

MINUTES – JANUARY 14, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th day of January, 2003, the Commissioners' Court convened the regular Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger 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 10:06 AM.

The Commissioners' Court reconvened the Voting Session at 10:54 AM.

The Commissioners' Court recessed the Voting Session at 11:32 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation called to order the Voting Session at 1:42 PM and adjourned at 1:45 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, called to order the Voting Session at 1:45 PM and adjourned at 1:45 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 1:45 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 3:00 PM.

The Commissioners' Court reconvened the Voting Session at 5:06 PM.

The Commissioners' Court adjourned the Voting Session at 5:16 PM.

PUBLIC HEARINGS

1. DISCUSS A PROPOSED STREET NAME CHANGE FOR A PORTION OF HOG EYE ROAD TO IMPERIAL DRIVE, PRECINCT ONE. (COMMISSIONER DAVIS) (ACTION ITEM # 7) (9:17 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 7 for the Court's Motion and Vote.

Motion by Commissioner Davis and seconded by Commissioner Sonleitner 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 Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner 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 Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

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

3. DISCUSS ORDER TEMPORARILY CLOSING IMMANUEL ROAD BETWEEN HYMILL DRIVE AND CRYSTAL BEND DRIVE, AND CLOSING CRYSTAL BEND DRIVE BETWEEN IMMANUEL ROAD AND HYMILL DRIVE IN PRECINCT ONE FROM JANUARY 15, 2003 UNTIL COMPLETION OF CONSTRUCTION OF THE REALIGNMENT OF THE INTERSECTION OF IMMANUEL ROAD AND CRYSTAL BEND DRIVE. (COMMISSIONER DAVIS) (ACTION ITEM # 9) (9:20 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 9 for the Court's Motion and Vote.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner 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 Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner 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 Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Alex Jones, Travis County Resident; and Gus Peña, President, East Austin Concerned Hispanics. (9:30 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1 – C6.A-D, and Items 4, 5, 6, 7, 8, 9, 10.A and B, 12.A and B, 14, 15, 17, 18, 19, 21, 22, 23, and 24. (9:41 AM)

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Gerald Daugherty	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 DECEMBER 31, 2002.
- C4.** APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 11, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISES PLAT OF LOTS NOS. 1 THROUGH 6, 44,47 THROUGH 50, AND 52 THROUGH 54, BLOCK C, PARADISE MANOR SECTION ONE (REVISED PLAT – 1 LOT – 7.90 ACRES – PARADISE MANOR CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OETJ). (COMMISSIONER DAUGHERTY)
- C5.** APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 18, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 11 AND 12, BLOCK A, THE PRESERVE AT BARTON CREEK (SHORT FORM PLAT – 1 LOT – 3.72 ACRES – TOP OF TEXAS TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – VILLAGE OF BEE CAVE ETJ). (COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

C6. APPOINT OR REAPPOINT THE FOLLOWING INDIVIDUALS TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE UNTIL DECEMBER 31, 2005:

A. COUNTY JUDGE

WILLIAM H. BEARE,
PATTI B. HALL,
JANE MANASTER,
LILA ANNE PARKER,
ERNESTINE L. THOMPSON, AND
DAVID A. WHITE;

B. PRECINCT ONE

MARGARINE G. BEAMAN,
ANITA HOWARD,
MAE H. MARION, AND
BRUNO C. SCHMIDT;

C. PRECINCT TWO

BARBARA HANKINS,
ROSEMARY MORROW, AND
VICTORIA WORSHAM;

D. PRECINCT THREE

BARRY HUTCHESON,
ANN S. MARSHALL, AND
MELISSA W. VOELLINGER.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

4. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR TRAVIS SETTLEMENT SECTION 2 ALONG WITH THE RESUBDIVISION OF LOTS 107, 108, 151, 152 AND 153A AND THE RESUBDIVISION OF LOTS 125, 126, 142, AND 143 AND LOTS 4, 5, AND 6, OF THE RESUBDIVISION OF LOTS 144, 145, 294, TRAVIS SETTLEMENT SECTION 2 AND LOTS 291-293, 295 AND 296 TRAVIS SETTLEMENT SECTION 5, A SUBDIVISION IN PRECINCT 3. (9:41 AM)

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

5. APPROVE MODIFICATION TO THE INTERLOCAL AGREEMENT BETWEEN LCRA, THE CITY OF AUSTIN AND TRAVIS COUNTY TO INCLUDE THE CITY OF SUNSET VALLEY IN THE ONION CREEK U.S. ARMY CORP. OF ENGINEERS' STUDY. (9:41 AM)

