

MINUTES OF MEETING – AUGUST 5, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 5th day of August, 2003, the Commissioners' Court convened the regular Voting Session at 9:12 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 recessed the Voting Session at 12:06 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:39 PM and adjourned at 1:44 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation convened the Voting Session at 1:44 PM and adjourned at 1:47 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:47 PM.

The Commissioners' Court retired to Executive Session at 4:52 PM.

The Commissioners' Court reconvened the Voting Session at 5:27 PM.

The Commissioners' Court adjourned the Voting Session at 5:30 PM.

PUBLIC HEARINGS

1. DISCUSS REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEKS COUNTRY CLUB, SECTION 2A, REPLAT OF LOTS 25-27, BLOCK C (SHORT FORM PLAT – 3 LOTS – 0.63 ACRES – TATTLER DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (ACTION ITEM 10) (COMMISSIONER DAUGHERTY) (9:14 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 10 for the Court's Motion and Vote.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner 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 Daugherty **and seconded by** Commissioner Gómez 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

2. DISCUSS REQUEST FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO "RIVER GARDEN TRAIL", PRECINCT THREE. (ACTION ITEM 11) (COMMISSIONER DAUGHERTY) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 11 for the Court's Motion and Vote.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez 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

3. DISCUSS AMENDMENT OF CHAPTER 17 OF THE TRAVIS COUNTY CODE TO ALLOW CLOSED SESSIONS FOR BENEFITS APPEALS PANEL HEARINGS. (ACTION ITEM 32) (9:16 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 32 for the Court's Motion and Vote.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to open the public hearing.

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

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez 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

RESOLUTIONS & PROCLAMATIONS

4. APPROVE PROCLAMATION CELEBRATING THE 20TH ANNUAL “NATIONAL NIGHT OUT” ON AUGUST 5, 2003 SPONSORED BY THE TRAVIS COUNTY SHERIFF’S OFFICE AND THE NATIONAL ASSOCIATION OF TOWN WATCH. (JUDGE BISCOE) (9:18 AM)

Members of the Court heard from: Senior Deputy Vincente Galloway, Travis County Sheriff’s Office (TCSO); and Margo Frasier, Travis County Sheriff.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proclamation in Item 4.

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

5. APPROVE RESOLUTION HONORING TOM WATSON ON HIS RETIREMENT FROM THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT AFTER 17 YEARS OF SERVICE TO TRAVIS COUNTY. (COMMISSIONER GÓMEZ) (9:23 AM)

Members of the Court heard from: Tom Watson, TNR; Carol Joseph, Assistant Director, TNR; Don Wheeler, Division Director, Road Maintenance and Fleet Services, TNR; and Mrs. Watson, wife of Tom Watson.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the resolution in Item 5.

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: Olie Pope, Travis County Veterans' Services.
(9:40 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C7.A and B and Items 6, 7, 8.A-D, 9.A-D, 10, 11, 13, 14, 15, 16, 17, 18, 19.A and C, 20.A and B, 26.A-E, 29, 30, 31, 32.A and B, 33, 37, 39, and 40. (9:58 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 JULY 22, 2003.
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 26, 2003, IN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' DRAINAGE AND PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, RED WAGON RANCHETTES, A SUBDIVISION IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 26, 2003, IN ORDER TO AUTHORIZE THE FILING OF AN ORDER TO VACATE A PORTION OF THE RIGHT-OF-WAY OF GENERAL WILLIAMSON DRIVE IN CARDINAL HILLS UNIT 16, A SUBDIVISION IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

- C6.** APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 9, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: RESUBDIVISION OF LOT 2, JOHN MORROW SUBDIVISION (SHORT FORM PLAT – 3 LOTS – 9.170 ACRES – CAMERON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY – OUTSIDE ALL ETJs). (COMMISSIONER DAVIS)
- C7.** RATIFY CONTRACT AWARDS FOR CAR WASHING SERVICES, IFB # B030139-RV, TO THE RESPONSIVE LOW BIDDERS:
- A.** WSM ENTERPRISES, INC. DBA SQUEEKY CLEAN NORTH – GROUP B: SELF SERVICE; AND
 - B.** RPM ENTERPRISES, INC. DBA SQUEEKY CLEAN SOUTH – GROUP B: SELF SERVICE. (TNR) (COMMISSIONER GÓMEZ)

PURCHASING OFFICE ITEMS

- 6.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 03K00150JJ, CHASCO CONTRACTING, NORTHEAST METRO PARK CONSTRUCTION PROJECT, PHASE II, PROJECT 2. (TNR) (COMMISSIONER SONLEITNER) (9:58 AM)

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

- 7.** APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 01C0208-LC, CAPCO COMMUNICATIONS INC., FOR NORTEL NETWORK PRODUCTS/ EQUIPMENT. (ITS) (COMMISSIONER GÓMEZ) (9:58 AM)

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

8. APPROVE TWELVE (12) MONTH EXTENSIONS (MODIFICATION NO. 2 AS INDICATED BELOW) FOR AUTO BODY REPAIR SERVICES AND ADD/DELETE LANGUAGE TO THE FOLLOWING CONTRACTS: (9:58 AM)

- A. NO. 01T0229-RV, AGUIRRIE PAINT AND BODY, INC.;
- B. NO. 01T0230-RV, NETWORK AUTO BODY AND PAINT SHOP;
- C. NO. 01T0231-RV, TWO-DAY AUTO PAINT AND BODY SHOP; AND
- D. NO. 01T0232-RV, H & R AUTO BODY, INC. (TNR) (GÓMEZ)

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

9. APPROVE MODIFICATION NO. 2 TO THE FOLLOWING RESIDENTIAL TREATMENT PROGRAM CONTRACTS: (9:58 AM)

- A. THE HIGH FRONTIER, PS000181KW;
- B. COMMUNITY ADVOCATES FOR TEENS AND PARENTS, INC., PS000203KW;
- C. DAYSTAR RESIDENTIAL, PS000204KW; AND
- D. FATHER FLANAGANS BOYS TOWN OF SAN ANTONIO, PS000205KW. (COMMISSIONER GÓMEZ)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEKS COUNTRY CLUB, SECTION 2A, REPLAT OF LOTS 25-27, BLOCK C (SHORT FORM PLAT – 3 LOTS – 0.63 ACRES – TATTLER DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ. (COMMISSIONER DAUGHERTY) (9:58 AM)

Clerk's Note: Item 10 is the action item for the public hearing on Agenda Item 1.

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

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO "RIVER GARDEN TRAIL" IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:58 AM)

Clerk's Note: Item 11 is the action item for the public hearing on Agenda Item 2.

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

12. DISCUSS COMMENT LETTER FOR PROPOSED TCEQ PERMIT NO. 04484, MAGNA-FLOW SLUDGE LAND APPLICATION ON TAYLOR LANE NEAR FM 969, AND TAKE APPROPRIATE ACTION. (4:21 PM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR.

Discussion only. No action taken.

Item 12 to be reposted on August 12, 2003.

13. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN WESTMINSTER GLEN PHASE 3, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:58 AM)

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

14. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR HALF OF ANDERSON MILL ROAD IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:58 AM)

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

15. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN AMENDED PLAT OF FLINTROCK AT HURST CREEK PHASE 8, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:58 AM)

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

16. APPROVE A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEKS COUNTRY CLUB SECTION 6C (LONG-FORM PLAT – 11 LOTS – 7.24 ACRES – TWIN CREEKS CLUB DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:58 AM)

Clerk's Note: Item 16 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

17. APPROVE A CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: PARKSIDE AT SLAUGHTER CREEK, SECTION 3 (LONG FORM PLAT – 113 LOTS – 69.207 ACRES – BRANDT ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:58 AM)

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

18. APPROVE A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT TWO: MEADOWS OF BLACKHAWK PHASE 6 (LONG FORM PLAT – 101 LOTS – 32.855 ACRES – SPEIDEL DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WATER DEVELOPMENT DISTRICT NO. 1 – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:58 AM)

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING BLACKHAWK SUBDIVISION: (9:58 AM)

A. A CONSTRUCTION AGREEMENT;

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

- B. A PLAT FOR RECORDING IN PRECINCT TWO: THE PARK AT BLACKHAWK SECTION 4 (LONG FORM PLAT – 55 LOTS – 11.143 ACRES – FARM POND LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID 2-B – CITY OF PFLUGERVILLE ETJ); AND (9:59 AM)

Item 19.B postponed until August 12, 2003.

- C. A PLAT FOR RECORDING IN PRECINCT TWO: THE PARK AT BLACKHAWK SECTION 5 (LONG FORM PLAT – 81 LOTS – 16.626 ACRES – FARM POND LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID 2-B – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:58 AM)

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING THE RANCH AT CYPRESS CREEK: (9:58 AM)
- A. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN THE RANCH AT CYPRESS CREEK SECTION 9 IN PRECINCT THREE; AND
 - B. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR THE RANCH AT CYPRESS CREEK SECTIONS 16A, 16B, 16C, AND 16D, FOUR SUBDIVISIONS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

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

21. DISCUSS PROPOSED FY 2004 ONSITE WASTEWATER PERMIT FEE INCREASES, AND TAKE APPROPRIATE ACTION. (9:13 AM)

Item 21 pulled from the Agenda.

22. CONSIDER COUNTY POLICY ON CONDUCTING PUBLIC HEARINGS OF FEE INCREASES IN THE FY 04 BUDGET. (11:55 AM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Discussion only. No action taken.

23. CONSIDER PROPOSED SUBDIVISION REGULATION AMENDMENTS TO CHAPTER 82, TRAVIS COUNTY CODE, TO RESOLVE INCONSISTENCIES WITH THE CITY OF AUSTIN CODE AS REQUIRED BY HB 1445, AND TAKE APPROPRIATE ACTION. (4:23 PM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney.

Item 23 to be reposted on August 12, 2003.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON ADDITIONAL RECOMMENDATIONS ON AIR QUALITY INITIATIVES. (4:23 PM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney.

Item 24 to be reposted on August 12, 2003.

TAKE UP AT 1:45 P.M.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PRELIMINARY PLAN IN PRECINCT THREE: GARZA BRODIE SUBDIVISION (LOWE'S HOME CENTER IN SUNSET VALLEY) (PRELIMINARY PLAN – 2 LOTS – 31.40 ACRES – BRODIE LANE). (COMMISSIONER DAUGHERTY) (1:48 PM)

Members of the Court heard from: Bruce Todd, representing Lowe's and Ely Garza, Landowner; Terry Irion, Attorney representing Lowe's; Dan Wheelus, Attorney representing Ely Garza; Lisa Gordon, Assistant City Manager, City of Austin; Tom Nuckols, Assistant County Attorney; Anna Bowlin, TNR; Mark Mellis, Site Director, Lowe's; Kat Quintanilla, Mayor Pro Tem, City of Sunset Valley; Doug Young, Attorney representing Sunset Valley; Collin Clarke, Save Our Springs Alliance; Steve Beers, Austin Resident; Mike Blizzard, Travis County Resident; Gus Garcia, former Mayor of Austin; Unknown female, Private Citizen; and David Escamilla, Travis County Attorney.

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to approve the conditional approval, with all of the nine conditions stated today. Those have got to be met before a final plat can go forth.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe that alternate conditions be approved, including: Compliance with the nine points brought before the Commissioners' Court today; or, a specific agreement, by and between the City of Austin and Lowe's; or, a court ruling on jurisdiction; or, some direct communication to the Travis County Commissioners' Court from the Austin City Council.

Acceptance of the Friendly Amendment was made by Commissioner Daugherty.

Clerk's Note: The Court did not take a Vote on the Standing Motion and Second at this time.

ITEM 25 CONTINUED

A Substitute Motion was made by Commissioner Davis **and seconded by** Commissioner Gómez to delay the preliminary plan for the Garza Brodie subdivision, Lowe's Home Center, at this time, until legal and jurisdictional issues can be resolved, and, that we hear something definitive from the Austin City Council elected body.

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

An Addition to the original Motion was made by Judge Biscoe that this preliminary plan is approved on the condition that jurisdictional issues contested in Travis County District Court, Cause No. GN300625, involving City of Austin are resolved by agreement between the owner and the City or finally adjudicated prior to final plat approval. This preliminary plan has no force and effect if these conditions are not met.

Clerk's Note: The Court took a Vote on the Standing Motion and Second at this time.

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	yes
	Precinct 4, Commissioner Margaret J. Gómez	no

PLANNING AND BUDGET DEPT. ITEMS

- 26.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
(9:58 AM)
- A.** GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A JUVENILE ACCOUNTABILITY BLOCK GRANT DISCRETIONARY FUNDS PROGRAM IN JUVENILE PROBATION. THE GRANT PROVIDES FUNDING FOR A ONE YEAR PROGRAM TO DEVELOP A JUVENILE RISK ASSESSMENT TOOL;
 - B.** GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A JUVENILE ACCOUNTABILITY BLOCK GRANT (JAIBG) PROGRAM IN JUVENILE PROBATION. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 04;
 - C.** GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A JUVENILE ACCOUNTABILITY BLOCK GRANT DISCRETIONARY FUNDS PROGRAM IN JUVENILE PROBATION. THE GRANT PROVIDES FUNDING TO CONTINUE PARTIAL FUNDING FOR THE PROJECT SPOTLIGHT GRANT PROGRAM FOR FY 04;
 - D.** APPROVE GRANT CONTRACT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR STEP #3 KENNEDY RIDGE WATER GRANT. THE GRANT PROVIDES FUNDS FOR ADDITIONAL CAPACITY AND FIRE FLOW PROTECTION TO THE EXISTING SYSTEM; AND
 - E.** APPROVE A PLAN CHANGE TO AGREEMENT WITH THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES FOR THE PROVISION OF TITLE IV-E FUNDS FOR REIMBURSEMENT OF ALLOWABLE EXPENDITURES IN THE DISTRICT ATTORNEY'S OFFICE. THE PURPOSE OF THE PLAN CHANGE IS TO INCORPORATE THE FY 04 COST ALLOCATION PLAN AND BUDGET.

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

27. RECEIVE PRESENTATION OF THE FY 04 PRELIMINARY BUDGET, DISCUSS BUDGET ISSUES, AND TAKE APPROPRIATE ACTION. (4:20 PM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

No action needed on Item 27.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON APPROVAL OF BROKER/DEALER APPLICANTS FOR CONDUCTING INVESTMENT BUSINESS WITH TRAVIS COUNTY. (4:23 PM)

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the broker/dealer applicants, as recommended by Staff.

Motion carried:

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

29. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:58 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

30. 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 \$306,487.45 FOR THE PERIOD OF JULY 18, 2003 THROUGH JULY 24, 2003. (9:58 AM)

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

31. APPROVE PERSONNEL AMENDMENTS. (9:58 AM)

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

32. A. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT OF CHAPTER 17 OF THE TRAVIS COUNTY CODE TO ALLOW CLOSED SESSIONS FOR BENEFITS APPEALS PANEL HEARINGS; AND (9:58 AM)

B. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO CHAPTER 17 OF THE TRAVIS COUNTY CODE TO DELETE RISK MANAGER'S NAME.

Clerk's Note: Items 32.A and B are the action items for the public hearing on Agenda Item 3.

Clerk's Note: Items 32.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

OTHER ITEMS

33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:58 AM)

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY FINANCIAL INCENTIVES POLICY TO STIMULATE JOB CREATION AND ECONOMIC DEVELOPMENT. (11:00 AM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Discussion Only. No action taken.

Item 34 to be reposted on August 12, 2003.

35. CONSIDER REQUEST FROM ENDEAVOR REAL ESTATE GROUP LLC. FOR FINANCIAL INCENTIVES ON “THE DOMAIN” DEVELOPMENT PROJECT, AND TAKE APPROPRIATE ACTION. (11:32 AM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Kirk Rudy, Endeavor Real Estate Group; and Brice Miller, Endeavor Real Estate Group.

Discussion only. No action taken.

Item 35 to be reposted on August 12, 2003.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON DOWNTOWN DISTRICT ATTORNEY FUNDING: (9:44 AM)

A. \$10,000 DONATION FROM THE DOWNTOWN AUSTIN ALLIANCE; AND

B. INTERLOCAL AGREEMENT FOR DOWNTOWN BUSINESS DISTRICT ATTORNEY WITH THE CITY OF AUSTIN. (SONLEITNER)

Clerk’s Note: Items 36.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Ronnie Earle, Travis County District Attorney; Commander Harold Piatt, Austin Police Department; Wade Cooper, Chair, Downtown Austin Alliance; and Eric McDonald, Assistant District Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the interlocal agreement with the City of Austin; and the acceptance of the \$10,000.00 check from the Downtown Austin Alliance.

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

37. REAPPOINT MARGARET J. GÓMEZ TO SERVE AS TRAVIS COUNTY'S REPRESENTATIVE TO THE CAPITAL METRO BOARD IN ACCORDANCE WITH SECTION 451.5021(b)(3) OF THE TEXAS TRANSPORTATION CODE. (COMMISSIONER GÓMEZ) (9:58 AM)

Clerk's Note: Item 37 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

38. CONSIDER ADOPTION OF A \$5 COUNTY CLERK RECORDS ARCHIVE FEE AS PROVIDED BY SB 1731. (11:53 AM)

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the adoption of this fee.

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

39. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ORDER OF COMMISSIONERS COURT REGARDING REIMBURSEMENT OF EXTRADITION COSTS. (9:58 AM)

Clerk's Note: Item 39 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

40. CONSIDER AND APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND WILBARGER CREEK MUNICIPAL UTILITY DISTRICT NO. 2. (9:58 AM)

Clerk's Note: Item 40 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

41. CONSIDER REQUEST FOR TRAVIS COUNTY TO JOIN THE TEXAS HIGH SPEED RAIL AND TRANSPORTATION CORPORATION, AND TAKE APPROPRIATE ACTION. (10:01 AM)

Members of the Court heard from: Steve Lynch, Chief Operating Officer, Dean International, representing The Texas High Speed Rail and Transportation Corporation; and Noe Reyes, Dean International.

Discussion Only. No action taken.

Item 41 to be reposted on August 12, 2003.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED GOALS FOR THE TASK FORCE ON FINES AND FEES IN THE INTEGRATION OF THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT'S CASE MANAGEMENT AND FINANCIAL SERVICES SYSTEMS WITH THE TRAVIS COUNTY INTEGRATED JUSTICE SYSTEM. (4:25 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; and Barbara Cille, Executive Assistant, Travis County Commissioner Precinct 3 Office.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the proposed mission statement, goals, and objectives, as amended today.

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

43. CONSIDER AND TAKE APPROPRIATE ACTION ON PERSONNEL ISSUES IN THE CENTRAL COLLECTIONS PROJECT IN THE TAX ASSESSOR'S OFFICE AND RESULTING SPACE ISSUES. (4:32 PM)

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Office; Alicia Perez, Executive Manager, Administrative Operations; Christian Smith, Executive Manager, PBO; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to indicate the Court's position in support of the four people being available.

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 43 to be reposted on August 12, 2003.

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

44. CONSIDER AND TAKE APPROPRIATE ACTION ON BEST OPTION FOR MANAGEMENT OF TRAVIS COUNTY SCHOOL LAND IN THROCKMORTON COUNTY. ¹ (4:52 PM) (5:28 PM)

Clerk's Note: Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to authorize the renegotiation of a new contract with our current manager.

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

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING OPEN MEETINGS REQUIREMENTS. ¹ (4:52 PM)

Item 45 postponed until August 12, 2003.

46. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE LEASE FOR THE JONESTOWN COMMUNITY CENTER AND CLINIC. ² (4:52 PM) (5:28 PM)

Clerk's Note: Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to sign up for the next five years at the rate that we signed off on, and authorize Precinct Three Commissioner Daugherty to execute the documents.

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

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING BARBARA OAKLEY, AS LEGAL GUARDIAN FOR RICHARD DANZINGER V. CITY OF AUSTIN, HECTOR POLANCO, ET AL. ¹ (4:52 PM) (5:29 PM)

Clerk's Note: Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action taken on Item 47.

Item 47 to be reposted on August 12, 2003.

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND CONSIDER EXTENDED PERIOD OF ADMINISTRATIVE LEAVE FOR FIVE DAYS WITH PAY FOR MARY HELEN GARCIA, EMPLOYEE OF JUVENILE PROBATION DEPARTMENT, AND TAKE APPROPRIATE ACTION. ¹ (4:52 PM) (5:29 PM)

Clerk's Note: Judge Biscoe announced that Item 48 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 48 pulled from the Agenda.

49. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH JENNIFER KUNZ D/B/A JENNY'S BAKEHOUSE AND DELI. ² (COMMISSIONER SONLEITNER) (4:51 PM)

Item 49 pulled from the Agenda.

50. CONSIDER REQUEST TO THE TEXAS TURNPIKE AUTHORITY TO DESIGN AND CONSTRUCT AN INTERCHANGE AT THE PROPOSED HOWARD LANE ARTERIAL DURING THE INITIAL CONSTRUCTION OF STATE HIGHWAY 130, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) ^{1 & 2} (4:51 PM)

Item 50 pulled from the Agenda.

51. CONSIDER AND TAKE APPROPRIATE ACTION ON APPLICANTS INTERVIEWED FOR CRIMINAL JUSTICE COORDINATOR. ³ (4:52 PM) (5:29 PM)

Clerk's Note: Judge Biscoe announced that Item 51 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Clerk's Note: The Court indicated that a subcommittee of Commissioners Sonleitner and Gómez would have follow-up work for the Court to do.

Discussion only. No action taken, but.

Item 51 to be reposted on August 12, 2003.

ADDED ITEMS

- A1.** CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS IN RESPONSE TO REQUEST FOR SERVICES ON JAIL OPERATIONS AND NEED FOR OUTSIDE CONSULTANT. (4:02 PM) (4:50 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Kimberly Pierce, Criminal Justice Planning; Margo Frasier, Travis County Sheriff; Belinda Powell, Capital Planning Coordinator, PBO; and John Hille, Assistant County Attorney.

Discussion only. No action taken.

Item A1 to be reposted on August 12, 2003.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:30 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge