

MINUTES OF MEETING – DECEMBER 16, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 16th day of December, 2003, the Commissioners' Court convened the regular Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 11:56 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:42 PM and adjourned at 1:43 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation convened the Voting Sessions at 1:43 PM and adjourned at 2:03 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 Session at 2:03 PM and adjourned at 2:04 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:04 PM.

The Commissioners' Court retired to Executive Session at 3:42 PM.

The Commissioners' Court reconvened the Voting Session at 4:21 PM.

The Commissioners' Court adjourned the Voting Session at 4:24 PM.

RESOLUTIONS & PROCLAMATIONS

- 2. APPROVE PROCLAMATION RECOGNIZING THE LATE GERRELL BERNELL JONES FOR OUTSTANDING COMMUNITY SERVICE TO THE CITIZENS OF TRAVIS COUNTY. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:17 AM)

Members of the Court heard from: Ms. Dorothy Turner, Travis County resident.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the proclamation in Item 1.

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	absent

CITIZENS COMMUNICATION

Members of the Court heard from: Morgan Little, Travis County Veteran; and Olie Pope, Travis County Veterans' Service Officer. (9:51 AM)

CONSENT ITEMS

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C6 (excluding Item C3) and Items 3, 4, 6, 7, 8, 9.A-D, 10.A and B, 11.A and B, 12, 14, 20.A, 22, 23, 24, 26.A-C, 28, and 30. (9:23 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	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

CONSENT ITEMS CONTINUED

- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.

- C3.** REAPPOINT CAROL OLEWIN AND TIM JACKSON AS FIRE COMMISSIONERS TO THE BOARD OF ESD #12 FOR THE TERM OF JANUARY 1, 2004 TO DECEMBER 31, 2005. (COMMISSIONER DAVIS) (9:27 AM)

Members of the Court heard from: Jessie Williams, Taxpayer, Emergency Services District #12 (ESD#12); Carol Olewin, Fire Commissioner, ESD#12; and Giles Garmon, Fire Commissioner, ESD#12.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve the reappointments in Item C3.

Motion carried:

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

- C4.** APPROVE SETTING PUBLIC HEARING DATE FOR JANUARY 13, 2004, AND DIRECT STAFF TO PUBLISH REQUIRED NOTICES, REGARDING TRAVIS COUNTY'S PROPOSED TAKING OF 2.34 ACRES OF EAST METROPOLITAN PARK LAND FOR THE WIDENING OF BLAKE MANOR ROAD. (COMMISSIONER DAVIS)

- C5.** APPROVE SETTING A PUBLIC HEARING ON JANUARY 13, 2004, AND DIRECT STAFF TO PUBLISH REQUIRED NOTICES, REGARDING A PROPOSED WASTEWATER LINE EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT THROUGH BEN FISHER PARK IMMEDIATELY SOUTH OF THE CITY OF MANOR.

- C6.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF NOVEMBER 25, 2003 AND DECEMBER 2, 2003.

PURCHASING OFFICE ITEMS

- 3. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03C00078-SP, MARK III SYSTEMS, FOR IBM COMPUTER PRODUCTS/SERVICES. (ITS) (COMMISSIONER GÓMEZ) (9:23 AM)

Clerk's Note: Item 3 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 4. APPROVE CONTRACT AWARDS FOR ASPHALTIC ROAD MATERIALS, F.O.B. PLANT, IFB NO. B040015-LD, TO THE LOW, RESPONSIVE BIDDERS, RTI HOT MIX, CAPITOL AGGREGATES AND INDUSTRIAL ASPHALT. (TNR) (COMMISSIONER GÓMEZ) (9:23 AM)

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

- 5. APPROVE CONTRACT AWARD FOR HOME REFRIGERATORS, IFB NO. B040009-RG, TO THE LOW BIDDER, LOWES HOME CENTER. (HOUSING SERVICES) (COMMISSIONER GÓMEZ) (9:26 AM)

Members of the Court heard from: Bonnie Floyd, Assistant Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the contract 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	absent

- 6. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 02T00273LD, FOR JANITORIAL SERVICES, K B CONTRACT CLEANING. (FM) (COMMISSIONER GÓMEZ) (9:23 AM)

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

7. APPROVE TWELVE (12) MONTH EXTENSIONS (MODIFICATIONS NO.1) TO CONTRACTS NOS. PS010070DM, SITE SPECIFICS, AND PS010071DM, HOLFORD GROUP, FOR LAND USE PLANNING SERVICES. (TNR)
(COMMISSIONER GÓMEZ) (9:23 AM)

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

8. APPROVE CONTRACT AWARD FOR SMOKE EVACUATION SYSTEM MODIFICATIONS (TCCC BLDG. 140), IFB NO. B040006-MB, TO THE SOLE BIDDER, WATTINGER COMPANY. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:23 AM)

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

9. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR TRANSMISSION REPAIR SERVICES:
(9:23 AM)

- A. CONTRACT NO. 02T00120LD, AAMCO SOUTH;
- B. CONTRACT NO. 02T00121LD, EAGLE TRANSMISSIONS;
- C. CONTRACT NO. 02T00122LD, AAMCO NORTH;
- D. CONTRACT NO. 02T00123LD, IKE'S TRANSMISSIONS. (TNR)
(COMMISSIONER GÓMEZ)

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

10. APPROVE MODIFICATION NO. 5 TO THE FOLLOWING CONTRACTS FOR UNLEADED AND DIESEL FUEL: (9:23 AM)
 - A. CONTRACT NO. 01T0205LD, PETROLEUM TRADERS;
 - B. CONTRACT NO. 01T0206LD, TRIPLE S PETROLEUM. (TNR)
(COMMISSIONER GÓMEZ)

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

11. **A.** REJECT ALL BIDS RECEIVED FOR IFB NO. B040011DR, FIRE ALARM SERVICES; AND (9:23 AM)
- B.** APPROVE NINETY (90) DAY EXTENSION (MODIFICATION NO. 6) TO CONTRACT NO. 00T0048EH FOR FIRE ALARM SERVICES TO SIMPLEXGRINNELL. (FAC MGMT) (COMMISSIONER GÓMEZ)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: GASTON SHELDON, SECT. 4, AMENDED PLAT OF LOTS 19 THROUGH 25, BLOCK L (SHORT FORM PLAT – 7 LOTS – 1.928 ACRES – DARJEELING DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY NORTHTOWN M.U.D. – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:23 AM)

Clerk's Note: Item 12 is the action item for the public hearing on Agenda Item 1.

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

- 13. DISCUSS STATUS OF PLAT FOR RECORDING IN PRECINCT THREE: GARZA BRODIE SUBDIVISION (LOWE'S HOME CENTER IN SUNSET VALLEY) (LONG FORM PLAT – 2 LOTS – 31.40 ACRES – BRODIE LANE), AND TAKE APPROPRIATE ACTION. (9:55 AM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; Lisa Gordon, Assistant City Manager, City of Austin; Joe Gieselman, Executive Manager, TNR; David Lloyd, Assistant City Attorney, City of Austin; and Melanie Oberlin, SOS Alliance.

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to approve the plat in Item 13.

Motion carried:

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

- 14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: RANCH AT DEER CREEK PHASE THREE SECTION THREE (LONG-FORM PLAT - 81 LOT - 28.792 ACRES - ANDERSON MILL ROAD AT ZEPPELIN DRIVE - FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID NO. 10 - CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:23 AM)

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

15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE THE FIRST AMENDMENT TO THE ANDERSON MILL ROAD PARTICIPATION AGREEMENT BETWEEN TWIN CREEK HOLDINGS LTD. AND TRAVIS COUNTY, AND AUTHORIZE A FINAL REIMBURSEMENT AMOUNT OF \$1,162,832.28 TO TWIN CREEKS HOLDINGS LTD. FOR ALL CONSTRUCTION COSTS, PROJECT MANAGEMENT FEES, ENGINEERING SERVICES (INCLUDING REIMBURSABLE COSTS), UTILITY RELOCATION COSTS AND TOPOGRAPHIC SURVEY SERVICES. (COMMISSIONER DAUGHERTY) (11:38 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the amendment in 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	absent

16. CONSIDER AMENDMENT #2 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY REGARDING SUBDIVISION PLATTING IN THE EXTRATERRITORIAL JURISDICTION, AND TAKE APPROPRIATE ACTION. (10:15 AM) (10:25 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Lisa Gordon, Assistant City Manager, City of Austin.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve amendment #2 to the interlocal agreement in Item 16.

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	absent

17. APPROVE THE TOTAL CANCELLATION OF A PLAT RECORDED IN PRECINCT THREE: WOODED OAKS - (CANCELLATION OF LOTS 1-13, INCLUSIVE, ALL OF DEVER COVE, AND PLATTED DRAINAGE EASEMENTS - CITY OF AUSTIN ETJ). (11:42 AM)

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 cancel and/or rescind as appropriate the action taken on Wooded Oaks, the specific action Item 17, and the order that we signed will be carefully reviewed by the County Attorney before being executed by this Court or the County Judge.

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	absent

18. CONSIDER COMMENTS ON TXDOT'S PROPOSED RMA RULES, TAKE APPROPRIATE ACTION. (11:47 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Elaine Wray, Planning/Engineering Services, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to add to the County's comments Subsection 5 to Section 26.21, as proposed by Staff: "(5) the originating RMA (Regional Mobility Authority) County Commissioners' Courts have agreed in writing to the addition."

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	absent

ITEM 18 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Davis to retain the language in the current rules that provide that the Commission may approve a proposed conversion if: (1) the commission determines that the governing body of each affected county or city, as determined by the commission, supports the conversion; and (2) the commission determines that there is significant public support for the conversion.

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 absent

Motion by Judge Biscoe and seconded by Commissioner Davis to make the changes in the draft rules, have the entire Court sign the document, and send a copy of that to the Williamson County Commissioners Court and the Regional Mobility Authority (RMA) Board, and request that they support us in these changes.

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 absent

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

- A. PROPOSAL FOR CHAPTER 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION; (10:15 AM) (10:29 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Lisa Gordon, Assistant City Manager, City of Austin; David Lloyd, Assistant City Attorney, City of Austin; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 19.A, which is the joint Travis County/City of Austin subdivision code for the ETJ.

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	absent

19. B. CONTRACT FOR PROFESSIONAL SERVICES FOR A MANAGEMENT AUDIT OF THE SINGLE OFFICE FOR TRAVIS COUNTY/AUSTIN SUBDIVISION REVIEW WITH DELOITTE & TOUCHE LLP. (10:51 AM)

Members of the Court heard from: Lisa Gordon, Assistant City Manager, City of Austin; Joe Gieselman, Executive Manager, TNR; Scott Huntsman, Deloitte and Touche; Chris Kennedy, Manager, Deloitte and Touche; Tom Nuckols, Assistant County Attorney; Susan Spataro, Travis County Auditor; and Cyd Grimes, Travis County Purchasing Agent.

Discussion only. No action taken.

Item 19.B to be reposted on December 23, 2003.

PLANNING AND BUDGET DEPT. ITEMS

- 20.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
(9:23 AM)

- A.** APPROVE A GRANT APPLICATION TO THE SOUTHWEST BORDER PROSECUTION INITIATIVE FOR THE SUPPORT OF PROSECUTION AND DETENTION OF FEDERALLY REFERRED CRIMINAL CASES. THIS GRANT APPLICATION IS TO PROVIDE REIMBURSEMENT OF EXPENDITURES IN THE AMOUNT OF \$20,000.

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

- 21.** CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET STANDARDS FOR DETERMINING WHETHER TEMPORARY PAY INCREASES ARE ROUTINE. (2:52 PM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Barbara Wilson, Assistant County Attorney; Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Joe Harlow, Director, Information and Telecommunications Systems (ITS); and Susan Spataro, Travis County Auditor.

Clerk's Note: The Commissioners' Court discussed PBO's recommendations regarding Budget Control Options for Temporary Pay Increases. The options ranged from "Most Control" to "Least Control."

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the middle option on Row 1 (Status of Total Personnel and Benefits Budget, Including Salary Savings Budget), which is "Routine if PBO's pro-rata projections show personnel savings that exceed salary savings budget, and dept. commits to a written strategy [to be submitted to Court] on how to meet its total personnel budget. May include holding open existing vacant positions." And, the "Most Control" option on Row 2 (Ability to transfer savings in operating expenses to the personnel budget), which is "Do not consider operating expense savings. Limit savings to personnel budget. [FY 04 Budget Rules placed a "fence" around the personnel budget.] Options 3, 4, 5, and 6 are to be brought to the Commissioners' Court.

ITEM 21 CONTINUED

A Restatement of the previous Motion was made by Judge Biscoe and seconded by Commissioner Davis to remove the second part (Row 2) from the Motion. The Motion now is, basically, to declare that those that meet the middle option of Row 1 (as mentioned above), would be routine, and that all others would be brought 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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (9:23 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

23. 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 \$609,577.05 FOR THE PERIOD OF NOVEMBER 28 THROUGH DECEMBER 4, 2003. (9:23 AM)

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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:23 AM)

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

25. CONSIDER AND GIVE STAFF DIRECTION ON HOW TO PROCEED TO ADDRESS PROBLEMS WITH ELEVATORS IN THE CRIMINAL JUSTICE CENTER. (2:07 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; John Carr, Division Manager, Building Maintenance and Repair, Facilities Management; Jim Barr, Facilities Management; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe and seconded by Commissioner Davis to talk with the Travis County Sheriff about access to the stairwells from the lobby floor up; and between floors 4, 5, 6, 7, 8, and 9. This would be for lawyers walking between those floors, between 8:00 and 10:00 am, Monday and Friday. The second part of the Motion is for us to contact the manufacturer of our elevators, and the contractor, and get his ideas; and anybody else in Austin/Travis County, from whom we can get free advice on how to make these elevators more efficient. The third part is to touch base with the County Court-at-Law judges, and the District Judges.

An Addition to the previous Motion was made by Judge Biscoe that the Motion contains the authority for Staff to act on any reasonable, no-cost idea.

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	absent

Item 25 to be reposted on January 20, 2004.

JUSTICE AND PUBLIC SAFETY ITEMS

26. DIRECT COUNTY MEMBERS OF THE OPERATING BOARD OF THE COMBINED TRANSPORTATION, EMERGENCY AND COMMUNICATIONS CENTER (CTECC) TO AMEND EXHIBIT E IN THE CTECC OPERATIONS AND MAINTENANCE AGREEMENT TO MAKE THE FOLLOWING APPOINTMENTS: (9:23 AM)
- A. GOVERNING BOARD – EMERGENCY SERVICES COORDINATOR;
 - B. OPERATING BOARD – EMERGENCY MANAGEMENT COORDINATOR;
 - C. OPERATING BOARD – TRAVIS COUNTY SHERIFF.

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

27. DISCUSS AND TAKE APPROPRIATE ACTION ON CONTRACT WITH CONSULTANT TO ASSIST WITH JAIL OPERATIONS ANALYSIS AND RECOMMENDATIONS. (9:15 AM)

Item 27 postponed until December 23, 2003.

OTHER ITEMS

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 AM)

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

- 29. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE RESOLUTION REGARDING SECTION 147 (f) APPROVAL FOR DELIVERY OF LOANS FOR THE FINANCING OF CULTURAL EDUCATION FACILITIES WITHIN TRAVIS COUNTY, TEXAS FOR GOODWILL INDUSTRIES OF CENTRAL TEXAS AND GOODWILL TEMPORARY SERVICES. (2:04 PM)

Members of the Court heard from: Harvey Davis, Manager, Cash/Investment Management; and Nancy Hagquist, Attorney for Goodwill, Firm of Winstead, Sechrest, and Minick.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 29.

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	absent

- 30. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACT MODIFICATION AND EXTENSION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE VILLAGE OF BEE CAVE FOR 2004 FOR LAW ENFORCEMENT SERVICES TO BE PROVIDED BY THE TRAVIS COUNTY SHERIFF’S OFFICE. (9:23 AM)

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

- 31. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF THE SALE OR USE OF RESTRICTED FIREWORKS IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:54 AM)

Clerk’s Note: Judge Biscoe noted that, by taking no action on Item 31, the prohibition of the sale or use of restricted fireworks in the unincorporated areas of Travis County remains in place.

Discussion Only. No action taken.

Item 31 to be reposted on December 23, 2003.

32. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:54 AM)

Clerk's Note: Judge Biscoe noted that, by taking no action on Item 32, the prohibition of outdoor burning in the unincorporated areas of Travis County remains in place.

Discussion Only. No action taken.

Item 32 to be reposted on December 23, 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

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY, GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER REGARDING PROJECT #01B01-09-2CA, GRAND AVENUE PARKWAY; PARCEL NO. 17; ELENA PERALES (CONDEMNATION). ¹ (3:42 PM) (4:22 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 33.

Item 33 to be reposted on December 23, 2003.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER REGARDING PROJECT #01B01-09-2CA, GRAND AVENUE PARKWAY; PARCEL NO. 3; THOMAS D. SHAFFER AND DEBRA V. SHAFFER (CONDEMNATION). ¹ (3:42 PM) (4:22 PM)

Clerk’s Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to reject the counter-offer in the amount of \$71,000.00, and authorize the County Attorney’s Office to continue to negotiate this parcel.

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 December 23, 2003.

35. RECEIVE BRIEFING, CONSIDER SETTLEMENT OFFER, AND TAKE APPROPRIATE ACTION IN CLAIM RE: IAN TAYLOR V. MARGO FRASIER, ET AL., (TAYLOR; FRASIER; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF). ¹ (9:16 AM)

Item 35 postponed until December 23, 2003.

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING ONGOING LITIGATION IN CONGRESSIONAL REDISTRICTING MATTER. ¹ (3:42 PM)

No action necessary on Item 36.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON COMPENSATION AND CLASSIFICATION OF THE DIRECTOR OF FACILITIES MANAGEMENT POSITION. ³ (3:42 PM) (4:22 PM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to authorize the expediting of the market salary study of that particular slot, and to authorize the immediate 5% temporary pay increase for that slot, as well, with an eye toward taking further action in the future, when the market salary survey comes in.

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

38. DISCUSS ACQUISITION OF 319.709 ACRES OF LAND OWNED BY CHARLES RIBELIN, MARTHA RIBELIN, THOMAS FRANCIS, LUCIA FRANCIS AND RIBELIN RANCH PARTNERSHIP, LTD. IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN, AND TAKE APPROPRIATE ACTION. ² (3:42 PM) (4:23 PM)

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to authorize the purchase contract from the Ribelin family, and the Ribelin Ranch partnership – the amount is \$8.476 million; and to authorize Precinct 3 Commissioner Gerald Daugherty to sign all the appropriate closing documents at the time of closing.

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. (4:24 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