Clerk's Note: Item 5 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

6. APPROVE A PRELIMINARY PLAN FOR RECORDING IN PRECINCT TWO: SPRINGBROOK INDUSTRIAL PARK PRELIMINARY PLAN (20 LOTS – 20.88 ACRES – PICADILLY DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY CITY OF PFLUGERVILLE – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:41 AM)

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

7. APPROVE A PROPOSED STREET NAME CHANGE FOR A PORTION OF HOG EYE ROAD TO IMPERIAL DRIVE, PRECINCT ONE. (COMMISSIONER DAVIS) (9:41 AM)

Clerk's Note: Item 7 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 7 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

8. APPROVE ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A DRAINAGE EASEMENT ON LOTS 24 AND 25 WESTVIEW ESTATES SECTION 2, IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:41 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 2.

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

- 9.** APPROVE ORDER TEMPORARILY CLOSING IMMANUEL ROAD BETWEEN HYMILL DRIVE AND CRYSTAL BEND DRIVE, AND CLOSING CRYSTAL BEND DRIVE BETWEEN IMMANUEL ROAD AND HYMILL DRIVE IN PRECINCT ONE FROM JANUARY 15, 2003 UNTIL COMPLETION OF CONSTRUCTION OF THE REALIGNMENT OF THE INTERSECTION OF IMMANUEL ROAD AND CRYSTAL BEND DRIVE. (COMMISSIONER DAVIS) (9:41 AM)

Clerk's Note: Item 9 is the action item for the public hearing on Agenda Item 3.

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

- 10. A.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR THE RESERVE AT HUDSON BEND, A SUBDIVISION IN PRECINCT 3. (9:41 AM)
- B.** APPROVE LICENSE AGREEMENT WITH LEGACY/MONTEREY, L.P. FOR LANDSCAPING, IRRIGATION, LIGHTING, ROCK SIGNS, AND A TEMPORARY SALES OFFICE IN THE RIGHT-OF-WAY OF LAGUNA CLIFF LANE IN THE RESERVE AT HUDSON BEND, A SUBDIVISION IN PRECINCT 3.

Clerk's Note: Items 10.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS

- 11.** CONSIDER AND AUTHORIZE THE WRITE-OFF OF CERTAIN NON-CAPITAL INVENTORY ITEMS FROM THE TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERAN'S SERVICE DEPARTMENT INVENTORY LISTING. (9:16 AM)

Item 11 pulled from the Agenda.

PLANNING AND BUDGET DEPT. ITEMS

12. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:

- A. APPROVE CONTRACT WITH SAFEPLACE TO USE CITY OF AUSTIN GRANT FUNDS FOR PROFESSIONAL SERVICES. THE GRANT IS TO CONTINUE THE CURRENT PROGRAM THROUGH MARCH 2005.**
(9:41 AM)

Clerk's Note: Item 12.A added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- B. APPROVE GRANT CONTRACT WITH THE CRIME VICTIM'S SERVICES DIVISION OF THE TEXAS ATTORNEY GENERAL'S OFFICE FOR A VICTIM'S ASSISTANCE (VADG) GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE CONTRACT ALLOWS \$10,000 FROM THE PRIOR GRANT TO BE CARRIED INTO THE CURRENT VADG GRANT.** (9:41 AM)

Clerk's Note: Item 12.B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- C. APPROVE GRANT APPLICATION TO SUBSTANCE ABUSE AND MENTAL HEALTH ADMINISTRATION FOR A YOUTH OFFENDER REENTRY GRANT PROGRAM IN THE JUVENILE PROBATION DEPARTMENT. THIS IS A NEW GRANT PROGRAM WITH NO GRANT MATCH.** (10:58 AM)

Members of the Court heard from: Alan Miller, Budget Analyst, Planning and Budget Office (PBO).

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

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

ITEM 12 CONTINUED

D. APPROVE GRANT APPLICATION TO SUBSTANCE ABUSE AND MENTAL HEALTH ADMINISTRATION FOR A PROGRAM TO INCREASE COMMUNITY COLLABORATION TO PREVENT YOUTH VIOLENCE AND PROMOTE YOUTH DEVELOPMENT MANAGED IN THE JUVENILE PROBATION DEPARTMENT. THIS IS A NEW GRANT PROGRAM WITH NO GRANT MATCH. (11:03 AM)

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

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

13. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:43 AM)

No action necessary on Item 13.

ADMINISTRATIVE OPERATIONS ITEMS

14. 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 \$ 465,255.80 FOR THE PERIOD OF DECEMBER 27, 2002 THROUGH JANUARY 2, 2003. (9:41 AM)

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

15. APPROVE PERSONNEL AMENDMENTS. (9:41 AM)

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

PURCHASING OFFICE ITEMS

16. APPROVE LICENSE AGREEMENT WITH TEXAS LOGIC, INC. FOR COURT FEES, FINES, COSTS AND CHARGES CREDIT CARD SOFTWARE. (TAX OFFICE) (COMMISSIONER GOMEZ) (11:03 AM)

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Assessor Collector's Office; Alan Miller, Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; Cyd Grimes, Travis County Purchasing Agent; and Christian Smith, Executive Manager, PBO.

Discussion only. No action was taken.

Item 16 to be reposted on January 21, 2003.

17. APPROVE FY'03 CRIME VICTIMS FUND CONTRACT FOR CRIME VICTIMS SERVICES, RFS NO. S020153-JW, WITH TEXAS RURAL LEGAL AID – PS030043-JW. (COMMISSIONER GOMEZ) (9:41 AM)

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

18. APPROVE CONTRACT AWARD FOR GRINDER PUMP STATIONS, IFB #B030030-JJ, TO THE SOLE BIDDER, ENVIRONMENTAL IMPROVEMENTS. (TNR) (COMMISSIONER GOMEZ) (9:41 AM)

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

19. APPROVE CONTRACT AWARD FOR PHARMACEUTICALS AND PHARMACEUTICAL SUPPLIES, IFB NO. B0300014-OJ, TO THE LOW BIDDER, AMERISOURCE BERGEN CORP. (SHERIFF) (COMMISSIONER GOMEZ) (9:41 AM)

Clerk's Note: Item 19 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

20. 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 CONTRACTS DURING FY'03 BETWEEN TRAVIS COUNTY AND AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION - SAMUEL T. BISCOE. (COMMISSIONER GOMEZ) (1:46 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the annual disclosure.

Motion carried:

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

21. APPROVE CONTRACT AWARD FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES TRAFFIC CONTROL DEVICES PROJECT, RFQ #Q20126JW, TO WHM TRANSPORTATION ENGINEERING CONSULTANTS, INC. (TNR) (COMMISSIONER GOMEZ) (9:41 AM)

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

22. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS990359KW WITH RX MANAGEMENT CONSULTANTS, FOR PHARMACY MANAGEMENT SERVICES. (SHERIFF'S OFFICE) (9:41 AM)

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

OTHER ITEMS

- 23.** APPROVE A LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND LANGFORD FILMS TO USE A PORTION OF SOUTHWEST PARKWAY ON JANUARY 18 OR 19, 2003 TO FILM TELEVISION COMMERCIAL. (9:41 AM)

Clerk's Note: Item 23 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 24.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:41 AM)

Clerk's Note: Item 24 added to 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

- 25.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TNR AND/OR TAKE APPROPRIATE ACTION REGARDING RIGHT-OF-WAY TRANSACTIONS RELATING TO COUNTY ROADWAY CONNECTIONS TO SH 130. 1 AND 2 (1:56 PM) (5:07 PM)

Clerk's Note: Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.072, Real Property.

No action taken on Item 25.

Item 25 to be reposted on January 21, 2003.

- 26.** CONSIDER WORKPLACE SAFETY ISSUES AT 1622 E. RIVERSIDE DRIVE, AND TAKE APPROPRIATE ACTION, INCLUDING: 1 AND 2 (1:56 PM) (2:00 PM) (5:07 PM)

- A.** TERMINATING EXISTING LEASE AND
- B.** APPROVING NEW LEASE

Clerk's Note: Judge Biscoe announced that Items 26.A and B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.072, Real Property.

Members of the Court heard from: Jimmy Nassour, Shareholder in Austin 1825 Fortview, Inc., Landlord of 1622 E. Riverside Drive; John Bevis, Property Manager, 1622 E. Riverside Drive; John Hille, Assistant County Attorney; Chuck Watt, Travis County Occupational Health and Safety Engineer, Human Resources Management Department (HRMD); Pat Ford, Real Estate Manager, Facilities Management; and Rosie Ramon Duran, Community Supervision and Corrections Department (CSCD).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve lease terms for South Park F lease; that we authorize the County Judge to execute the lease documents on behalf of the County; that we direct the County Attorney to send written notification to the owners of 1622 Riverside Drive, reflecting the County's intent to terminate the lease, effective February 28, 2003; that we approve the draft letter, prepared by the County Attorney's Office, which will bear today's date, January 14, 2003; that we authorize the County Attorney to send the letter from the County Attorney's Office.

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

Item 26 to be reposted on January 21, 2003.

27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SETTLEMENT OFFER IN MICHELE RENE WESTON V. MARGO FRASIER, ET AL. (JUDGE BISCOE) ¹ (1:56 PM) (5:09 PM)

Clerk's Note: Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to renew the Commissioners' Court's counter-offer to settle for the amount of \$5,000.00, based on the lack of hard evidence of injury, as discussed.

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

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TERESA SHIELDS V. TRAVIS COUNTY, TEXAS. ¹ (1:56 PM) (5:10 PM)

Item 28 postponed until January 28, 2003.

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL., AND IN RE: ESTATE OF FREDRICK PLUET, DECEASED, IN THE PROBATE COURT NO. 1 OF TRAVIS COUNTY, TEXAS. (PLUET; FRASIER; CIVIL RIGHTS) ¹ (1:56 PM) (5:10 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 29.

- 30.** DISCUSS CERTAIN PERSONNEL ISSUES CONCERNING GEORGE MORGAN, DISCUSS STARFLIGHT ORGANIZATIONAL ISSUES, RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION. 1 AND 3 (1:56 PM) (5:11 PM)

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney; and Todd Clark, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we approve the recommendation for a Starflight review panel, from the committee of City of Austin and Travis County personnel, to review City of Austin, Travis County, and FAA, Starflight matters, with an eye toward reporting back to the Commissioners' Court and appropriate City of Austin personnel, the panels findings, as soon as possible. We understand that this will be a general review primarily, but to the extent City of Austin and Travis County employees are necessary for the panel to do its work, then the understanding is that they will ask the necessary questions, make the necessary findings, and recommendations to the Commissioners Court for the recommendations to be feasible; and for the panel to be made up of the individuals recommended in a memo from one of the Assistant City of Austin Managers: Sheila Gladstone, a local employment law specialist, Dan Mansour, the Travis County Safety Officer, Brian Dunagan, the City of Austin EMS Safety Officer, Lieutenant Colonel Charles Spangler, Army National Guard, Aviation Support Facility Commander, and the professional to be named jointly by Caryl Colburn and Richard Herrington, someone specifically with section 135 maintenance experience; that this action be communicated with appropriate personnel at the City of Austin.

A Clarification of the previous Motion was made by Commissioner Sonleitner that this is not a personnel grievance panel, it is one to deal with organizational issues in the Starflight program.

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

THE FOLLOWING ITEMS ARE ADDENDA:

- A1.** DISCUSS CONTRACT AWARD FOR REFUSE COLLECTION, IFB B030007-OJ, AND TAKE APPROPRIATE ACTION. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:44 AM) (10:55 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Tom Nuckols, Assistant County Attorney; Joyce Best, Travis County Resident; Trek English, Travis County Resident; Melanie McAfee, owner, Barr Mansion; John Joseph, Attorney, Waste Management; and Steve Jacobs, Manager, Central Texas Landfill, Waste Management.

Clerk's Note: Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to disqualify Waste Management as non-responsive bidder for IFB #B030007-OJ, and award to the next-lowest bidder, Texas Disposal Systems, this contract, in the amount of \$151,794.00.

Motion failed:	County Judge Samuel T. Biscoe	abstain
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	no
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	no

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to award the contract to the low bidder, Waste Management, subject to a post-award modification that deals with the orders; that we delay execution of the contract for one week, to give Staff an opportunity to get with Waste Management, and to hopefully, agree on contract language dealing with the orders at the facility; and that the County Judge make himself available, on behalf of the Commissioners' Court, to help achieve that language.

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	no
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Gerald Daugherty	no
	Precinct 4, Commissioner Margaret J. Gómez	yes

Item A1 to be reposted on January 21, 2003, for execution of the contract.

A2. CONSIDER ALTERNATIVE FUND SOURCES FOR COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT LEASED SPACE AND TAKE APPROPRIATE ACTION: (1:49 PM)

A. TRANSFER FROM ALLOCATED RESERVES; OR

B. INTERNAL TRANSFER FROM FACILITIES MANAGEMENT UTILITIES BUDGET WITH SUBSEQUENT REPLACEMENT OF FUNDS FROM ALLOCATED RESERVES IF NECESSARY IN FY '03.

Clerk's Note: Items A2.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Diana Ramirez, Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item A2.B, borrowing from the utility line item.

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

A3. APPROVE PROCLAMATION RECOGNIZING PARTICIPANTS OF THE TEXAS LEGISLATIVE INTERNSHIP PROGRAM. (JUDGE BISCOE) (9:22 AM)

Members of the Court heard from: Blair Haley, Intern, 78th Legislative Session; and Joshua Sams, Intern, 78th Legislative Session.

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

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

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:16 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge