE OF LAND FOR SOUTHWEST METROPOLITAN PARK. (COMMISSIONER BAXTER)**  
(6:36 PM)

No action necessary on Item 11.

12. APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT TWO: SETTLER'S MEADOW SECTION FOUR (LONG FORM PLAT – 42 LOTS – 4.383 ACRES – WELLS BRANCH PARKWAY – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY NORTHTOWN MUD - CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (9:35 AM)

**Clerk's Note:** Item 12 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

13. A. APPROVE A LICENSE AGREEMENT WITH ANGEL BAY PROPERTY OWNERS ASSOCIATION, INC. FOR A FENCE IN THE RIGHT-OF-WAY OF THURMAN BEND ROAD ADJACENT TO ANGEL BAY SUBDIVISION IN PRECINCT THREE. (4:15 PM)
- B. NOTIFY COURT OF SATISFACTORY CONSTRUCTION FOR ANGEL BAY, A PRIVATE STREET SUBDIVISION IN PRECINCT THREE.

**Clerk's Note:** Items 13.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 Baxter **and seconded by** Commissioner Gómez to approve the license agreement in Item 13.A, and consider the Court duly notified in Item 13.B.

<b>Motion carried:</b> 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	yes

14. APPROVE A PRELIMINARY PLAN IN PRECINCT FOUR: STONEY RIDGE SECTION 5 (PRELIMINARY PLAN – 134 LOTS – 27.435 ACRES – SCHEBLER STREET – SEWAGE SERVICE TO BE PROVIDED BY MOORE'S CROSSING MUD – CITY OF AUSTIN ETJ). (COMMISSIONER GOMEZ) (9:35 AM)

**Clerk's Note:** Item 14 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

15. APPROVE TEMPORARILY CLOSING RUNNING DEER TRAIL BETWEEN GERONIMO TRAIL AND LONGBOW TRAIL IN PRECINCT THREE FROM JANUARY 7, 2002 UNTIL COMPLETION OF CONSTRUCTION OF RUNNING DEER TRAIL ROADWAY IMPROVEMENT. (COMMISSIONER BAXTER)  
(4:17 PM)

**Clerk's Note:** Item 15 is the action Item for Agenda Item 1.

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

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to approve the temporary road closure as stated in Item 15.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## JUSTICE AND PUBLIC SAFETY ITEMS

16. CONSIDER MEMORANDUM OF UNDERSTANDING WITH TEXAS ENGINEERING EXTENSION SERVICE REGARDING PROCEDURES FOR RECEIVING EQUIPMENT FUNDED BY THE DEPARTMENT OF JUSTICE PROGRAMS, OFFICE FOR DOMESTIC PREPAREDNESS, AND TAKE APPROPRIATE ACTION. (4:19 PM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Emergency Services

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 16.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**17. RECEIVE BRIEFING ON EMS ISSUES AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:17 AM) (3:15 PM)**

**A. FY'02 INTERLOCAL AGREEMENT BETWEEN CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES; (COMMISSIONER SONLEITNER)**

**B. SUMMARY OF TRANSITION TEAM REPORT; AND**

**C. FORMATION OF EMS ADVISORY BOARD. (COMMISSIONER SONLEITNER)**

**Clerk's Note:** Items 17.A, B, and C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); Barbara Wilson, Assistant County Attorney; Dr. Ed Racht, EMS Medical Director; and Richard Herrington, City of Austin EMS.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to approve the proposed interlocal agreement.

<b>Motion carried:</b> 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	yes

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter to accept the transition team's report, and that we accept the recommendation of the quality assurance team and transition team, on how to formulate the EMS Advisory Board; and that an appropriate item be reposted with the Commissioners' Court, when it is ready to take up the issue of the Commissioners' Court appointments to the newly-formulated EMS Advisory Board.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**PLANNING AND BUDGET DEPT ITEMS**

- 18. DISCUSS SITE CRITERIA FOR USE IN LOCATING PROPERTY FOR THE TRAVIS COUNTY GENERAL GOVERNMENT CAMPUS AND TAKE APPROPRIATE ACTION. (3:56 PM)**

**Members of the Court heard from:** Belinda Poppa, Capital Planning Coordinator, Planning and Budget Office (PBO); Roger El Khoury, Director, Facilities Management; and Christian Smith, Executive Manager, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommended site selection criteria, and ask Staff to proceed with trying to locate as many eligible sites as possible; and to report back to this Court in 60 days, if not earlier, for a status report.

<b>Motion carried:</b> 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	yes

- 19.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE. (9:35 AM)
- A.** APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE CAPITAL AREA NARCOTICS TASK FORCE IN THE SHERIFF'S OFFICE. THE APPLICATION EXTENDS THE GRANT FOR FY 02.
  - B.** APPROVE GRANT APPLICATION TO OFFICE OF THE ATTORNEY GENERAL FOR A VICTIM SERVICES GRANT IN JUVENILE COURT. A NEW GRANT PROGRAM TO EXPAND EXISTING SERVICES.
  - C.** APPROVE GRANT CONTRACT TO THE TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS FOR THE KENNEDY RIDGE WATER GRANT IN TRANSPORTATION & NATURAL RESOURCES DEPARTMENT. THIS GRANT PROVIDES FUNDS TO INSTALL WATER FACILITIES IN KENNEDY RIDGE.
  - D.** APPROVE GRANT CONTRACT AMENDMENT TO THE TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS FOR A DISASTER RELIEF GRANT (ONION CREEK BUYOUT) IN TRANSPORTATION & NATURAL RESOURCES DEPARTMENT. THE AMENDMENT INCREASES THE STATE MATCH FOR FEDERAL FUNDS.
  - E.** PERMISSION TO CONTINUE THE COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEATH & HUMAN SERVICES UNTIL A GRANT CONTRACT CAN BE FULLY EXECUTED.

**Clerk's Note:** Items 19.A-E added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

**20. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (4:21 PM) (6:34 PM)**

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Valerie Spinelli, Planning and Budget Analyst, PBO; Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); and Jessica Rio, Planning and Budget Analyst, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 20, excluding amendment A1.

<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 Todd Baxter	absent
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** Items 20 and 10 are associated with one another and were called for concurrent discussion. Please refer to Item 10 for the Court's additional Motion and Vote.

## ADMINISTRATIVE OPERATIONS ITEMS

- 21. RECEIVE STATUS REPORT ON FY 2002 AD HOC JOB ANALYSIS REQUESTS, INCLUDING DESIGNATED REDLINED EMPLOYEES, AND TAKE APPROPRIATE ACTION. (4:31 PM)**

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; Luane Shull, Senior Human Resources Analyst, HRMD; Christian Smith, Executive Manager, PBO; Debbie Rich, Human Resources Coordinator, Travis County Sheriff's Office (TCSO); and Dan Richards, Chief Deputy, TCSO.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the Staff recommendations 1, 2, 3, and 4.

**Clerk's Note:** An Amendment was made by Commissioner Sonleitner to take one out of the rejection file under Number 3, and that is Slot 8, in PBO, to have it looked at and reviewed, with no assumptions as to what the final conclusions will be.

**Clerk's Note:** The Amendment was not accepted by Commissioner Gómez.

**Clerk's Note:** The Court did not take a Vote on the previous Motion.

**A Substitute Motion was made by** Commissioner Sonleitner **and seconded by** Commissioner Baxter that the Motion be exactly as Commissioner Gómez stated, with the exception of adding Slot 8, in PBO, to be added to the list of 15 people who are being looked at during this next budget year, under Appointed Officials.

<b>Motion failed:</b>	County Judge Samuel T. Biscoe	abstain
	Precinct 1, Commissioner Ron Davis	no
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	no

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

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	no
	Precinct 3, Commissioner Todd Baxter	no
	Precinct 4, Commissioner Margaret J. Gómez	yes



22. 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. (5:15 PM)

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to approve the revisions to the code as stated in the Agenda Item.

<b>Motion carried:</b> 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	yes

23. RECEIVE PROPOSAL FOR INDOOR ARENA FOOTBALL AT THE TRAVIS COUNTY EXPO CENTER, PROVIDE STAFF DIRECTION, AND TAKE ANY OTHER APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:17 AM) (2:51 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Craig Jenkins, President and Owner of Austin indoor football team; and Cary Colbert, Director, Travis County Exposition and Heritage Center.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to direct Staff to draft a final contract, and approve the proposal, or the concept.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

24. RECEIVE REPORT FROM THE TRAVIS COUNTY HISTORICAL COMMISSION ON NAMING THE TRAVIS COUNTY SHERIFF’S WEST COMMAND CENTER, AND TAKE APPROPRIATE ACTION. (12:06 PM)

**Motion by** Commissioner Baxter **and seconded by** Judge Biscoe to approve the recommendation of the Historical Commission.

