

MINUTES OF MEETING – OCTOBER 28, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 28th day of October, 2003, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 11:36 AM.

The Commissioners' Court reconvened the Voting Session at 12:11 PM.

The Commissioners' Court recessed the Voting Session at 12:11 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:43 PM and adjourned at 3:58 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 3:58 PM and adjourned at 3:58 PM.

The Commissioners' Court reconvened the regular Voting Session at 3:59 PM.

The Commissioners' Court adjourned the Voting Session at 4:44 PM.

PUBLIC HEARINGS

1. DISCUSS REQUEST TO CONSIDER PROPOSAL FOR CHAPTER 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION. (ACTION ITEM 30)
(9:14 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 Gómez to open the public hearing.

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Tom Nuckols, Assistant County Attorney; Rick Reed, Real Estate Stakeholder; and Hank Smith, Stakeholder, Representative, Homebuilders Association of Austin.

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

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

2. DISCUSS REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: SOUTH FORK ESTATES, RESUBDIVISION OF LOT 4 (SHORT FORM PLAT – 2 LOTS – 10.1 ACRES – FM973 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (ACTION ITEM 31) (COMMISSIONER GÓMEZ) (9:30 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 31 for the Court's Motion and Vote.

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

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to close the public hearing.

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

3. DISCUSS REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: J & S SUBDIVISION, A RESUBDIVISION OF LOT 1, BLOCK B, THE J. HOOVER MACKIN ADDITION (REVISED PLAT – 2 LOTS – 2.454 ACRES – MOUNT LARSON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (ACTION ITEM 32) (COMMISSIONER DAUGHERTY) (9:31 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 Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

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

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

RESOLUTIONS & PROCLAMATIONS

4. APPROVE RESOLUTION CELEBRATING OCTOBER 30, 2003 AS WEATHERIZATION DAY IN TRAVIS COUNTY AND RECOGNIZING THE COUNTY HOUSING AND WEATHERIZATION PROGRAM. (JUDGE BISCOE) (9:32 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Bob Petersen, Program Manager, TCHHS; and David Notario, Weatherization Program, TCHHS.

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

Motion carried:

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| 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: Lyla Karl, Executive Director, Any Baby Can; and Brenda King, Travis County Resident. (9:37 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C4 and Items 6.A and B, 7.A, B, and C, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 35, 36, 37, 38, 40, 42, and 44. (9:42 AM)

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

- 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 OCTOBER 14, 2003.
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 18, 2003, IN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE 7.5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 427 AND 428, BLOCK B, IMPERIAL VALLEY SECTION 2, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS)

HEALTH AND HUMAN SERVICES DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON STAFF RECOMMENDATIONS FOR PURCHASE OF SOCIAL SERVICES FROM COMMUNITY-BASED ORGANIZATIONS. (9:47 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; Susan Spataro, Travis County Auditor; and David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS).

Motion by Judge Biscoe and seconded by Commissioner Davis to follow Staff's recommendation, and authorize negotiation of contract renewals with the agencies indicated on Stephen Williams' memo; that those with outstanding audits be placed on hold as to contract renewals, until the audit requirements have been met. To the extent that the law allows us, this Motion is for us to direct that we have a meeting in two weeks or so, to try to come to terms on exactly what the expectations are, to get invoices paid.

A Clarification of the previous Motion was made by Commissioner Sonleitner that, on the eight agencies with outstanding audits, this Item will have to come back to Court to authorize the renewal of any one of the agencies.

Motion carried:

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| 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 |

6. CONSIDER AND APPROVE THE FOLLOWING CONCERNING THE ESTABLISHMENT OF AN AMERICORPS PROGRAM AS PART OF THE CAPITAL 4-H PROGRAM IN TRAVIS COUNTY: (9:42 AM)
- A.** ACCEPTANCE OF GRANT FROM TEXAS COMMISSION OF VOLUNTEERISM AND COMMUNITY SERVICE TO ESTABLISH AN AMERICORPS PROGRAM IN TRAVIS COUNTY; AND
- B.** EXCEPTION TO THE TRAVIS COUNTY PAYROLL POLICY TO ALLOW AMERICORPS MEMBERS TO RECEIVE LIVING ALLOWANCE STIPEND EACH PAY PERIOD FROM GRANT FUNDS.

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

PLANNING AND BUDGET DEPT. ITEMS

7. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:42 AM)
- A. A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM IN JUVENILE PROBATION. THE GRANT CONTINUES THE PROGRAM FOR FY 04;
 - B. A GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A DRUG COURT PROGRAM IN THE CRIMINAL COURTS. THE GRANT CONTINUES THE PROGRAM FOR FY 04; AND
 - C. A GRANT CONTRACT WITH THE TEXAS DEPARTMENT ON AGING FOR A RETIRED SENIORS AND VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 04.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (9:42 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

9. 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 \$478,287.11 FOR THE PERIOD OF OCTOBER 10, 2003 THROUGH OCTOBER 16, 2003. (9:42 AM)

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:42 AM)

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

11. APPROVE DISTRIBUTION OF PAYROLL STUFFER FOR FLU SHOTS ON NOVEMBER 12TH AND 18TH, 2003 FOR TRAVIS COUNTY EMPLOYEES. (9:42 AM)

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

PURCHASING OFFICE ITEMS

12. PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE, DECLARE LIST OF EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:42 AM)

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

13. APPROVE INTERLOCAL AGREEMENT WITH TEXAS COMMISSION FOR THE DEAF AND HARD OF HEARING FOR DEAF SERVICES TO PROVIDE CASE MANAGEMENT SERVICES. (HHS&VS) (COMMISSIONER GÓMEZ) (9:42 AM)

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

14. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS020281LB, PROFESSIONAL INMATE PSYCHIATRIC SERVICES, WITH JOHN S. FORD, M.D. (SHERIFF) (COMMISSIONER GÓMEZ) (9:42 AM)

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

15. APPROVE INTERLOCAL AGREEMENT WITH TEXAS COMMISSION FOR THE DEAF AND HARD OF HEARING FOR DEAF SERVICES TO PROVIDE INTERPRETING AND CAPTIONING SERVICES. (HHS&VS) (COMMISSIONER GÓMEZ) (9:42 AM)

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

16. APPROVE CHANGE ORDER NO. 1 TO CONTRACT NO. 03K00163SI WITH C.C. CARLTON INDUSTRIES, LTD. FOR THE PRECINCT THREE OFFICE BUILDINGS – PHASE 1 PROJECT. (FM) (COMMISSIONER DAUGHERTY) (9:42 AM)

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

17. APPROVE TERMINATION OF CONTRACT NO. 02T00057-MP (MODIFICATION NO. 3) WITH EXECUTIVE SECURITY SYSTEMS, INC. FOR NON-COMMISSIONED SECURITY GUARD SERVICES. (CSCD) (COMMISSIONER GÓMEZ) (10:29 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve this particular Item, which calls for termination of the contract.

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

18. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00102OJ, WALLTECH, FOR REFURBISHED MODULAR SYSTEMS FURNITURE. (FAC. MGMT.) (COMMISSIONER GÓMEZ) (9:42 AM)

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

19. APPROVE CONTRACT AWARD WITH LANGUAGE LINES, INC. FOR LANGUAGE INTERPRETER SERVICES. (HHS&VS) (COMMISSIONER GÓMEZ) (9:42 AM)

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

20. APPROVE PURCHASE OF GRADALL EXCAVATING AND GRADING MACHINES OFF STATE CONTRACT FROM WAUKESHA-PEARCE INDUSTRIES, INC. (TNR) (COMMISSIONER GÓMEZ) (9:42 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 (MODIFICATION NO. 10) TO CONTRACT NO. MA010043, CERTIFIED SYSTEMS, INC. ("CSI"), FOR MAINTENANCE SUPPORT OF THE AUTOMATED DROCES SYSTEM FOR THE DOMESTIC RELATIONS OFFICE. (ITS) (COMMISSIONER GÓMEZ) (9:42 AM)

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

22. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS000230KW WITH PEGASUS SCHOOLS, INC. FOR RESIDENTIAL TREATMENT SERVICES. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:42 AM)

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

23. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00096OJ, AMERISOURCE BERGEN CORPORATION, FOR PHARMACEUTICALS AND PHARMACEUTICAL SUPPLIES. (SHERIFF) (COMMISSIONER GÓMEZ) (9:42 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 AWARD FOR FLAT TIRE AND TUBE REPAIR AND REPLACEMENT, IFB NO. B030161-RG, TO THE SOLE BIDDER, TIRE DISTRIBUTION SYSTEMS. (TNR) (COMMISSIONER GÓMEZ) (9:42 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

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

25. APPROVE CONTRACT AWARD FOR EXCESS WORKERS COMPENSATION INSURANCE, RFP P030146-OJ, TO THE QUALIFIED RESPONDENT, FROST INSURANCE AGENCY. (HRMD) (COMMISSIONER GÓMEZ) (9:42 AM)

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. 1 TO CONTRACT NO. PS030131JW, RIO GRANDE COUNSELING CENTER, TO ENTER INTO A SUBCONTRACT WITH SCOTT HARPST, LMSW-ACP. (COMMISSIONER GÓMEZ) (9:42 AM)

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

27. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 02T00067LD, ARNOLD OIL CO., FOR AUTOMOTIVE STORAGE BATTERIES. (TNR) (COMMISSIONER GÓMEZ) (9:42 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 CONTRACT NO. 03T00087LD, H&H FENCE, FOR GUARDRAIL AND BRIDGERAIL INSTALLATION. (TNR) (COMMISSIONER GÓMEZ) (9:42 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 AWARD TO URS, INC., PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF THE REPLACEMENT OF OR IMPROVEMENTS TO BRIDGE 112 ON OLD MANOR ROAD, BRIDGE 168 ON DUNLAP ROAD AND BRIDGE 313 ON FITZHUGH ROAD, RFQ NO. Q030136-JJ. (TNR) (10:36 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the contract award in Item 29.

Motion carried:

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| 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

30. DISCUSS AND GIVE APPROPRIATE DIRECTIONS ON PROPOSAL FOR CHAPTER 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION. (10:37 AM)

Clerk's Note: Item 30 is the action item for the public hearing on Agenda Item 1.

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

Discussion only. No action taken.

Item 30 to be reposted on November 4, 2003.

Clerk's Note: The Commissioners' Court indicated there would be a work session on this topic on November 13, 2003.

31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: SOUTH FORK ESTATES, RESUBDIVISION OF LOT 4 (SHORT FORM PLAT – 2 LOTS – 10.1 ACRES – FM973 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:42 AM)

Clerk's Note: Item 31 is the action item for the public hearing on Agenda Item 2.

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

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: J & S SUBDIVISION, A RESUBDIVISION OF LOT 1, BLOCK B, THE J. HOOVER MACKIN ADDITION (REVISED PLAT – 2 LOTS – 2.454 ACRES – MOUNT LARSON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:42 AM)

Clerk's Note: Item 32 is the action item for the public hearing on Agenda Item 3.

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

33. CONSIDER APPROVAL AND EXECUTION OF THE ANDERSON MILL ROAD "CYPRESS CANYON" PARTICIPATION AGREEMENT WITH THE DEVELOPER, STANDARD PACIFIC OF TEXAS, L.P., FOR CONSTRUCTION OF ROADWAY LOCATED IN PRECINCT THREE, AND TAKE APPROPRIATE ACTION. (10:48 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the execution of the Anderson Mill Road project.

Motion carried:

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| 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 |

34. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS TO IMPLEMENT EARLY ACTION COMPACT AND ASSOCIATED CLEAN AIR ACTION PLAN. (3:59 PM)

Members of the Court heard from: Scheleen Walker, Planner, TNR; Cathy Stephens, Capital Area Metropolitan Planning Organization (CAMPO); Deanna Altonhoff, Executive Director, CLEAN AIR Force of Central Texas; and Bill Gill, Capitol Area Planning Council (CAPCO).

Motion by Judge Biscoe and seconded by Commissioner Daugherty to authorize Staff to take Attachment I (Draft Clean Air Action Plan (CAAP) Recommended Emission Reduction Measures), and share it with Travis County residents, get their input, and report back to the Court in three weeks, November 18, 2003.

Motion carried:

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| 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 Judge Biscoe and seconded by Commissioner Sonleitner to approve Attachment II (Travis County List of Transportation Emission Reduction Measures for the Early Action Compact), excluding the Wells Branch Parkway East Sidewalks and Bike Lanes from Heatherwilde Blvd. to the City of Pflugerville project.

Motion carried:

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| 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 Judge Biscoe and seconded by Commissioner Sonleitner to authorize the County Judge to look at Attachment III (the draft letter to all municipalities in Travis County, asking that they forward any additional emission reduction measures that can be included in the Clean Air Action Plan, and informing them of the Texas Emission Reduction Program (TERP) workshop that will be held on November 14, 2003), revise it as appropriate, and then send it out.

Motion carried:

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| 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 34 CONTINUED

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve including information about the Clean Air Force's Early Action Compact (EAC) survey on the county website and Channel 17, and to encourage all Travis County employees to complete the survey (Attachment IV).

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

Item 34 to be reposted on November 18, 2003.

- 35.** APPROVE CASH SECURITY AGREEMENT FOR TWIN CREEKS COUNTRY CLUB SECTION 6B, A SUBDIVISION IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY) (9:42 AM)

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

- 36.** APPROVE THE USE OF ALTERNATIVE FISCAL FOR TWIN CREEKS COUNTRY CLUB SECTION 6B, A SUBDIVISION IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY) (9:42 AM)

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

- 37.** APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: RODEO ARENA DEVELOPMENT (SHORT FORM PLAT – 2 LOTS – 19.945 ACRES – US 183 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:42 AM)

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

- 38.** APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: BENITEZ SUBDIVISION (SHORT FORM PLAT – 1 LOT – 7.610 ACRES – OLD KIMBRO ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAVIS) (9:42 AM)

Clerk's Note: Item 38 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 39.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO USE RIGID (CONCRETE) PAVEMENT UNDER SECTION 82.302(d)(4) STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS OF THE TRAVIS COUNTY CODE. (COMMISSIONER DAVIS) (10:55 AM)

Members of the Court heard from: Fred Dennick, Division Director, Planning and Engineering Services, TNR; Joe Gieselman, Executive Manager, TNR; David Grey, Project Engineer; and Don Wheeler, Division Director, Road Maintenance and Fleet Services, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 39.

Withdrawal of the previous Motion was made by Commissioner Davis.

Discussion only. No action taken.

Item 39 to be reposted on November 4, 2003.

- 40.** CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO EXTEND THE INTERLOCAL AGREEMENT WITH CAPITAL AREA PLANNING COUNCIL (CAPCO) FOR QUALITY CONTROL WORK FOR ORTHOPHOTOGRAPHY IMAGERY. (9:42 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 REQUEST TO SELL UNUSED, EXCESS RIGHT-OF-WAY OF BOB JOHNSON ROAD IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (11:14 AM)

Members of the Court heard from: Greg Chico, Right-of-Way Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the sale of unused, excess right-of-way of Bob Johnson Road, and to authorize Commissioner Daugherty to sign the deed, in place of the previously appointed Commissioner.

Motion carried:

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| 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 |

42. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: HONEYCOMB HOLLOW (SHORT FORM PLAT – 3 LOTS – 20.0 ACRES – NAMELESS ROAD AT HONEYCOMB HOLLOW – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJs). (COMMISSIONER DAUGHERTY) (9:42 AM)

Clerk's Note: Item 42 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

OTHER ITEMS

43. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AMENDMENT NO. 2 TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES. (9:14 AM)

Item 43 postponed until November 4, 2003.

- 44.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:42 AM)

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

- 45.** CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY STRATEGY TO PROMOTE HOLISTIC HEALTH PRACTICES BY TRAVIS COUNTY EMPLOYEES, INCLUDING THE FOLLOWING: (11:18 AM)
(3:59 PM)

- A.** COMMITTEE MEMBERSHIP;
- B.** BEST PRACTICES BY OTHER MAJOR PUBLIC AND PRIVATE EMPLOYERS;
- C.** EARLIEST POSSIBLE ADOPTION AND IMPLEMENTATION SCHEDULE;
- D.** WORK PLAN;
- E.** APPROPRIATE MARKETING STRATEGY; AND
- F.** OTHER APPROPRIATE STEPS.

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to appoint : Alicia Perez, Executive Manager, Administrative Operations; Howard Herrin, TNR; Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; Joe Gieselman, Executive Manager, TNR; Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Cindy Purinton, Benefit Contract Administrator, HRMD; Barbara Wilson, Assistant County Attorney; a representative from the Travis County Sheriff's Office (TCSO); Lolly Jones, Purchasing; and Christian Smith, Executive Manager, PBO; to the Employee Health/Wellness Committee.

Motion carried:

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|--|-----|
| 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 directed the Committee to report back to the Court in three weeks, November 18, 2003.

ITEM 45 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to check the best practices of other employers, which is Item 45.B; to report back in three weeks, November 18, 2003, with the earliest possible adoption and implementation schedule, which is Item 45.C; and to formulate some sort of work plan, a two-phased work plan, one for immediate action, and the other a bit more long-term. That would include retiree health care and those sorts of issues, which is Item 45.D. We should give some thought to Item 45.E, a marketing strategy, between now and November 11, 2003. By that we mean, how do we get the word out to employees on the availability of different programs and how do we encourage them to take advantage of these programs? We should get out the word that performance pay next year depends on us keeping any employee health insurance under control. The Motion is to approve Items 45.B, C, D, E, and F.

Motion carried:

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| 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 45 to be reposted on November 12, 2003.

Clerk's Note: At 3:59 PM the Court further discussed Item 45.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to reconsider Item 45.

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

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to add Dawn DeLong from the County Commissioner Precinct 3 Office, to the Employee Health/Wellness Committee.

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

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.** CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AT 2919 MANCHACA ROAD, PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. ^{1 & 2} (9:14 AM)

Item 46 postponed until November 4, 2003.

- 47.** RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. JOSE AMOZURRUTIA GONZALEZ (DAVID THACKER RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:36 AM) (4:37 AM)

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 authorize the County Judge to execute a resale deed to David Thacker, because he has paid us the amount of \$9,000.00 in cash.

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

48. 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 (11:36 AM) (4:37 AM)

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.

Members of the Court heard from: Susan Spataro, Travis County Auditor; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the policy with the 5% cap that is included within it.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:44 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge