

MINUTES OF MEETING – SEPTEMBER 9, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of September, 2003, the Commissioners' Court convened the regular Voting Session at 9:17 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.

Clerk's Note: The Court expressed its condolences to the families of Lee Flores, George Joseph Sr., and Senator Walter Richter.

The Commissioners' Court recessed the Voting Session at 12:02 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:40 PM and adjourned at 1:41 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation convened the Voting Session at 1:41 PM and adjourned at 1:43 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:44 PM.

The Commissioners' Court retired to Executive Session at 2:45 PM.

The Commissioners' Court reconvened the Voting Session at 4:10 PM.

The Commissioners' Court adjourned the Voting Session at 4:14 PM.

PUBLIC HEARINGS

1. DISCUSS REQUEST TO 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). (ACTION ITEM 7) (COMMISSIONER DAVIS) (9:18 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

2. DISCUSS THE ANNUAL WRITTEN PLAN FOR FUNDING THE PRESERVATION AND RESTORATION OF THE COUNTY CLERK'S RECORDS ARCHIVE AS REQUIRED BY 118.025 OF THE LOCAL GOVERNMENT CODE. (ACTION ITEM 30) (9:20 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 30 for the Court's Motion and Vote.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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

Clerk's Note: No speakers addressed the Court during the public hearing.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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

3. APPROVE PROCLAMATION HONORING THE 193RD ANNIVERSARY OF THE “DIEZ Y SEIS DE SEPTIEMBRE” CELEBRATION. (COMMISSIONER GÓMEZ)
(9:21 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the proclamation in Item 3.

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

4. APPROVE RESOLUTION RECOGNIZING JESSICA ROSUELLO AS THE BOYS AND GIRLS CLUBS OF THE CAPITAL AREA’S YOUTH OF THE YEAR.
(9:21 AM)

Item 4 postponed until September 16, 2003.

5. APPROVE RESOLUTION CONGRATULATING CASH INVESTMENT MANAGEMENT STAFF ON BEING AWARDED THE CERTIFICATE OF DISTINCTION BY THE GOVERNMENT TREASURERS’ ORGANIZATION OF TEXAS FOR DEVELOPING AN OUTSTANDING INVESTMENT POLICY.
(9:22 AM)

Members of the Court heard from: Harvey Davis, Manager, Cash/Investment Management; Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Mary Mayes, Investment Manager, Cash/Investment Management.

Motion by Judge Biscoe **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: Kenneth Snyder, Northridge Acres Resident; Nettie Brown, President, Northridge Homeowners Association; Chris Thiele, Attorney representing CapTex Inc.; Jimmy Castro, Travis County Resident; and Gary Johnson, Travis County Resident. (9:26 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C10, and Items 7, 8, 9, 10, 14.A and B, 17, 18, 20, 21, 22, 23, 25, 26, 28, 31, 32.A, 37, 41, A1, A2, A3, and A4. (9:44 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 CORRECTED COMMISSIONERS COURT MINUTES FOR VOTING SESSION ON JULY 22, 2003 – TYPOGRAPHICAL ERROR ON ITEM 11.
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR BUDGET VOTING SESSION OF AUGUST 14, 2003.
- C5. APPROVE COMMISSIONERS COURT MINUTES FOR EXECUTIVE SESSION ANNOUNCEMENT ON AUGUST 19, 2003.
- C6. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION ON AUGUST 19, 2003.
- C7. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION ON AUGUST 26, 2003.

CONSENT ITEMS CONTINUED

- C8.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 23, 2003 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FOR A REMAINING PORTION OF “OLD” FM 973 TO “WALTON HILL PASS” WHICH IS NEAR HAMANN LANE, PRECINCT ONE. (COMMISSIONER DAVIS)
- C9.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 30, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 3, HAZELHURST SUBDIVISION (REVISED PLAT – 1 LOT – 10.41 ACRES – SILVER MOUNTAIN DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)
- C10.** APPROVE SETTING A PUBLIC HEARING ON OCTOBER 14, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: BELLA VISTA, SECTION 1, AMENDED PLAT OF LOTS 11 AND 12, BLOCK F (SHORT FORM PLAT – 2 LOTS – 0.637 ACRES – AZZURO WAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY)

HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS

- 6. A. CONSIDER AND TAKE APPROPRIATE ACTION ON CHANGES IN THE CONTRACTUAL AGREEMENT WITH THE WORKFORCE DEVELOPMENT BOARD ADDRESSING TRAVIS COUNTY'S POTENTIAL LIABILITY FOR WORKFORCE FUNDS; (9:58 AM) (2:07 PM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN REGARDING THE ESTABLISHMENT OF A WORKFORCE DEVELOPMENT BOARD; AND
- C. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT WITH THE CITY OF AUSTIN AND WORKSOURCE REGARDING THE FUNCTIONS, RESPONSIBILITIES, ROLES AND RELATIONSHIPS IN THE DELIVERY OF WORKFORCE DEVELOPMENT SERVICES.

Clerk's Note: Items 6.A-C are associated with one another and were called for concurrent discussion.

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Items 6.A, B, and 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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO 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) (9:44 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 A CASH SECURITY AGREEMENT WITH MORRISON HOMES FOR POSTING SIDEWALK FISCAL FOR PART OF STEINER RANCH PHASE 1, SECTION 8 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:44 AM)

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

9. APPROVE A CASH SECURITY AGREEMENT WITH WILSHIRE/HEARTSTONE VENTURE I, LP FOR POSTING SIDEWALK FISCAL BELLA VISTA SECTION 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:44 AM)

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

10. APPROVE A CASH SECURITY AGREEMENT WITH PULTE HOMES OF TEXAS, LP FOR POSTING SIDEWALK FISCAL BELLA VISTA SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:44 AM)

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

- 11. DISCUSS LICENSE AGREEMENT WITH THE CITY OF AUSTIN FOR THE INSTALLATION OF A FLOOD GATE WARNING SYSTEM ON SPICEWOOD SPRINGS ROAD, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAUGHERTY) (9:59 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the agreement in Item 11.

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

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AGREED ORDER FROM TCEQ REGARDING WASTE MANAGEMENT OF TEXAS, INCORPORATED'S ALLEGED VIOLATIONS AT THE NORTHEAST TRAVIS COUNTY LANDFILL. (9:52 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the order in Item 12.

Clerk's Note: Commissioner Sonleitner explained that the projects under discussion were the Walnut Creek Erosion Control Project, and the Illegal Dumpsite Cleanup Project.

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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A VARIANCE TO CHAPTER 82.302(d)(11) OF STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISION IN TRAVIS COUNTY FOR CLAYTON'S CROSSING TO ALLOW FOR ACCEPTANCE OF A SUBDIVISION WITH A JOINT USE DRIVEWAY THAT DOES NOT HAVE ALL WEATHER ACCESS TO AND FROM THE PROPOSED LOTS (6); AND (10:03 AM)

- B. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: CLAYTON'S CROSSING (LONG FORM PLAT – 22 LOTS – 40.735 ACRES – SPICEWOOD SPRINGS ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (6 LOTS) AND CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)

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; Anna Bowlin, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Items 13.A and B, with the appropriate notations on the plat and deed records, regarding all-weather access to the subdivision.

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	no

PLANNING AND BUDGET DEPT. ITEMS

14. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:44 AM)

A. GRANT APPLICATION AMENDMENT TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A PROTECTIVE ORDER GUARDIAN AD LITEM GRANT IN JUVENILE PROBATION DEPARTMENT. THE AMENDMENT PROVIDES A MINOR MODIFICATION TO THE RESOLUTION THAT IS PART OF THE GRANT; AND

B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES FOR A CHILD WELFARE SERVICES PROGRAM IN HEALTH AND HUMAN SERVICES. THE CONTRACT EXTENDS THE CURRENT PROGRAM FOR FY 04.

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

15. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:14 AM)

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO; Roger El Khoury, Director, Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; Pat Ford, Real Estate Manager, Facilities Management; John Hille, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve budget amendments and transfers A1, T1, and T2, reducing the amount in T1 to \$5,500.00, and cover the building on 1100 Nueces, but omit the other building.

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

16. PRESENT COMBINED RESULTS OF FY 2004 BUDGET AGENDA REQUESTS FROM INDIVIDUAL MEMBERS OF THE COMMISSIONERS' COURT FOR DISCUSSION AT BUDGET MARK-UP. (11:30 AM)

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

Discussion only. No action taken.

ADMINISTRATIVE OPERATIONS ITEMS

17. 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 \$455,377.51 FOR THE PERIOD OF AUGUST 22, 2003 THROUGH AUGUST 28, 2003. (9:44 AM)

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO FUND A SECOND TRAVIS COUNTY EMPLOYEE TO PARTICIPATE IN LEADERSHIP AUSTIN PROGRAM, IN ACCORDANCE WITH CHAPTER 16 OF TRAVIS COUNTY CODE. (9:44 AM)

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

19. APPROVE PERSONNEL AMENDMENTS. (10:29 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Joe Harlow, Director, Information and Telecommunications Systems (ITS); Leroy Nellis, Budget Manager, PBO; Roger El Khoury, Director, Facilities Management; and Linda Moore Smith, Director, Human Resources Management Department (HRMD).

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve all of the personnel amendments.

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

PURCHASING OFFICE ITEMS

- 20. APPROVE ADDITION OF SERVICES (MODIFICATION NO. 1) TO CONTRACT NO. PS010128DS WITH GARY H. WILLCOX, DDS, FOR DENTAL SERVICES. (HHSD) (COMMISSIONER GÓMEZ) (9:44 AM) (9:49 AM)

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

Clerk's Note: At 9:49 AM, Commissioner Daugherty requested that the Court reconsider its action on Item 20.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to reconsider the action taken on Item 20.

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: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Frank Holder, Assistant Purchasing Agent.

Motion by Commissioner Sonleitner and seconded by Commissioner Gómez to approve Item 20.

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

- 21. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 02T00046OJ, D & L MEDICAL, FOR MEDICAL SUPPLIES FOR MAP ENROLLEES. (ATCHHS) (COMMISSIONER GÓMEZ) (9:44 AM)

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

22. APPROVE STATE TERM CONTRACT PURCHASE OF GLASS TRAFFIC BEADS FROM SWARCO-REFLEX. (TNR) (COMMISSIONER GÓMEZ) (9:44 AM)

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

23. APPROVE PURCHASE OF ONE (1) EMULSION STORAGE TANK FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), IL030067OJ. (TNR) (COMMISSIONER GÓMEZ) (9:44 AM)

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

24. APPROVE SOLE SOURCE EXEMPTION AND CONTRACT AWARD WITH UNISYS CORPORATION FOR SERVER MAPPER ES3000, MAPPER SOFTWARE AND MAPPER MIGRATION SERVICES. (ITS) (COMMISSIONER GÓMEZ) (11:32 AM) (11:36 AM)

Members of the Court heard from: Joe Harlow, Director, ITS.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the sole source exemption and contract award in Item 24.

Motion carried:

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

Clerk's Note: Item 24 was further discussed at 11:36 AM with a request by Commissioner Sonleitner that the Commissioners' Court record reflect a Corrected Vote on Item 24. Judge Biscoe instructed that the record show Commissioner Sonleitner voting in favor of the Motion on Item 24. The Commissioners' Court record does reflect the Corrected Vote.

Corrected Vote:

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

25. APPROVE MODIFICATION NO. 1 TO INTERLOCAL IL010019LB, AUSTIN TRAVIS COUNTY MHMR (A/TCMHMR), FOR CHILDREN'S BEHAVIORAL HEALTH SERVICES THROUGH REFERRALS BY THE CHILDREN'S PARTNERSHIP. (HHS) (COMMISSIONER GÓMEZ) (9:44 AM)

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

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

26. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. PS960016DR, YOUTH ADVOCATE PROGRAM, FOR MENTORING SERVICES. (COMMISSIONER GÓMEZ) (9:44 AM)

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

27. APPROVE ISSUANCE OF JOB ORDER NO. 6, FOR RENOVATION SERVICES AT THE USB BUILDING, CONTRACT JC020108DM, BARECKY CONSTRUCTION COMPANY, FOR MINOR CONSTRUCTION AND RENOVATION SERVICES. (FM) (COMMISSIONER GÓMEZ) (9:51 AM) (11:34 AM) (11:36 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the job order in Item 27.

Motion carried:

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

Clerk’s Note: Item 27 was further discussed at 11:36 AM with a request by Commissioner Sonleitner that the Commissioners’ Court record reflect a Corrected Vote on Item 27. Judge Biscoe instructed that the record show Commissioner Sonleitner voting in favor of the Motion on Item 27. The Commissioners’ Court record does reflect the Corrected Vote.

Corrected Vote:

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

28. APPROVE CHANGE ORDER NO. 3 TO CONTRACT 03K00012SI WITH CASH CONSTRUCTION COMPANY, LTD., FOR THE WESTBANK ROAD IMPROVEMENTS AND SIDEWALK PROJECT. (TNR) (9:44 AM)

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

OTHER ITEMS

- 29.** RECEIVE UPDATE ON TRAVIS COUNTY CRIMINAL COURTS AT LAW JAIL REDUCTION DOCKET. (1:44 PM)

Members of the Court heard from: Orlinda Naranjo, Judge, County Court at Law #2; Debra Hale, Court Administration; Mike Denton, Judge, County Court at Law #4; Gisela Triana, Judge, County Court at Law #5; Elisabeth Earle, Judge, County Court at Law #7; and David Crain, Judge, County Court at Law #3.

Discussion only. No action taken.

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION ON THE ANNUAL WRITTEN PLAN FOR FUNDING THE PRESERVATION AND RESTORATION OF THE COUNTY CLERK'S RECORDS ARCHIVE AS REQUIRED BY 118.025 OF THE LOCAL GOVERNMENT CODE. (2:05 PM)

Clerk's Note: Item 30 is the action item for the public hearing on Agenda Item 2.

Item 30 to be reposted on September 16, 2003.

- 31.** CONSIDER AND APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND WILBARGER CREEK MUNICIPAL UTILITY DISTRICT NO. 1. (9:44 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 REQUEST FOR TRAVIS COUNTY AGREEMENT TO ASSESS TAXES FOR THE VILLAGE OF VOLENTE. (9:44 AM)

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

- 32. B. CONSIDER AND TAKE APPROPRIATE ACTION ON INVOICE TO THE VILLAGE OF VOLENTE FOR CONDUCTING INCORPORATION ELECTION. (9:46 AM)

Item 32.B pulled from the Agenda.

- 33. CONSIDER OPTIONS AND ALTERNATIVES IN THE COLLECTION OF FINES AND FEES, AND TAKE APPROPRIATE ACTION. (COMMISSIONERS DAVIS AND DAUGHERTY) (9:47 AM)

Item 33 postponed until September 16, 2003.

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL TO CLOSE THE TAX OFFICE THURSDAY AND FRIDAY, SEPTEMBER 18 AND 19, 2003, RESPECTIVELY, TO RELOCATE TO NEW OFFICE. (11:29 AM)

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Office.

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

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

35. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ADOPTION OF A FAMILY PROTECTION FEE IN THE DISTRICT CLERK'S OFFICE. (11:35 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the request in Item 35.

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

36. APPROVE ACCEPTANCE OF THREE CANINE PROTECTIVE VESTS FROM THE 100 CLUB OF CENTRAL TEXAS. (9:49 AM)

Members of the Court heard from: Ginger Bauman, Executive Vice President, The 100 Club of Central Texas; and Sergeant Jason Truitt, Travis County Sheriff's Office (TCSO).

Clerk's Note: Travis County Sheriff's Office and the Travis County Sheriff's Law Enforcement Association presented a plaque to The 100 Club of Central Texas for its outstanding support of the Travis County Sheriff's Office K-9 Unit, and a Certificate of Appreciation from the Sheriff's Department to Dr. Ray Johnson and his staff at the Anderson Mill Animal Clinic.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to accept the 3 canine protective vests.

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. APPROVE A RESOLUTION FOR THE ISSUANCE OF BONDS BY THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #3. (COMMISSIONER DAUGHERTY) (9:44 AM)

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

38. CONSIDER AND TAKE APPROPRIATE ACTION ON THE STATE REQUIREMENT FOR ACCREDITATION OF THE MEDICAL EXAMINER'S OFFICE. (10:50 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services; Dr. Elizabeth Peacock, Deputy Medical Examiner; Darlene Dunn, Office Manager, Medical Examiner's Office; Robert Bayardo, Travis County Medical Examiner; and Alan Miller, Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve a letter stating Travis County's position to the Department of Public Safety (DPS), the County's legislative delegation, the author's of the legislation, the Conference of Urban Counties (CUC), and the Texas Association of Counties (TAC).

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 RECOMMENDATIONS FOR REDUCTION OF THE TRAVIS COUNTY FLEET BY THE FLEET MANAGEMENT COMMITTEE. (11:36 AM) (2:08 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Christian Smith, Executive Manager, PBO; Margo Frasier, Travis County Sheriff; Mike Joyce, Fleet Manager, TNR; and Bob Vann, Constable, Precinct Two.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to appoint a committee of Joe Gieselman, Executive Manager, TNR, Mike Joyce, Fleet Manager, TNR, the Travis County Sheriff, a Constable, Planning and Budget, Purchasing, the Auditor's Office, the Risk Manager, Commissioner Davis and Commissioner Daugherty, to look at the issues, challenges, and targets.

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 39 to be reposted on September 16, 2003.

40. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING:

A. ELECTION DAY POLLING PLACES; (2:00 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and Gail Fisher, Elections Division Manager, Travis County Clerk’s Office.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 40.A, the Election Day polling place revisions.

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

40. B. THE ORDER FILLING VACANCIES FOR ELECTION PRECINCT JUDGES AND ALTERNATE JUDGES; (2:03 PM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the order in Item 40.B.

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 40 CONTINUED

- 40. C. ORDER OF APPOINTMENT OF PRECINCT ELECTION JUDGES AND ALTERNATE JUDGE FOR CONSOLIDATED PRECINCTS; AND (2:04 PM)**

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the order in Item 40.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

- D. OTHER MATTERS RELATING TO THE CONDUCT OF THE SEPTEMBER 13, 2003 ELECTION. (2:04 PM)**

No action needed on Item 40.D.

- 41. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:44 AM)**

Clerk's Note: Item 41 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 42. DECLARE A SURPLUS IN THE RISK MANAGEMENT FUND, AND TAKE APPROPRIATE ACTION. (9:47 AM)**

Item 42 postponed until September 16, 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

- 43.** RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. RUBY STUBBS (MICHAEL B. KNEPP RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (2:45 PM) (4:10 PM)

Clerk's Note: Judge Biscoe announced that Item 43 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 authorize the County Judge to execute a tax resale deed to Michael B. Knepp, who has already paid Travis County the sum of \$200,000.00.

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

- 44.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND TAKE APPROPRIATE ACTION IN THE MATTER OF DAVID M. GRASSBAUGH V. TRAVIS COUNTY, TEXAS, DINAH DINWIDDIE, ELAINE CARPENTER AND TERRY ESQUIVEL, CAUSE NO. 99-06730, IN THE 98TH DISTRICT COURT OF TRAVIS COUNTY, TEXAS. ¹ (2:45 PM) (4:10 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.

Item 44 to be reposted on September 16, 2003.

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING STATE COMPTROLLER'S REQUEST FOR AGREEMENT TO EXTEND PERIOD OF LIMITATIONS PERTAINING TO AUDIT, AND TAKE APPROPRIATE ACTION. ¹
(2:45 PM) (4:11 PM)

Clerk's Note: Judge Biscoe announced that Item 45 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 Davis that, since the State Comptroller has requested an extension until February, 2004, we authorize the County Treasurer to sign the appropriate form, authorizing the requested extension.

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

- 46. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION FROM COUNTY ATTORNEY IN THE MATTER OF RICHARD MCCAIN. ¹ (2:45 PM) (4:11 PM)

Clerk's Note: Judge Biscoe announced that Item 46 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 Gómez for the elected official in this case to land wherever she thinks is appropriate, and the Commissioners' Court's mindset is basically, to bless that decision. She is trying to collaborate with another elected official to resolve this matter, and we wish they would do so within existing budgeted resources already in their separate and combined departments.

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
(2:45 PM) (4:12 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to indicate to counsel for the legal guardian, the County’s willingness to resolve this matter for the sum of \$500,000.00 lump sum, or \$700,000.00, payable in two equal payments of \$350,000.00, one in ‘04, and one in ‘05.

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

- 48. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH ROBERT D. KING AND JANET K. KING FOR THE ACQUISITION OF APPROXIMATELY 59.524 ACRES OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ^{1&2} (2:45 PM)
(4:12 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, and Gov’t. Code Ann. 551.072, Real Property.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner for the County Judge to execute the purchase contract, and for Commissioner Daugherty to represent the Commissioners’ Court at the closing, and to sign whatever documents are needed to sign to complete this deal.

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

Clerk’s Note: The Commissioners’ Court expressed its appreciation to the King family.

ADDED ITEMS:

A1. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 02K00209JJ, KEYSTONE CONSTRUCTION, INC., FOR THE NORTHEAST METRO PARK CONSTRUCTION PROJECT, PHASE II, PROJECT 1. (TNR) (9:44 AM)

Clerk's Note: Item A1 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

A2. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 03K00150JJ, CHASCO CONTRACTING, NORTHEAST METRO PARK CONSTRUCTION PROJECT, PHASE II, PROJECT 2. (TNR) (9:44 AM)

Clerk's Note: Item A2 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

A3. AUTHORIZE AUDITOR TO PURCHASE EQUIPMENT FOR SEVERAL CRIMINAL COURTS FOR VIDEO PLEAS AND OTHER JUDICIAL PROCESSES OUT OF AUDITOR'S FY03 BUDGET. (9:44 AM)

Clerk's Note: Item A3 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

A4. APPOINT TIM RHINEHART TO SERVE ON THE BOARD OF ESD #11 EFFECTIVE IMMEDIATELY. (COMMISSIONER GOMEZ) (9:44 AM)

Clerk's Note: Item A4 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (4:14 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