**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. REVIEW AND APPROVE THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS: (5:18 PM)

A. ESTATE OF DIANE MORENO & CINDY LAZZARI, ATTORNEY AT LAW - SETTLE

B. T.C.S.O.

(a) WILLIAMSON COUNTY SHERIFF’S OFFICE - SETTLE

(b) WILLIAMSON COUNTY CLERK’S OFFICE - SETTLE

(c) RUSSELL POWERS - SETTLE

(d) DEPARTMENT OF PUBLIC SAFETY (BASTROP) - SETTLE

**Clerk’s Note:** Items 25.A and B(a), (b), (c), and (d) are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD; Sherine Thomas, Assistant County Attorney; and Dan Richards, Chief Deputy, TCSO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to follow Staff’s recommendation, including the recommendation that we authorize the issuance of checks in the appropriate amounts immediately.

**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	yes

- 26.** 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 \$259,398.59 FOR PERIOD OF NOVEMBER 30 – DECEMBER 6, 2001. (9:35 AM)

**Clerk's Note:** Item 26 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 27.** APPROVE ORDER DELEGATING THE CHIEF TECHNOLOGY OFFICER FOR I.T.S. TO RETRIEVE UNISYS DISK DRIVES DONATED BY THE TEXAS DEPARTMENT OF HUMAN SERVICES. (9:35 AM)

**Clerk's Note:** Item 27 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 28.** APPROVE PERSONNEL AMENDMENTS. (9:35 AM)

**Clerk's Note:** Item 28 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

### **PURCHASING OFFICE ITEMS**

- 29.** APPROVE LETTER SEEKING COUNTYWIDE RECOMMITMENT TO THE TRAVIS COUNTY HISTORICALLY UNDERUTILIZED BUSINESS (HUB) PROGRAM. (JUDGE BISCOE) (9:35 AM)

**Clerk's Note:** Item 29 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 30.** APPROVE PURCHASE OF MOBILE DATA COMPUTING SYSTEMS, OFF STATE CATALOG (QISV) FROM MOTOROLA. (SHERIFF'S OFFICE) (COMMISSIONER GOMEZ) (9:35 AM)

**Clerk's Note:** Item 30 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

31. APPROVE CONTRACT, CONTRACT MODIFICATION, AND MAKING OF CONTRACT FOR TRAFFIC COUNTERS, IFB NO. B010114-DR TO THE LOW BIDDER, TDS/JAYMAR TECHNOLOGIES. (TNR) (COMMISSIONER GOMEZ) (9:35 AM)

**Clerk's Note:** Item 31 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

32. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 00T0078-JP, TESSCO INCORPORATED FOR TWO-WAY WIRELESS SUPPLIES; CONTRACT APPROVED ON 2/1/00. (RADIO USERS COMMITTEE) (COMMISSIONER GOMEZ) (9:35 AM)

**Clerk's Note:** Item 32 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

33. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 99AE601-JJ, MARTINEZ, WRIGHT AND MENDEZ, INC., PROFESSIONAL ENGINEERING SERVICES FOR THE FERGUSON LANE-TUSCANY WAY ROAD IMPROVEMENTS PROJECT; CONTRACT APPROVED ON 3/9/99. (TNR) (COMMISSIONER DAVIS) (9:35 AM)

**Clerk's Note:** Item 33 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

34. APPROVE A ONE (1) MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR ASPHALTIC ROAD MATERIALS: CONTRACTS APPROVED ON 12/23/00. (9:35 AM)

A. NO. 01T0048-JP, INDUSTRIAL ASPHALT, INC.; AND

B. NO. 01T0049-JP, CAPITOL AGGREGATES, LTD. (COMMISSIONER GOMEZ)

**Clerk's Note:** Items 34.A and B added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

35. DISCLOSE RELATIONSHIP WITH KEY CONTRACTING PERSON (SPOUSE), DISCUSS AND APPROVE ORDER WAIVING THE REQUIREMENTS OF DISCRETIONARY CONTRACTS PURSUANT TO SECTION 32.004(f) OF THE TRAVIS COUNTY ETHICS POLICY FOR THE PURPOSE OF APPROVING AN INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR OUTPATIENT SUBSTANCE ABUSE SERVICES, - SAMUEL T. BISCOE AND TAKE APPROPRIATE ACTION. (DRUG DIVERSION COURT) (9:35 AM)

**Clerk's Note:** Item 35 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

36. DISCLOSE RELATIONSHIP WITH KEY CONTRACTING PERSON (SPOUSE), DISCUSS AND APPROVE ORDER WAIVING THE REQUIREMENTS OF DISCRETIONARY CONTRACTS PURSUANT TO SECTION 32.004(f) OF THE TRAVIS COUNTY ETHICS POLICY FOR THE PURPOSE OF RENEWING CONTRACT NO. PS000029-DR BETWEEN TRAVIS COUNTY AND AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER - SAMUEL T. BISCOE AND TAKE APPROPRIATE ACTION. (COUNSELING AND EDUCATION SERVICES) (9:35 AM)

**Clerk's Note:** Item 36 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

37. APPROVE TERMINATION FOR CONVENIENCE (MODIFICATION NO. 2) TO CONTRACT NO. 00T0257-JP WITH TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED FOR JANITORIAL SERVICES – EXECUTIVE OFFICE BUILDING; CONTRACT APPROVED ON 5/30/00. (FACILITIES MANAGEMENT) (COMMISSIONER GOMEZ) (5:24 PM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management.

Item 37 to be reposted on January 2, 2002.

**OTHER ITEMS**

- 38. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (5:25 PM)**

**Members of the Court heard from:** Dave Stauch, Herndon Stauch and Associates; Cyd Grimes, Travis County Purchasing Agent; and John Hille, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the contract modification with Carter Design Associates in the amount of \$10,471.50.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 Commissioner Gómez** to approve the mutual release as drafted by the County Attorney's Office and recommended, with Pfluger Wiginton Hooker.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Todd Baxter	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 39. DISCUSS ADDITIONAL COURTROOM SPACE FOR VISITING JUDGES. (9:17 AM) (1:58 PM)**

**Members of the Court heard from:** Judge Bob Perkins, 331<sup>st</sup> District Court; Debra Hale, Court Management Director, Criminal Courts; Roger El Khoury, Director, Facilities Management; Judge Jon Wisser, 299<sup>th</sup> District Court.

Discussion Only.

- 40.** RECEIVE BRIEFING FROM CRIMINAL COURTS REGARDING TRAVIS COUNTY FAIR DEFENSE ACT PROGRAM GUIDELINES INTERIM STANDARDS AND PROCEDURES - ATTORNEY FEE SCHEDULES. (9:17 AM) (2:23 PM)

**Members of the Court heard from:** Judge Bob Perkins, 331<sup>st</sup> District Court; Jon Wisser, 299<sup>th</sup> District Court; and Debra Hale, Court Management Director, Criminal Courts.

Discussion Only.

- 41.** RECEIVE RECOMMENDATIONS FROM COUNTY CLERK ELECTIONS TASK FORCE CONCERNING NEW VOTING SYSTEM, INCLUDING DIRECTION TO THE PURCHASING AGENT AND COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION. (9:18 AM) (1:46 PM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; Tamara Armstrong, Assistant County Attorney; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to receive the recommendations, and, basically, to give directions to Staff to proceed, which means, to get the final and best offers from both of the two remaining vendors.

<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 Todd Baxter	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

42. A. APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY, TRAVIS COUNTY JUVENILE BOARD AND THE AUSTIN INDEPENDENT SCHOOL DISTRICT REGARDING THE TRUANCY COURT PILOT PROJECT. (9:18 AM) (3:00 PM)

- B. APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY, TRAVIS COUNTY JUVENILE BOARD AND THE CITY OF AUSTIN REGARDING THE TRUANCY COURT PILOT PROJECT.

**Clerk's Note:** Items 42.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Judge Jeanne Meurer, 98<sup>th</sup> District Court; Mel Waxler, General Counsel, Austin Independent School District (AISD); Unknown Male; and Andrea Lyons, AISD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 42.A and B.

<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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

43. CONSIDER INTERLOCAL COOPERATION AGREEMENT WITH VILLAGE OF POINT VENTURE FOR LAW ENFORCEMENT SERVICES, AND TAKE APPROPRIATE ACTION. (SHERIFF'S OFFICE) (9:35 AM)

**Clerk's Note:** Item 43 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

44. CONSIDER APPROVAL OF A CONTRACT WITH THE VILLAGE OF THE HILLS FOR TRAFFIC LAW ENFORCEMENT TO BE PROVIDED BY TRAVIS COUNTY CONSTABLE, PRECINCT TWO, AND TAKE APPROPRIATE ACTION. (9:18 AM) (9:35 AM)

**Clerk's Note:** Item 44 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.



- 45.** CONSIDER PURCHASE OF ADDITIONAL FILING SYSTEM SHELVING AND MODULAR FURNITURE FOR DOMESTIC RELATIONS OFFICE, AND TAKE APPROPRIATE ACTION. (9:38 AM)

Item 45 pulled from the Agenda.

- 46.** RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF NOVEMBER 2001. (9:35 AM)

**Clerk's Note:** Item 46 added to Consent Items. Please refer to Agenda Item 4 (CONSENT ITEMS) for the Court's Motion and Vote.

- 47.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:35 AM)

**Clerk's Note:** Item 47 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

- 48. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY’S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION.** <sup>1</sup> (5:31 PM) (6:27 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.** <sup>1</sup>

**Clerk’s Note:** Items 48.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 48.A and B would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to authorize the County Judge to sign on behalf of the Travis County Commissioners’ Court, which basically, accepts the assignment and release of all claims with Kanetzky Electric.

<b>Motion carried:</b>	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	yes

- 49. CONSIDER OPTION AND PURCHASE AGREEMENTS FOR ACQUISITION OF LAND FOR A PROPOSED EAST METRO PARK IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS)** <sup>2</sup> (5:31 PM) (6:28 PM)

Judge Biscoe announced that Item 49 would be considered in Executive Session.

Item 49 to be reposted on January 8, 2002.

- 50. DISCUSS LAND ACQUISITION FOR THE PROPOSED SOUTHWEST METRO PARK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER BAXTER) <sup>2</sup> (3:32 PM) (5:31 PM) (6:28 PM)**

Judge Biscoe announced that Item 50 would be considered in Executive Session.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Mike Murphy, Alderman, Village of Bee Cave; Richard Reardon, Bee Caves Planning and Zoning Commission and Resident of the Homestead, Village of Bee Cave; Jonathan Coker, Alderman, Village of Bee Cave; James Fisher, City Administrator, Village of Bee Cave; and Bill Bunch, Save our Springs Alliance.

**Motion by** Commissioner Baxter **and seconded by** Judge Biscoe that we direct Staff to continue working on this particular parcel, and to address three specific issues; 1) to look further into the deed restriction issue with the City of Austin, and to get a better feel from Staff, at the next level, and possibly even the Council level, to determine what their true interpretation would be at a much higher level; 2) that we get with The Village of Bee Cave, do a very brief presentation to The Village so they can in some formal fashion, through a resolution or otherwise, present to the County what their desires would or would not be, for a park on that parcel within their jurisdiction; and 3) to communicate with Mr. Porter this situation, and explain to him the understanding or the situation of actually or possibly going beyond the first of the year, and then for him to make any adjustments for that situation. The second part of the Motion would be to direct Staff to also simultaneously start looking for other tracts, in case those issues cannot be resolved. We would not lose any time for looking at alternative parcels if all of the issues on those three things in the first part of the Motion could not be addressed satisfactorily, to where we could meet the vision of the park as we see it as the County.

<b>Motion carried:</b> 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	yes

- 51. DISCUSS, APPROVE OR TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES RELATING TO NORTH RURAL COMMUNITY CENTER AND CLINIC. <sup>2</sup> (5:31 PM) (6:31 PM)**

Judge Biscoe announced that Item 51 would be considered in Executive Session.

No action required on Item 51.

Item 51 to be reposted on December 26, 2001.

- 52. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE AMENDMENT BETWEEN 1825 FORTVIEW, INC. AND TRAVIS COUNTY FOR OFFICE SPACE LOCATED AT 1622 RIVERSIDE DRIVE. <sup>2</sup> (5:31 PM) (6:31 PM)**

Judge Biscoe announced that Item 52 would be considered in Executive Session.

No action necessary on Item 52.

- 53. CONSIDERATION AND APPROVAL OF MEDIATION RESULTS IN DARBY V. TRAVIS COUNTY. (EMPLOYMENT) <sup>1 AND 3</sup> (5:31 PM) (6:31 PM)**

Judge Biscoe announced that Item 53 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 Ms. Darby, and the appropriate representative of the Human Relations Commission, the survey conducted by us from the City of Austin, along with our decision that the survey supports Staff's survey that is an issue in this mediation; and secondly, that we indicate that, in our view, the action taken as a result of the market salary survey, and the resulting salary change, was consistent with other actions taken in the Human Resources Department; and in our view it was a consistent application of the mobility policy, which in this case we think is appropriate.

<b>Motion carried:</b> 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	yes

- 54. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY ON TRAVIS COUNTY VS. PETER VON WUPPERFELD, CAUSE NO. GV-001152, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:31 PM) (6:32 PM)**

Judge Biscoe announced that Item 54 would be considered in Executive Session.

No action required on Item 54.

**55. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. DAVID LUX, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:31 PM) (6:32 PM)**

Judge Biscoe announced that Item 55 would be considered in Executive Session.

No action required on Item 55.

Item 55 to be reposted on January 8, 2002.

**56. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN LAKE TRAVIS V. MARK EISENMAN, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:31 PM) (6:33 PM)**

Judge Biscoe announced that Item 56 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that we authorize the County Judge to sign on behalf of Travis County, the deed that has been prepared, which conveys this property to Joe Albert Gallien and Jay Nellon Gallien for the sum of \$1,500.00 cash, that they have already delivered to us, which covers the outstanding taxes that are \$8.01 less, so \$1,500.00 exceeds the amount owed by \$8.01.

<b>Motion carried:</b> 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	yes

**57. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. TAIYO CORPORATION, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:31 PM) (6:34 PM)**

Judge Biscoe announced that Item 57 would be considered in Executive Session.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that we authorize the County Judge to sign the prepared deed on behalf of Travis County, which shows \$3,100.00 to be paid to Travis County by Lyle and Tracy Nelson, in exchange for this deed on this property.

<b>Motion carried:</b> 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	yes

- 58.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING TRAVIS COUNTY V. ARK MUSIC, INC. AND TAKE APPROPRIATE ACTION. <sup>1</sup> (5:31 PM) (6:34 PM)

Judge Biscoe announced that Item 58 would be considered in Executive Session.

Item 58 postponed until January 8, 2002.

- 59.** RECEIVE BRIEFING FROM COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION REGARDING CLAIM BY CHRISTINA ARMIJO (ARMIJO; FRASIER; CONTRACT, PERSONAL INJURY). <sup>1</sup> (5:31 PM) (6:34 PM)

Judge Biscoe announced that Item 59 would be considered in Executive Session.

Item 59 postponed until January 8, 2002.

**THE FOLLOWING ITEMS ARE ADDENDA:**

- A1. CONSIDER ADOPTION OF A SOLID WASTE SITING ORDINANCE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:17 AM) (11:42 AM)**

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR; Derek McDonald, Attorney representing Waste Management; and Paul Gosselink, Attorney representing BFI.

**Motion by** Commissioner Davis to adopt the draft ordinance that we have in place now, and it is to go into effect immediately, December 18, 2001, through March 5, 2002, as the ordinance exists right now.

**Clerk's Note:** The Motion dies for lack of a second.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez, A) that in fact, we do grant a 60-day period to finish our work; B) that we ask the current members of the Committee to finish serving; and that we ask Joe Gieselman, Executive Manager, TNR, to try to negotiate with the present Chair, a contract which provides reasonable compensation; that we try to estimate what additional time it would take from him; keep that amount as small as possible; but, that the Commissioners' Court, between now and the end of this year, draft questions that it believes should be addressed in the order, and that prior to taking action on that draft on January 2, the draft be circulated to all members of the Committee for input and mailing back to John Kuhl, TNR. The recommendation would be that the Committee spend some time during the first meeting attempting to decide what's the best way to proceed; and to look at the possibility of meeting from 6pm to 9pm one evening during the week.

<b>Motion carried:</b> 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

- A2.** APPROVE EXEMPTION ORDERS FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING DESIGN SERVICES WITH CARTER BURGESS FOR NORTHEAST METRO PARK AND HNTB FOR SOUTHEAST METRO PARK AND AUTHORIZE PURCHASING AGENT, TNR EXECUTIVE MANAGER AND THE FACILITIES MANAGEMENT DIRECTOR TO COMMENCE NEGOTIATIONS, PURSUANT TO COUNTY PURCHASING ACT, TEX. LOC. GOVT. CODE ANN. SEC. 262.024 (a)(4). (5:30 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item A2.

<b>Motion carried:</b> 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	yes

## ADJOURNMENT

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez to adjourn the Voting Session. (6:36 PM)

<b>Motion carried:</b> 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	yes

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**