

MINUTES – APRIL 16, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 16th day of April, 2002, 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 12:05 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, called to order the Voting Session at 1:42 PM and adjourned at 1:43 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:43 PM.

The Commissioners' Court retired to Executive Session at 2:23 PM.

The Commissioners' Court reconvened the Voting Session at 3:40 PM.

The Commissioners' Court adjourned the Voting Session at 3:46 PM.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C8 (excluding C4), and Items 6, 8.A and B, 9, 11.A, B, C, E, and F (excluding 11.D), 14, 20, 22, 24, 25.A and B, 26.A-D, 27.A-D, 28, 33, and 34. (9:39 AM)

Motion carried:

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTINAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR THE FOLLOWING MEETINGS:
 - A.** VOTING SESSION OF MARCH 26, 2002
 - B.** VOTING SESSION OF APRIL 2, 2002
- C4.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE ONE, SECTION 9 – (LONG FORM PLAT – 322 LOTS – 155.20 ACRES – QUINLAN PARK ROAD – TRUST DEED IN LIEU OF FISCAL – WCID 17 – CITY OF AUSTIN ETJ). (COMMISSIONER MOORE) (9:15 AM)

Item C4 pulled from the Agenda.

- C5.** APPROVE A PRELIMINARY PLAN IN PRECINCT THREE - DOS RIOS - (PRIVATE STREETS – 60 RESIDENTIAL LOTS – 367.76 ACRES – COLORADO CANYON DRIVE – LCRA OSSF – NO ETJ). (COMMISSIONER MOORE)
- C6.** APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: THE PARK AT BLACKHAWK SECTION 1 – (LONG FORM PLAT – 80 LOTS – 35.42 ACRES – ROWE LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID 2-B – PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)

CONSENT ITEMS CONTINUED

- C7.** APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: THE PARK AT BLACKHAWK SECTION 3 – (LONG FORM PLAT – 23 LOTS – 5.126 ACRES – FARM POND LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID 2-B – PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)
- C8.** **ADDED ITEM:** APPROVE PROCLAMATION RECOGNIZING APRIL 20, 2002 AS “SALUTE TO CATHOLIC WAR VETERANS DAY” IN TRAVIS COUNTY. (COMMISSIONER GÓMEZ)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 5. A. DISCUSS TEXAS DEPARTMENT OF TRANSPORTATION PROPOSAL ON VARIOUS STATE HIGHWAY PROJECTS, INCLUDING: SH 130, SH 45 SOUTH, SH 45 NORTH, LOOP 1 NORTH, AND TAKE APPROPRIATE ACTION. (9:42 AM)
- B. DISCUSS BONDS AUTHORIZED FOR STATE HIGHWAY RIGHT-OF-WAY PURCHASES, INCLUDING THE ISSUANCE AMOUNT AND DATE OF SALE AND RELATED MATTERS, AND TAKE APPROPRIATE ACTION.

Clerk’s Note: Items 5.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; Ladd Pattillo, Travis County Financial Advisor; Susan Spataro, Travis County Auditor; Robert Daigh, Deputy Director, Texas Department of Transportation; and Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

Motion by Commissioner Moore **and seconded by** Commissioner Sonleitner to direct Staff to work in the direction of a \$100 million issue and to prepare that for the Court’s approval.

Maker and Second accept the Friendly Amendment by Commissioner Davis to make sure that the purchase agreements that the Court is already talking about with the State, related to Mopac, that all of those things get locked down.

Acceptance of the Friendly Amendment was made by Commissioner Moore and Commissioner Sonleitner.

A Restatement of the previous Motion was made by Commissioner Moore that we ask Staff to come back to the Court with a way to issue \$100,000,000.00 worth of debt, and at the same time we will have to have the agreements before us with the Texas Turnpike Authority, and Staff will be working on that in the mean time, but we need to send a signal of a number and the number is \$100,000,000.00.

Maker accept the Friendly Amendment by Commissioner Sonleitner that the Court will be talking about a negotiated bond sale.

Acceptance of the Friendly Amendment was made by Commissioner Moore.

Motion carried:

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

6. APPROVE AFFIDAVIT CERTIFYING THAT CONSTRUCTION OF GRANT-FUNDED AMENITIES AT NORTHEAST METROPOLITAN PARK HAS BEEN COMPLETED. (COMMISSIONER SONLEITNER) (9:39 AM)

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

7. **REVISED WORDING:** RECEIVE DRAFT REPORT ON CLOSED LANDFILL INVENTORY PREPARED BY THE CAPITAL AREA PLANNING COUNCIL (CAPCO), AS REQUIRED BY STATE LAW, AND TAKE APPROPRIATE ACTION. (10:25 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Betty Voights, Executive Director, Capital Area Planning Council (CAPCO); Heather Henley, Solid Waste Coordinator, CAPCO; Casey Kneupper, Solid Waste Planner, CAPCO; and John Kuhl, Natural Resources Program Manager, TNR.

Discussion Only.

8. **A.** APPROVE USE OF ALTERNATIVE FISCAL FOR TWIN CREEKS COUNTRY CLUB SECTION 11, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (9:39 AM)
- B.** APPROVE CASH SECURITY AGREEMENT FOR TWIN CREEKS COUNTRY CLUB SECTION 11, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE)

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

9. APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 1044 AND 1045, APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (9:39 AM)

Clerk's Note: Agenda Item 9 is the action item for the public hearing on Item 1.

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

10. APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 6 AND 7, BLOCK 84, AUSTIN LAKE HILLS SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (9:14 AM)

Clerk's Note: Agenda Item 10 is the action item for the public hearing on Item 2.

Item 10 pulled from the Agenda.

PLANNING AND BUDGET DEPT. ITEMS

11. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
 - A. APPROVE REVISED GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A PROTECTIVE ORDER GUARDIAN AD LITEM IN JUVENILE COURT. REVISED APPLICATION ADJUSTS FUNDING REQUEST FROM \$60,297 TO \$53,713. (9:39 AM)

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

- B. APPROVE REVISED GRANT APPLICATION THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE BATTERER'S INTERVENTION-PREVENTION PROGRAM (JBIPP) IN JUVENILE COURT. REVISED APPLICATION ADJUSTS FUNDING REQUEST FROM \$65,277 TO \$50,774. (9:39 AM)

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

- C. APPROVE GRANT CONTRACT THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM IN JUVENILE COURT. GRANT CONTRACT CONTINUES THE PROGRAM FOR FY '02. (9:39 AM)

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

ITEM 11 CONTINUED

D. REVISED: APPROVE GRANT CONTRACT AMENDMENT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE KENNEDY RIDGE WASTEWATER GRANT. THE AMENDMENT EXTENDS THE TERM OF THE GRANT ADMINISTRATOR. (10:43 AM)

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 11.D.

Motion carried:

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

E. APPROVE GRANT CONTRACT AMENDMENT WITH TEXAS PARKS AND WILDLIFE FOR THE NORTHEAST METROPOLITAN PARK. THE AMENDMENT SHIFTS FUNDING FROM ACQUISITION TO DEVELOPMENT WITHIN THE GRANT. (9:39 AM)

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

F. APPROVE GRANT CONTRACT AMENDMENT WITH THE CORPORATION FOR NATIONAL SERVICE FOR THE RETIRED SENIOR VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES. THE AMENDMENT PROVIDES \$1,500 IN ADDITIONAL FUNDS. (9:39 AM)

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

12. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:44 AM)

No action necessary on Item 12.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 16. CONSIDER AND AUTHORIZE FUNDING OPTIONS FOR HHS&VS DEPARTMENT MARKET SALARY SURVEY AND TAKE APPROPRIATE ACTION. (10:45 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services and Veterans Services (TCHHS&VS); Valerie Spinelli, Planning and Budget Analyst, PBO; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Nancy Goodman-Gill, Human Resources Coordinator, Travis County Health and Human Services (TCHHS); Arlene Tillman, Director, Administrative Services, TCHHS; Leroy Nellis, Budget Manager, PBO; Susan Spataro, Travis County Auditor; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor’s Office.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner that we take \$62,000.00 from the Emergency Reserve to fund the request, and to indicate the Court’s intention to fund the request in the next budget process.

A Clarification to the previous Motion was made by Commissioner Sonleitner that part of the Motion is giving the flexibility and instructions to Human Resources to go ahead and implement as the department has said with the full amount effective January 1, 2002.

Motion carried:

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

PURCHASING OFFICE ITEMS

- 17. CONSIDER CONTRACT AWARD FOR GRANT MANAGEMENT SERVICES FOR KENNEDY RIDGE PROJECT, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:14 AM)

Item 17 postponed until April 23, 2002.

18. CONSIDER RENEWAL OF SOCIAL SERVICE CONTRACT FOR CRIME PREVENTION INSTITUTE, INC., FROM JANUARY 1, 2002 THROUGH DECEMBER 31, 2002; CONTRACT WAS APPROVED ON 4/1/00, AND TAKE APPROPRIATE ACTION. (HHSD) (COMMISSIONER GOMEZ) (9:15 AM) (11:30 AM)

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent; Unknown Male, Austin-Travis County Health and Human Services (A-TCHHS); and Mary Etta Gerhardt, Assistant County Attorney.

Clerk’s Note: The Court declared without objection that the holdover period was extended an additional 30 days, through April 30, 2002.

Item 18 to be reposted on April 23, 2002.

19. CONSIDER CONTRACT AWARD FOR WATER DAMAGE REMEDIATION AND DECONTAMINATION SERVICES, IFB NO. B020055-LB, AND TAKE APPROPRIATE ACTION. (9:15 AM) (11:34 AM)

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to award the contract to Blackmon Mooring Steamatic and Q-1 Services.

Motion carried:

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

20. APPROVE CONTRACT AWARD FOR EROSION CONTROL SERVICES, IFB NO. B020065-RV, TO THE SOLE BIDDER, AFS ENVIRONMENTAL, INC. (TNR) (COMMISSIONER GOMEZ) (9:39 AM)

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

25. APPROVE CONTRACT AWARDS FOR ASPHALTIC ROAD MATERIALS, IFB #B020016-EH, TO THE LOW BIDDERS AS FOLLOWS: (9:39 AM)

A. INDUSTRIAL ASPHALT, INC., AS PRIMARY CONTRACTOR FOR LINE ITEMS 1, 1A, 1B, 2, 2A, 2B, 3, 3A AND 3B (EAST AND WEST ZONES) WITH VULCAN CONSTRUCTION MATERIALS LP, AS THE SECONDARY CONTRACTOR; AND;

B. VULCAN CONSTRUCTION MATERIALS, LP., AS PRIMARY CONTRACTOR FOR LINE ITEMS 4, 4A AND 4B, (EAST AND WEST ZONES) WITH INDUSTRIAL ASPHALT, INC., AS THE SECONDARY CONTRACTOR. (COMMISSIONER GOMEZ)

Clerk's Note: Items 25.A and B added to the Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

26. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR INMATE CLOTHING AND PERSONAL SUNDRIES; CONTRACTS APPROVED ON 6/5/01. (SHERIFF; GARDNER BETTS) (COMMISSIONER GOMEZ) (9:39 AM)

A. CONTRACT NO. 01T0145-LD, HAMILTON UNIFORMS;

B. CONTRACT NO. 01T0146-LD, LESLEE SCOTT;

C. CONTRACT NO. 01T0147-LD, ICS; AND

D. CONTRACT NO. 01T0148-LD, HBD, INC.

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

27. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 3) TO THE FOLLOWING CONTRACTS FOR NON-CAPTIVE AUTOMOTIVE PARTS; CONTRACTS APPROVED ON 7/27/99. (TNR) (COMMISSIONER GOMEZ) (9:39 AM)

A. CONTRACT NO. 99T0191-RG, ARNOLD OIL COMPANY;

B. CONTRACT NO. 99T0192-RG, TEXAS ALTERNATOR STARTER SERVICES;

C. CONTRACT NO. 99T0193-RG, CAPITOL BEARING OF AUSTIN; AND

D. CONTRACT NO. 99T0194-RG, CARQUEST AUTO PARTS #176.

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

28. APPROVE MODIFICATION NO. 4 TO LEASE AGREEMENT NO. LA000263MQ WITH TEXAS LIQUIDATIONS & CLOSEOUTS D/B/A THE CROCKETT CENTER FOR JURY IMPANELMENT. (DISTRICT CLERK) (COMMISSIONER GOMEZ) (9:39 AM)

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

OTHER ITEMS

29. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (11:35 AM)

No action necessary on Item 29.

30. DISCUSS MEETING WITH TEXAS COMMISSION ON JAIL STANDARDS ON APRIL 10, 2002, COMMITMENTS MADE BY COUNTY OFFICIALS, AND TAKE APPROPRIATE ACTION. (11:35 AM)

Members of the Court heard from: David Balagia, Major, Travis County Sheriff's Office (TCSO); and Margo Frasier, Travis County Sheriff.

Discussion Only.

31. DISCUSS ISSUES REGARDING COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT’S COMPLIANCE WITH GASB-34 REGULATIONS AND COLLECTION AND RECORDING OF FINES AND FEES, INCLUDING AUTOMATION SYSTEM AND STAFFING NEEDS, AND TAKE APPROPRIATE ACTION. (11:50 AM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Leroy Nellis, Budget Manager, PBO; Joe Harlow, Director, Information and Telecommunications Systems (ITS); Dusty Knight, Chief Deputy, Tax Office; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor’s Office.

Motion by Judge Biscoe and seconded by Commissioner Gómez to take the Tax Assessor-Collector up on the offer to take \$100,000.00 from the Pilot Collection Program; and that we authorize PBO to take the difference, which we believe to be between \$17,000.00 and \$33,000.00, from the Emergency Reserve; and that we take the Auditor up on the offer to use salary savings to implement the recommendation in the report; and to authorize the immediate posting of those jobs.

Motion carried:

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

32. APPROVE BY ORDER UNDER THE TEXAS CODE OF CRIMINAL PROCEDURE ART. 103.004(b) AUTHORIZATION FOR THE DISPOSITION OF COLLECTED MONEY BY DEPOSIT IN THE COUNTY TREASURY NOT LATER THAN THE SEVENTH REGULAR BUSINESS DAY AFTER THE DATE THAT THE MONEY IS COLLECTED. (COMMISSIONER GOMEZ) (1:43 PM)

Members of the Court heard from: Elena Diaz, Justice of the Peace Precinct 4; Dolores Ortega Carter, County Treasurer; Susan Spataro, Travis County Auditor; and Mike Wichern, Chief Assistant County Attorney, Travis County Auditor’s Office.

Motion by Judge Biscoe and seconded by Commissioner Moore to approve the request to move to an every-Friday deposit, which is the 7th day; that we increase the amount of advance money that is transferred to the Treasurer; and that we do what we can to expedite implementation of the Tiburon FACTS System (Fully Automated Courts Tracking System); and that we review this immediately after implementation of the Tiburon FACTS System or December 31, 2002, whichever comes first.

Motion carried:

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

33. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTHS OF JANUARY 2002 AND MARCH 2002. (9:39 AM)

Clerk’s Note: Item 33 added to the Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

34. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:39 AM)

Clerk’s Note: Item 34 added to the Consent Items. Please refer to 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

- 35. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. ¹ (2:23 PM) (3:41 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 35.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 35.A and B would be considered in Executive Session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that in Item 35.A, that we authorize settlement of the claim of the CCC Group for the amount of \$213,656.00, and that we authorize settlement of the claim of Cobb Mechanical in the amount of \$650,000.00; that we ask Staff to communicate with these contractors and execute our standard settlement and release of claims document.

Motion carried:

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

- 36. DISCUSS POTENTIAL ACQUISITION SITES FOR EAST METRO PARK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) ² (2:23 PM) (3:42 PM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that we direct Transportation and Natural Resources Staff to begin negotiations for the acquisition of East Metro Park and we also include the due diligence that is necessary in the process of negotiations.

Maker and Second accept the Friendly Amendment by Commissioner Sonleitner to make it clear that we are moving towards a new prime acquisition site.

Acceptance of the Friendly Amendment was made by Commissioner Davis and Commissioner Gómez.

Motion carried:

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

- 37. DISCUSS POTENTIAL ACQUISITION SITES FOR SOUTHWEST METRO PARK, AND TAKE APPROPRIATE ACTION. (COMMISSIONER MOORE) ² (9:16 AM)

Item 37 postponed until April 23, 2002.

- 38. DISCUSS, APPROVE, OR TAKE ANY APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES FOR THE TRAVIS COUNTY PALM SQUARE OFFICE BUILDING. ² (9:15 AM)

Item 38 pulled from the Agenda.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING THOROUGHbred FARMS WASTEWATER TREATMENT PLANT, AND TAKE APPROPRIATE ACTION. (ODEN; ENVIRONMENTAL) ¹ (2:23 PM) (3:45 PM)

Judge Biscoe announced that Item 42 would be considered in Executive Session.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to repost this Item for April 23, 2002, and that we ask the owner to provide us with continued progress and tickets, or other things that he could show us.

Maker and Second accept the Friendly Amendment by Commissioner Moore that we instruct the County Attorney to prepare a letter in support of the City of Austin’s application for a Certificate of Convenience and Necessity, with regards specifically to Thoroughbred Farms.

Acceptance of the Friendly Amendment was made by Commissioner Gómez and Commissioner Davis.

Motion carried:

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

Item 42 to be reposted on April 23, 2002.

- 43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL. (CIVIL RIGHTS) ¹ (2:23 PM) (3:45 PM)

Judge Biscoe announced that Item 43 would be considered in Executive Session.

No action necessary on Item 43.

Item 43 to be reposted on April 23, 2002.

- 44. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN HCI EQUITY PARTNERS, LP V. TRAVIS COUNTY, ET AL, AND TAKE APPROPRIATE ACTION. ¹ (2:23 PM) (3:45 PM)

Judge Biscoe announced that Item 44 would be considered in Executive Session.

No action necessary on Item 44.

Item 44 to be reposted on April 23, 2002.

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN REYNALDO MACIAS, SR. ET AL. V. TRAVIS COUNTY, ET AL, AND TAKE APPROPRIATE ACTION. ¹ (2:23 PM) (3:45 PM)

Judge Biscoe announced that Item 45 would be considered in Executive Session.

No action necessary on Item 45.

Item 45 to be reposted on April 23, 2002.

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (3:46 PM)

Motion carried:

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge