MINUTES OF MEETING - SEPTEMBER 30, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 30th day of September, 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 11:39 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:38 PM and adjourned at 1:39 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:39 PM and adjourned at 1:47 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, and the Capital Health Facilities Development Corporation, convened the Voting Sessions at 1:47 PM and adjourned at 1:47 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:48 PM.

The Commissioners' Court retired to Executive Session at 1:50 PM.

The Commissioners' Court reconvened the Voting Session at 3:38 PM.

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

PUBLIC HEARINGS

1. RECEIVE INPUT ON THE FY 04 PROPOSED COUNTY BUDGET. (ACTION ITEM 6) (9:13 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 6 for the Court's Motion and Vote.

Motion by Commissioner Gómez **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 absent
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 Gómez **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 absent
Precinct 3, Commissioner Gerald Daugherty yes
Precinct 4, Commissioner Margaret J. Gómez yes

- **2.** DISCUSS REQUEST REGARDING NORTHTOWN PARK IN PRECINCT ONE: (9:14 AM)
 - A. THE TOTAL VACATION OF SECTION 3; AND
 - **B.** THE TOTAL VACATION OF SECTION 5. (ACTION ITEM 35) (COMMISSIONER DAVIS)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 35 for the Court's Motion and Vote.

Motion by Commissioner Davis **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 absent
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 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 REQUEST TO 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). (ACTION ITEM 36) (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 36 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

CITIZENS COMMUNICATION

Members of the Court heard from: Steven Broberg, Director, Records Management and Communications Resources (RMCR); and Amalia Rodriguez Mendoza, Travis County District Clerk. (9:16 AM)

Clerk's Note: Judge Biscoe announced that an e-mail had been sent to department heads, requesting that they designate coordinators for the Combined Charities Campaign. The training session for coordinators will be Monday morning, October 6, 2003, and the Festival will be from 11:00 AM – 2:00 PM on Friday, October 17, 2003.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C11 and Items 9.A, 10, 11, 12, 13.A and B, 14.A-F, 16, 17, 18, 19, 20, 21, 22, 23, 24.A-J, 25, 26, 27, 28, 29, 30, 31, 35.A and B, 36, 37, 39, 40, 44, 45, and A1. (9:24 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 BUDGET VOTING SESSION OF SEPTEMBER 3, 2003.
- **C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 9, 2003.
- **C5.** APPROVE COMMISSIONERS COURT MINUTES FOR BUDGET MARK-UP SESSION OF SEPTEMBER 10, 2003.
- **C6.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 16, 2003.
- **C7.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 19, 2003.
- **C8.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 14, 2003 FOR APPROVAL OF PROPOSED STREET NAME CHANGE FROM ECLETO LANE TO "WELTON CLIFF DRIVE" NEAR CEDAR PARK, TEXAS, PRECINCT THREE. (COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

- C9. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 4, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: PALEFACE LAKE COUNTRY ESTATES, REVISED PLAT OF LOTS 2 AND 3, BLOCK 1 (SHORT FORM PLAT 2 LOTS 0.733 ACRES NOMAD DRIVE NO FISCAL REQUIRED SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)
- C10. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 4, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: ANGEL BAY, RESUBDIVISION OF LOT 1, BLOCK B (SHORT FORM PLAT 2 LOTS 5.315 ACRES ANGEL LIGHT DRIVE (PRIVATE ROAD) NO FISCAL REQUIRED SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)
- C11. APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 4, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 7 AND 8, PALEFACE PARK, PHASE 1, SECTION B (REVISED PLAT 2 LOTS 13.98 ACRES STATE HIGHWAY 71 AND PACE BEND ROAD (RM 2322) NO FISCAL REQUIRED SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY (LCRA JURISDICTION) OUTSIDE ALL ETJS). (COMMISSIONER DAUGHERTY)

PLANNING AND BUDGET DEPT. ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS TO AMEND PROPOSED FY 04 BUDGET. (10:03 AM)

(10:03 AM) Sheriff's Office Budget Requests

Members of the Court heard from: Margo Frasier, Travis County Sheriff; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to allocate funds for the 9-1-1 Telecommunications Operators Job Study Cost, the Crime Scene Specialists Job Study Cost, and the Green Circled Employees Year 2 Job Study Cost; and to incorporate Judge Biscoe's comments that the County Sheriff try her best to find internal savings to cover what we are directly appropriating out of the Allocated Reserve, and that that happen after any efforts towards the \$500,000.00 Challenge Grant. The total of those Motions is \$129,417.00.

An Addition to the previous Motion was made by Commissioner Sonleitner to include the \$100,000.00 earmark related to the Corrections Study, rolled over from the Fiscal Year 2003 budgeted earmark.

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 no
Precinct 4, Commissioner Margaret J. Gómez yes

(10:27 AM) Commissioner Precinct 3 Office Budget Requests Internal Salary Reallocation for Lump Sum Awards (\$0)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the internal salary reallocation for compensation in the Precinct 3 Commissioner's budget, for an internal allocation net of zero.

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	ves

ITEM 4 CONTINUED

(10:29 AM) Information and Telecommunications Systems Budget Request Evercom Lump Sum Awards (\$10,185)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Evercom lump sum awards in the amount of \$10,185.00.

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

(10:30 AM) Justices of the Peace and Constables Budget Requests, Accounting Reorganization; Transportation and Natural Resources Budget Requests, Road & Bridge Fund; and Reserves changes to proposed Budget

Members of the Court heard from: Christian Smith, Executive Manager, PBO; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Accounting Reorganization FY 04 cost (\$22,009.00); Tie Road & Bridge Fund to sixth Revenue Estimate (\$15,952.00); Tie Fund 402 to sixth revenue estimate (\$108,000.00); Tie Debt Service Fund 394 to sixth revenue estimate (\$108,632.00); Tie General Fund to sixth revenue estimate (\$6,048.00); Decrease General Fund Unallocated Reserve for sixth revenue estimate increase in General Fund, Road & Bridge Fund, and Debt Service Fund (\$95,090.00); and Increase General Fund Allocated Reserve for reduction in General Fund Unallocated Reserve (\$95,090.00).

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

A Clarification of the previous Motion was made by Judge Biscoe that the previous Motion included items 7, 8, and 9 in attachment B of the Planning and Budget memo regarding Motions list for FY 04 proposed budget.

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER SETTING THE TRAVIS COUNTY TAX RATE FOR FY 04. (10:34 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the order related to the setting of the tax rate for debt service at .0992 and maintenance and operations at .3926, for a total tax rate of .4918.

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

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER APPROVING THE TRAVIS COUNTY BUDGET FOR FY04. (10:35 AM)

Clerk's Note: Item 6 is the action item for the public hearing on Agenda Item 1.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Travis County Budget for fiscal year 2004.

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

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER SETTING ELECTED OFFICIALS' SALARIES FOR FY 04. (10:39 AM) (11:23 AM) (1:48 PM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the order.

Withdrawal of the previous Motion was made by Commissioner Gómez.

Clerk's Note: At 11:23 AM the Court further discussed Item 7.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the order setting elected officials' salaries for fiscal year 2004.

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: At 1:48 AM the Court further discussed Item 7.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to reconsider the action taken in Item 7.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the final revised order setting the elected officials' salaries for fiscal year 2004, that this be substituted for the other order, and that the other order be rescinded.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER TO DESIGNATE THE REGULAR MEETING DAY OF COMMISSIONERS' COURT OF TRAVIS COUNTY. (10:41 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the order designating the regular meeting day of the Commissioners' Court of Travis County to be Tuesday of each week.

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

- **9.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:24 AM)
 - A. GRANT CONTRACT WITH THE TEXAS EDUCATION AGENCY FOR A TITLE IV COMMUNITY SERVICE GRANT PROGRAM IN JUVENILE PROBATION DEPARTMENT. A NEW GRANT PROGRAM TO ENHANCE THE COMMUNITY SERVICE OPPORTUNITIES OF STUDENTS IN THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM.

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (9:24 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

11. 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 \$505,265.37 FOR THE PERIOD OF SEPTEMBER 12, 2003 THROUGH SEPTEMBER 18, 2003. (9:24 AM)

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:24 AM)

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

- **13.** DISCUSS AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:24 AM)
 - A. AMENDMENT OF SUMMARY PLAN DESCRIPTION FOR EPO AND PPO HEALTH PLANS WITH UNITED HEALTHCARE INSURANCE COMPANY;
 - **B.** NEW SUMMARY PLAN DESCRIPTIONS FOR THE CO-INSURED EPO AND PHARMACY ONLY PLANS WITH UNITED HEALTHCARE INSURANCE COMPANY.

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

PURCHASING OFFICE ITEMS

- **14.** APPROVE CONTRACT AWARDS FOR DRUG AND ALCOHOL TESTING SERVICES FOR THE FOLLOWING CONTRACTORS: (9:24 AM)
 - A. PINNACLE MEDICAL MANAGEMENT;
 - **B.** SOURCE 1 SOLUTIONS;
 - C. PRO MED MEDICAL CARE CENTER:
 - D. PRORESULTS INC.:
 - E. ALLIANT DIAGNOSTICS; AND
 - F. CONCENTRA MEDICAL CENTERS. (COUNTYWIDE) (GÓMEZ)

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

15. APPROVE TEN (10) MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. PS000089EF, AIDS SERVICES OF AUSTIN, FOR HIV AND AIDS SERVICES. (HHS) (COMMISSIONER GÓMEZ) (10:42 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS); and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 15.

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	ves

16. APPROVE CONTRACT MODIFICATION NO. 4 TO CONTRACT NO. PS000053EF, TEXAS RURAL LEGAL AID, INC., FOR LEGAL AID SERVICES. (HHSD) (COMMISSIONER GÓMEZ) (9:24 AM)

Clerk's Note: Judge Biscoe noted that the new name "Texas Rural Legal Aid, Inc." will be substituted for "Legal Aid of Central Texas".

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

17. APPROVE MODIFICATION NO. 2 TO INTERLOCAL IL020205JW, TEXAS ENGINEERING EXTENSION SERVICE (TEEX), FOR PROFESSIONAL ASSESSMENT AND TRAINING SERVICES FOR HEAVY EQUIPMENT OPERATORS AND MAINTENANCE TECHNICIANS. (TNR) (COMMISSIONER GÓMEZ) (9:24 AM)

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

18. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY FOR OFFSITE RECORDS STORAGE. (RECORDS MANAGEMENT) (COMMISSIONER GÓMEZ) (9:24 AM)

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

19. APPROVE INTERLOCAL AGREEMENT WITH TEXAS COOPERATIVE PURCHASING NETWORK FOR COMPETITIVE PURCHASING. (PURCHASING) (COMMISSIONER GÓMEZ) (9:24 AM)

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

20. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. PS000331LB, A BETTER COURT REPORTING SERVICE, INC., FOR COURT REPORTING SERVICES. (COUNTY ATTORNEY) (COMMISSIONER GÓMEZ) (9:24 AM)

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

21. APPROVE TWELVE (12) MONTH EXTENSION AND FUNDING (MODIFICATION NO. 1) TO CONTRACT NO. PS980044LH, FAMILY ELDERCARE, INC. (PROBATE COURT) (COMMISSIONER GÓMEZ) (9:24 AM)

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

22. APPROVE PURCHASE OF SOFTWARE LICENSES FROM TEXAS
DEPARTMENT OF INFORMATION RESOURCES (DIR) THROUGH SHI
GOVERNMENT SOLUTIONS. (AD) (COMMISSIONER GÓMEZ) (9:24 AM)

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

23. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 03T00224RV, LOOMIS FARGO AND COMPANY, TO ADD ADDITIONAL LOCATIONS AND MAKE CHANGES TO EXISTING LOCATION FOR ARMORED CAR SERVICES. (COUNTY TREASURER) (COMMISSIONER GÓMEZ) (9:24 AM)

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

- **24.** APPROVE CONTRACT AWARDS FOR GEOTECHNICAL AND CONSTRUCTION TESTING SERVICES, RFQ Q030100DM, TO THE FOLLOWING FIRMS: (9:24 AM)
 - A. FUGRO SOUTH, INC.:
 - **B.** KLEINFELDER;
 - C. RODRIGUEZ ENGINEERING LABORATORIES:
 - D. RABA-KISTNER-BRYTEST CONSULTANTS, INC.;
 - E. MLA LABS, INC.;
 - F. CTL/THOMPSON TEXAS. LLC.:
 - **G.** TERRA-MAR, INC.;
 - H. HBC TERRACON, INC.:
 - I. PROFESSIONAL SERVICE INDUSTRIES, INC.; AND
 - J. HVJ ASSOCIATES, INC. (TNR/FM) (COMMISSIONER GÓMEZ)

Clerk's Note: Items 24.A-J added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

25. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. PS020178LB, RANDY LEAVITT, FOR LITIGATION SERVICES. (COUNTY ATTORNEY) (COMMISSIONER GÓMEZ) (9:24 AM)

Clerk's Note: Judge Biscoe noted that this is the Frederick Pluett case.

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

26. APPROVE PURCHASE OF TWO (2) TRACTORS FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), CONTRACT NO. IL030067OJ. (TNR) (COMMISSIONER GÓMEZ) (9:24 AM)

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

27. APPROVE CONTRACT NO. PS030290JW FOR THE E-COURTROOM PROJECT TRAINING PROGRAM, RFS NO. S030147JW, TO DIGITAL SOUTHWEST. (ITS) (COMMISSIONER GÓMEZ) (9:24 AM)

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

28. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO INTERLOCAL AGREEMENT NO. IL030116EF, THE CITY OF AUSTIN, FOR WEATHERIZATION SERVICES. (HHS) (COMMISSIONER GÓMEZ) (9:24 AM)

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

29. APPROVE CONTRACT NO. PS030181JW WITH LINDA SIFUENTES FOR SEXUAL ASSAULT NURSE EXAMINER (SANE) SERVICES. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:24 AM)

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

30. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00024RG, BEETLES PEST CONTROL, FOR PEST CONTROL SERVICES. (FACILITIES MGT.) (COMMISSIONER GÓMEZ) (9:24 AM)

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

31. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. IL000065TS, CAPITAL AREA RURAL TRANSPORTATION SYSTEM, FOR RURAL TRANSPORTATION SERVICES. (HHS) (COMMISSIONER GÓMEZ) (9:24 AM)

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

HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR CONTRACT WITH THE DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN FOR THE TRAVIS COUNTY MEDICAL ASSISTANCE PROGRAM (PAYMENT METHODOLOGY WOULD CHANGE FROM FEE FOR SERVICE TO CAPITATION PAYMENT). (HHS) (COMMISSIONER GÓMEZ) (10:43 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 32, and to request that quarterly reports be given to the Commissioners' Court.

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON STAFF RECOMMENDATIONS FOR PURCHASE OF SOCIAL SERVICES FROM COMMUNITY-BASED ORGANIZATIONS. (11:09 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS.

Discussion Only. No action taken.

Item 33 to be reposted on October 14, 2003.

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FEDERAL 340B DRUG PRICING PROGRAM AND THE TRAVIS COUNTY MEDICAL ASSISTANCE PROGRAM. (10:57 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; and Margo Frasier, Travis County Sheriff.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 34; to change the policies to the Medical Assistance Program so that all enrollees, medical home, or primary care providers be restricted to one of the Travis County network providers; all RMAP enrollees have unlimited prescription benefits; and RMAP enrollees be limited to filling their prescriptions at the single pharmacy affiliated with their selected medical home.

Motion carried: County Judge Samuel T. Biscoe yes
Precinct 1, Commissioner Ron Davis yes
Precinct 2, Commissioner Karen Sonleitner yes

Precinct 2, Commissioner Raren Schleither yes

Precinct 3, Commissioner Gerald Daugherty absent

Precinct 4, Commissioner Margaret J. Gómez yes

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- **35.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING NORTHTOWN PARK IN PRECINCT ONE: (9:24 AM)
 - A. THE TOTAL VACATION OF SECTION 3; AND
 - **B.** THE TOTAL VACATION OF SECTION 5. (COMMISSIONER DAVIS)

Clerk's Note: Item 35 is the action item for the public hearing on Agenda Item 2.

Clerk's Note: Items 35.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO 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) (9:24 AM)

Clerk's Note: Item 36 is the action item for the public hearing on Agenda Item 3.

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

37. APPROVE A PRELIMINARY PLAN IN PRECINCT FOUR: BRANDT ROAD INDUSTRIAL PARK PRELIMINARY PLAN (10 LOTS – 29.55 ACRES – BRANDT ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:24 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 REQUEST TO SPONSOR A PUBLIC EVENT CALLED CAR CARE FOR CLEAN AIR DAY WITH THE CLEAN AIR FORCE OF CENTRAL TEXAS ON OCTOBER 25, 2003. (COMMISSIONER DAVIS) (11:25 AM)

Members of the Court heard from: Scheleen Walker, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the request to sponsor the Car Care for Clean Air Day event.

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. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN OVERLOOK AT LEWIS MOUNTAIN SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

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

40. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN SOUTHWEST HILLS SECTION FOUR, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

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

41. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENTS TO MASTER PLAN FOR EAST METRO PARK IN PRECINCT ONE. (COMMISSIONER DAVIS) (11:28 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Wendy Scaperotta, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the amendments to the Master Plan for East Metropolitan Park.

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

OTHER ITEMS

42. RECEIVE REPORT FROM ENVISION CENTRAL TEXAS. (9:27 AM)

Members of the Court heard from: Beverly Silas, Executive Director, Envision Central Texas; and Neil Kocurek, Chair, Envision Central Texas.

Discussion only. No action taken.

43. APPROVE AMENDMENT NUMBER ONE TO THE COMBINED TRANSPORTATION, EMERGENCY & COMMUNICATIONS CENTER (CTECC) SECURITY MEMORANDUM OF UNDERSTANDING WITH THE CITY OF AUSTIN, ALLOWING FOR CONTINUED CTECC SECURITY SERVICES TO BE PROVIDED BY THE TRAVIS COUNTY SHERIFF'S OFFICE IN FY 04. (11:36 AM)

Members of the Court heard from: Terry Pickering, Major, Travis County Sheriff's Office (TCSO).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the contract in Item 43.

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

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

45. REAPPOINT LON C. BROOKS TO SERVE ON THE TRAVIS CENTRAL APPRAISAL DISTRICT AS THE JOINT APPOINTMENT OF PRECINCTS TWO AND THREE FOR A TWO-YEAR TERM EXPIRING DECEMBER 31, 2005. (9:24 AM)

Clerk's Note: Item 45 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

46. 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 (1:50 PM) (3:38 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 to counter the counter-offer in the amount of \$75,000.00.

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

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY, GIVE DIRECTION AND TAKE APPROPRIATE ACTION AND AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING PROJECT #01B01-09-2CA, GRAND AVENUE PARKWAY; PARCEL No. 3; THOMAS D. SHAFFER AND DEBRA V. SHAFFER, AND TRAVIS COUNTY, TEXAS; (THOMAS D. SHAFFER AND DEBRA V. SHAFFER; GIESELMAN; CONDEMNATION). 1 (1:50 PM) (3:38 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 Sonleitner to initiate condemnation in the matter involving Grand Avenue Parkway, and this is a parcel now owned by the Shaffers.

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. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE LEASE BETWEEN HARRY WHITTINGTON, DBA TRAVIS PROPERTIES AND TRAVIS COUNTY FOR OFFICE SPACE LOCATED AT 209 WEST 9TH. ^{1 & 2} (1:50 PM) (3:39 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 Sonleitner **and seconded by** Judge Biscoe to approve the new lease that has been prepared by the Real Estate Manager that is very clear, in terms of the amount of space that we are renting for the IDF closet, and the appropriate amount, which is \$5,420.80 for another 12 months, that is for the full year, and to authorize the County Judge to sign the document that is put together.

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

49. CONSIDER AND TAKE APPROPRIATE ACTION ON AUS-TEX CONCESSIONS CONTRACT AT EXPOSITION CENTER. ¹ (1:50 PM) (3:40 PM)

Clerk's Note: Judge Biscoe announced that Item 49 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action taken on Item 49.

Item 49 to be reposted on October 14, 2003.

50. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE LEASE FOR THE NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (1:50 PM) (3:40 PM)

Clerk's Note: Judge Biscoe announced that Item 50 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to request the one-month extension; that we communicate to the landlord that a 50% penalty would be appropriate in view of our longstanding and positive relationship, and our potential for doing business in the future; and to express our deep appreciation for his willingness to work with the County on this. We know that it is imposing some inconvenience, and we believe that the 50% penalty would compensate him for that.

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 50 to be reposted on October 7, 2003.

51. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE LEASE BETWEEN TEXAS RURAL LEGAL AID, INC. AND TRAVIS COUNTY FOR OFFICE SPACE LOCATED AT 2201 POST ROAD. 2 (1:50 PM) (3:42 PM)

Clerk's Note: Judge Biscoe announced that Item 51 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize and execute a 90-day extension under the same terms and conditions, and indicate to the tenant that we will consider its request before the end of this calendar year, right along with other requests for use of the same property.

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

52. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO THE PAY DETERMINATION POLICY, §10.03001 THROUGH §10.03013, TO DEFINE CRITERIA AND CONTRACT FOR PAY ADJUSTMENTS IN A SINGLE PAYMENT. ¹ (1:50 PM)

Item 52 postponed until October 7, 2003.

53. CONSIDER AND TAKE APPROPRIATE ACTION ON ACQUISITION OF 12.21 ACRES OF PROPERTY FROM REV. AARON TAYLOR, ET UX., FOR ASSEMBLAGE WITH EAST METRO PARK IN PRECINCT ONE. ² (1:50 PM) (3:42 PM)

Clerk's Note: Judge Biscoe announced that Item 53 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Davis and seconded by Commissioner Gómez to direct Transportation and Natural Resources (TNR) Staff to draft all of the necessary contracts and papers for the Reverend Aaron Taylor and his wife – they did accept our counter-offer of \$240,000.00 for the 12.21 acres for assemblage with the East Metro Park; and to also indicate within this Motion that the TNR department will absorb approximately the \$2,500.00 of closing costs and title insurance for this particular transaction and to move forward; to include in the agreement our willingness to allow them six months of additional occupancy for relocation; and language in the contract that would indicate the Taylor's willingness to have language that they generate, telling a brief history about their family, a plaque, so that could be displayed on that particular property.

Mation against County Judge County T Disease	
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

54. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AT 2919 MANCHACA ROAD, PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. 1&2 (1:50 PM) (3:44 PM)

Clerk's Note: Judge Biscoe announced that Item 54 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: Pat Ford, Real Estate Manager, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to direct the County Attorney's Office to take necessary steps to abate the rental costs for space that was not utilized by Travis County, but was covered by previous rental payments. This is in specific reference to the CO² issues, and this is to cover approximately 50% of what we lease in that building, which is where the Constable was.

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 54 to be reposted on October 7, 2003.

ADDED ITEMS

A1. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: SCS SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 27.21 ACRES – R.M. 620 NORTH – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEM – CITY OF AUSTIN ETJ). (9:24 AM)

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

ADJOURNMENT

Motion by Commissioner D	avis and seconded b	y Commissioner Gómez to
adjourn the Voting Session.	(3:46 PM)	

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval		
Samuel T. Riscoe, Travis County Judge	_	