

## MINUTES OF MEETING – MARCH 2, 2004

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 2<sup>nd</sup> day of March, 2004, the Commissioners' Court convened the regular Voting Session at 9:14 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 11:57 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:39 PM and adjourned at 1:40 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:40 PM and adjourned at 1:43 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:43 PM.

The Commissioners' Court retired to Executive Session at 4:02 PM.

The Commissioners' Court reconvened the Voting Session at 5:28 PM.

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

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### RESOLUTIONS & PROCLAMATIONS

1. APPROVE PROCLAMATION DECLARING MARCH 2004 AS "TRAIL RIDE MONTH" IN TRAVIS COUNTY. (9:16 AM)

**Members of the Court heard from:** Jean Mueller, Trail Boss, Austin Founders Trail Ride.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez 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	yes

- 2. APPROVE PROCLAMATION DECLARING MARCH 2004 AS "PURCHASING MONTH" IN TRAVIS COUNTY. (9:23 AM)**

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

**Motion by Commissioner Gómez and seconded by Commissioner Sonleitner** to approve the proclamation in Item 2.

<b>Motion carried:</b>	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:** Phillip A. Dick, Travis County Resident.  
(9:26 AM)

## CONSENT ITEMS

**Motion by Commissioner Gómez and seconded by Commissioner Sonleitner** approve the following Consent Items: C1-C4, and Items 3, 4, 8.A and B, 11, 12, 14, 15, 16, 22, 23.A and B, 24, 25, 26, 27.A and B, 28, 31, 33, 39, 40, and 41.A-AA (excluding 41.H). (9:31 AM)

<b>Motion carried:</b>	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.

## CONSENT ITEMS CONTINUED

- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF FEBRUARY 17, 2004.
- C4. APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 23, 2004, TO HEAR DISCUSSION AND TAKE ACTION TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PUBLIC UTILITY EASEMENT, AN UNDEFINED PLATTED DRAINAGE EASEMENT ACROSS LOT 2, BLOCK 3, AUSTIN LAKE ESTATES SECTION 1, AND ACCEPT THE DEDICATION OF A REPLACEMENT DRAINAGE EASEMENT. (COMMISSIONER DAUGHERTY)

## ADMINISTRATIVE OPERATIONS ITEMS

- 3. 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 \$32,839.86 FOR THE PERIOD OF FEBRUARY 13 THROUGH FEBRUARY 19, 2004. (9:31 AM)

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

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:31 AM)

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

- 5. CONSIDER AND TAKE APPROPRIATE ACTION ON THE HUMAN RESOURCES STRATEGIC TEAM REPORT AND RECOMMENDATIONS ON MANAGING EMPLOYEE PERFORMANCE AND DISCIPLINARY ACTIONS. (9:56 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; and Linda Moore Smith, Director, Human Resources Management Department (HRMD).

Discussion Only. No action taken.

Item 5 to be reposted on March 16, 2004.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON ELEVATORS IN THE BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER. (11:55 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the recommendation by Staff as well as the funding recommendation.

**Motion carried:**

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

7. DISCUSS AMENDMENT TO CHAPTER 31, RISK MANAGEMENT DIVISION, WITH THE ADDITION OF SUBCHAPTER E, PUBLIC ACCESS DEFIBRILLATOR PROGRAM IN TRAVIS COUNTY FACILITIES, AND TAKE APPROPRIATE ACTION. (11:30 AM)

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD; Dr. Ed Racht, Medical Director, Emergency Medical Services (EMS); Susan Spataro, Travis County Auditor; and Chuck Watt, Safety Officer, HRMD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommendation with the Allocated Reserve as the source of funding.

**Motion carried:**

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

8. A. REVIEW AND APPROVE TUITION REFUNDS FOR EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH TUITION REIMBURSEMENT POLICY, SECTION 10.021; (9:31 AM)

- B. APPROVE REQUISITION AND AUTHORIZE THE COUNTY AUDITOR AND COUNTY TREASURER TO REIMBURSE EMPLOYEES AS LISTED.

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

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

9.     **A.** CONSIDER PROPOSED ELEMENTS OF A TRAVIS COUNTY REAL PROPERTY ASSET DISPOSITION POLICY, AND TAKE APPROPRIATE ACTION; AND (3:38 PM)
- B.** CONSIDER DISPOSITION OF MAINTENANCE AND STORAGE FACILITIES AT SATELLITE THREE ON HAMILTON POOL ROAD IN PRECINCT THREE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAUGHERTY)

Items 9.A and B postponed until March 9, 2004.

**AT 10:30 A.M.**

10.     CONSIDER AND TAKE APPROPRIATE ACTION ON THE DELOITTE-TOUCHE CONSULTING PHASE I REPORT ON THE SUBDIVISION REVIEW PROCESS IN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF AUSTIN. (10:33 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Scott Huntsman, Deloitte Consulting; Tom Nuckols, Assistant County Attorney; and Susan Spataro, Travis County Auditor.

**Clerk's Note:** The Court received a report from the consultant on the subdivision review process in the Extra Territorial Jurisdiction of the City of Austin.

Discussion Only. No action taken.

Item 10 to be reposted on March 16, 2004.

11.     DISCUSS AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT ONE: AUSTIN'S COLONY PHASE 5 (PRELIMINARY PLAN – 202 LOTS – 59.90 ACRES – AUSTIN'S COLONY BOULEVARD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY HORNSBY BEND UTILITY COMPANY – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:31 AM)

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

12. APPROVE ALTERNATIVE FISCAL AGREEMENTS FOR THE MEADOWS AT BLACKHAWK SECTION 7A-1, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:31 AM)

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

13. APPROVE THE CALL DOWN OF THE LETTER OF CREDIT FOR SIDEWALK IMPROVEMENTS ASSOCIATED WITH THE REPLAT OF STEINER RANCH COMMERCIAL, TRACT 12. (COMMISSIONER DAUGHERTY) (4:01 PM)

**Clerks Note:** Judge Biscoe announced that the letter of credit was extended and therefore there is no reason to act on Item 13.

Item 13 pulled from the Agenda.

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PROPOSED WASTEWATER LINE EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT THROUGH TRAVIS COUNTY PARKLAND IMMEDIATELY SOUTH OF THE CITY OF MANOR. (COMMISSIONER DAVIS) (9:31 AM)

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

15. DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: BELLA VISTA, SECTION 3A (LONG FORM PLAT – 36 LOTS – 15.767 ACRES – APPENINI WAY – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:31 AM)

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

16. DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: BELLA VISTA, SECTION 3B (LONG FORM PLAT – 33 LOTS – 12.077 ACRES – CASTELLANO WAY – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:31 AM)

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

**AT 1:45 P.M.**

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING SOLID WASTE MANAGEMENT ISSUES:

- A. PROPOSED MEMORANDUM OF UNDERSTANDING WITH BROWNING-FERRIS INDUSTRIES REGARDING APPLICATION FOR EXPANSION AT NORTHEAST TRAVIS COUNTY SITE AND DEADLINE FOR CLOSURE;  
(1:59 PM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; Paul Gosselink, Attorney representing BFI; Ray Schull, BFI; Heath Eddleblute, District Manager, BFI; Trek English, Travis County Resident; Joyce Thoresen, Travis County Resident; Mark McAfee, Travis County Resident; and Melanie McAfee, Travis County Resident.

Discussion Only. No action taken.

Item 17.A to be reposted on March 23, 2004.

17. B. PROPOSED MEMORANDUM OF UNDERSTANDING WITH WASTE MANAGEMENT INC. REGARDING APPLICATION FOR EXPANSION AT NORTHEAST TRAVIS COUNTY SITE AND DEADLINE FOR CLOSURE;  
(3:01 PM)

**Members of the Court heard from:** Tom Nuckols, Assistant County Attorney; John Joseph, Attorney representing WMI; Steve Jacobs, WMI; Trek English, Travis County Resident; Paul Gosselink, Attorney representing BFI; and Bob Gregory, Texas Disposal Systems (TDS).

Discussion Only. No action taken.

Item 17.B to be reposted on March 23, 2004.

17. C. AGREEMENT AND OTHER NECESSARY DOCUMENTS TO IMPLEMENT REGIONAL STUDY IN PARTNERSHIP WITH CAPITAL AREA PLANNING COUNCIL; (3:37 PM)

Item 17.C to be reposted on March 9, 2004.

17. D. DIRECTIONS ON REQUEST FOR PROPOSAL FOR CONSULTANT TO PERFORM REGIONAL LANDFILL STUDY. (3:37 PM)

Item 17.D to be reposted on March 9, 2004.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COUNTY PARTICIPATION IN REGIONAL ENVIRONMENTAL SUMMIT ON WASTE REDUCTION AND MANAGEMENT. (3:39 PM)

Item 18 postponed until March 9, 2004.

### PLANNING AND BUDGET DEPT. ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:56 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Diana Ramirez, Budget Analyst, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the budget amendments and transfers recommended by Planning and Budget.

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



**JUSTICE AND PUBLIC SAFETY ITEMS**

- 20.** CONSIDER AND TAKE APPROPRIATE ACTION ON OPTIONS FOR PROCEEDING WITH THE PHYSICAL PLANT ANALYSIS OF THE JAIL OPERATIONS STUDY. (3:39 PM)

**Members of the Court heard from:** Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); Margo Frasier, Travis County Sheriff; Roger El Khoury, Director, Facilities Management; Jim Connolly, Assistant County Attorney; and Bill Derryberry, Budget Analyst, Planning and Budget Office (PBO).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to follow the recommendation and authorize the option 1 observation level assessment in the amount of \$15,440.00, plus up to \$2,000.00 for travel; that we authorize the County Judge to sign on behalf of the Commissioners Court; and that the Motion includes transfer of the appropriate amount of money from the Travis County Sheriff's salary savings line item into Criminal Justice Planning in the amount of \$17,440.00.

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

- 21.** APPROVE INTERJURISDICTIONAL MUTUAL AID AGREEMENTS BETWEEN TRAVIS COUNTY AND CERTAIN INCORPORATED CITIES WITHIN THE COUNTY, AND BETWEEN TRAVIS COUNTY AND THE OTHER NINE COUNTIES IN THE CAPITAL AREA PLANNING COUNCIL REGION. (3:56 PM)

**Members of the Court heard from:** Danny Hobby, Emergency Services Coordinator, Department of Emergency Services; and Pete Baldwin, Emergency Management Coordinator, Department of Emergency Services.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 21.

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

## PURCHASING OFFICE ITEMS

22. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00154-RG, AIRGAS SOUTHWEST, FOR MEDICAL GASES. (MEDICAL EXAMINER & ES) (GÓMEZ) (9:31 AM)

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

23. A. APPROVE ORDER EXEMPTING THE EXECUTION OF THE WORKSOURCE CHILD CARE LOCAL MATCH AGREEMENT FROM THE COMPETITIVE PROCUREMENT PROCESS, PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT; (9:31 AM)
- B. APPROVE CONTRACT WITH WORKSOURCE FOR CHILD CARE LOCAL MATCH CONTRIBUTION. (HHS&VS) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Judge Biscoe noted that the third part of this Item dealing with Goodwill is not covered by the Agenda Item, so it will not be acted on and will be brought back to the Court.

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

24. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 02AE0089JJ, CARTER & BURGESS, INC., NORTHEAST METRO PARK PHASE II DESIGN PROJECT. (TNR) (COMMISSIONER SONLEITNER) (9:31 AM)

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

25. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00185LD, CAPITAL GRAPHICS FOR ELECTION DAY KITS. (COUNTY CLERK) (COMMISSIONER GÓMEZ) (9:31 AM)

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

26. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00118LD, GULF STATES ASPHALT CO., FOR EMULSIFIED ASPHALT. (TNR) (COMMISSIONER GÓMEZ) (9:31 AM)

**Clerk's Note:** Judge Biscoe announced that Item 26 includes the special provisions in Part 5 paragraph 8 and the return freight provision in Part 5 paragraph 10.

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

27. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR FENCE CONSTRUCTION AND REMOVAL: (9:31 AM)

A. CONTRACT NO. 03T00147LD, H AND H FENCE CO.;

B. CONTRACT NO. 03T00148LD, VIKING FENCE CO. INC. (TNR)  
(COMMISSIONER GÓMEZ)

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

28. APPROVE CONTRACT NO. PS040114JW WITH STEPHEN A. THORNE, PH.D. TO PROVIDE PSYCHOLOGICAL EVALUATIONS TO JUVENILE OFFENDERS (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:31 AM)

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

- 29.** APPROVE SOLE SOURCE EXEMPTION AND RENEWAL (MODIFICATION NO. 5) TO CONTRACT NO. PS990080TS, CAP SYSTEMS, INC., FOR A CASE MANAGEMENT AND BENEFITS ADMINISTRATION (CABA) SYSTEM. (ITS/HHS) (COMMISSIONER GÓMEZ) (11:53 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** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 29.

**Motion carried:**

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

- 30.** DECLARE CERTAIN SURPLUS PROPERTY AND AUTHORIZE TRADE-IN ON NEW COMPUTER EQUIPMENT, PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE. (PURCHASING) (3:55 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 30.

**Motion carried:**

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

## OTHER ITEMS

- 31.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:31 AM)

**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 SECURITY ISSUES AT CERTAIN TRAVIS COUNTY BUILDINGS. (3:51 PM) (4:02 PM) (5:28 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Dana DeBeauvoir, Travis County Clerk; Roger El Khoury, Director, Facilities Management; and Margo Frasier, Travis County Sheriff.

**Clerk's Note:** Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.076, Security.

**Clerk's Note:** Judge Biscoe requested that the Travis County Sheriff be thanked for her assistance, and to request that she keep working on these issues with the Court, and when a report is ready for consideration and action we will have this back on the Court's Agenda.

Discussion Only. No formal action taken.

Item 32 to be reposted at a later date.

- 33.** CONSIDER AND APPROVE EXPENSES AND FORM AN ONGOING POLICY RELATED TO PARKING FOR ELECTION WORKERS AT THE UNIVERSITY OF TEXAS POLLING SITE. (9:31 AM)

**Clerk's Note:** Judge Biscoe noted that the Motion covers the parking expenses and invoice.

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

34. RECEIVE FOR FILING WITH THE TRAVIS COUNTY COMMISSIONERS COURT A PETITION FOR THE CREATION OF THE LAKE TRAVIS COMMUNITY LIBRARY DISTRICT AND INSTRUCT STAFF TO REVIEW THE PETITION AND ALL RELATED ISSUES, AND TAKE APPROPRIATE ACTION. (10:22 AM)

**Members of the Court heard from:** Nancy Pensack, Volunteer, Lake Travis Community Library, Candidate, Board of proposed Lake Travis Community Library District; Jean Johnson, Librarian, Lake Travis Community Library; and Carol Black, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to formally receive for filing a petition for the creation of the Lake Travis Community Library District, and to direct appropriate Staff to review the petition.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 March 9, 2004.

35. APPROVE ORDER CALLING ELECTION ON ANNEXATION OF THE TERRITORY WITHIN THE DEL VALLE INDEPENDENT SCHOOL DISTRICT INTO THE AUSTIN COMMUNITY COLLEGE DISTRICT, AND TAKE APPROPRIATE ACTION. (10:32 AM)

**Members of the Court heard from:** Tamara Armstrong, Assistant County Attorney.

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve the order calling the election on Saturday, May 15, 2004.

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

- 36. A. CONSIDER AND TAKE APPROPRIATE ACTION ON PETITION FOR THE CREATION OF A COUNTYWIDE HOSPITAL DISTRICT WITH TAXING AUTHORITY; (9:34 AM)**

**Members of the Court heard from:** Tamara Armstrong, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 36.A

**Motion carried:**

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

- 36. B. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER CALLING ELECTION ON THE CREATION OF A COUNTYWIDE HOSPITAL DISTRICT FOR TRAVIS COUNTY. (9:36 AM)**

**Members of the Court heard from:** Tamara Armstrong, Assistant County Attorney; Clarke Heidrick, Attorney, representing Countywide Hospital District; Marshall Cothran, CEO, Travis County Medical Society; and Guy Herman, Travis County Probate Judge.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 36.B, the order calling the Election on Saturday, May 15, 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

- 37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TEXAS ASSOCIATION OF COUNTIES TO IMPLEMENT A PUBLIC AWARENESS PROGRAM REGARDING UNFUNDED MANDATES IMPOSED ON COUNTIES. (9:15 AM)**

Item 37 postponed until March 9, 2004.

38. AUTHORIZE WORKING GROUP TO MOVE FORWARD WITH THE DEVELOPMENT OF A SINGLE FAMILY LEASE PURCHASE PROGRAM FOR THE HOUSING AUTHORITY OF TRAVIS COUNTY. (1:43 PM)

**Members of the Court heard from:** Guy Burgoon, Vice President, George K. Baum and Company; Harvey Davis, Manager, Travis County Corporations and Assistant Investment Manager, Cash/Investment Management; Keith Hoffpauier, Director, Housing Development, Housing Authority of Travis County; and Wiley Hopkins, Executive Director, Housing Authority of Travis County.

Discussion Only. No action taken.

Item 38 to be reposted on March 16, 2004.

39. APPOINT MARY CHRISTINA “CHRISTY” CASEY TO THE TRAVIS COUNTY CHILDREN’S PROTECTIVE BOARD AS A PRECINCT FOUR APPOINTEE, EFFECTIVE IMMEDIATELY THROUGH MARCH 31, 2007. (COMMISSIONER GÓMEZ) (9:31 AM)

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

40. APPOINT MAY SCHMIDT TO THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT TWO APPOINTEE, EFFECTIVE IMMEDIATELY THROUGH JANUARY 2005. (SONLEITNER) (9:31 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 THE FOLLOWING PRECINCT THREE APPOINTMENTS TO TRAVIS COUNTY EMERGENCY SERVICES DISTRICT (ESD) BOARDS:

- A. APPOINT JOE PUTMAN TO TRAVIS COUNTY ESD BOARD #1, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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



**ITEM 41 CONTINUED**

- 41. B.** RE-APPOINT RAY PERICOLA TO TRAVIS COUNTY ESD BOARD #1, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. C.** RE-APPOINT DAVID LUTHER TO TRAVIS COUNTY ESD BOARD #3, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. D.** RE-APPOINT WILLIAM A. HEINE TO TRAVIS COUNTY ESD BOARD #3, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. E.** RE-APPOINT KEVIN MACDONNELL TO TRAVIS COUNTY ESD BOARD #4, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. F.** APPOINT ARTHUR GURLEY TO TRAVIS COUNTY ESD BOARD #5, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. G.** RE-APPOINT BOB REMLINGER TO TRAVIS COUNTY ESD BOARD #5, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

**ITEM 41 CONTINUED**

- 41. H.** APPOINT DEBORAH PETERSON TO TRAVIS COUNTY ESD BOARD #5, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:15 AM)

Item 41.H pulled from the Agenda.

- 41. I.** APPOINT TOM CAVANAUGH TO TRAVIS COUNTY ESD BOARD #6, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. J.** RE-APPOINT BRAD ELLIS TO TRAVIS COUNTY ESD BOARD #6, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. K.** RE-APPOINT TERRY BROWDER TO TRAVIS COUNTY ESD BOARD #6, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. L.** RE-APPOINT JAMES ROBERTS TO TRAVIS COUNTY ESD BOARD #7, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. M.** RE-APPOINT DEANE ARMSTRONG TO TRAVIS COUNTY ESD BOARD #7, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

**ITEM 41 CONTINUED**

- 41. N.** RE-APPOINT THOMAS ATWOOD TO TRAVIS COUNTY ESD BOARD #7, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. O.** APPOINT JOHN CRADDOCK TO TRAVIS COUNTY ESD BOARD #7, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. P.** APPOINT MIKE PEARSON TO TRAVIS COUNTY ESD BOARD #8, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. Q.** APPOINT H.C. LOTT TO TRAVIS COUNTY ESD BOARD #8, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. R.** RE-APPOINT ALAN GRAIF TO TRAVIS COUNTY ESD BOARD #8, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. S.** RE-APPOINT JOHN SHINE TO TRAVIS COUNTY ESD BOARD #8, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

**ITEM 41 CONTINUED**

- 41. T.** APPOINT DR. ARLEN HANLE TO TRAVIS COUNTY ESD BOARD #9, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

**Clerk's Note:** Item 41.T added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 41. U.** RE-APPOINT BETTY COOK TO TRAVIS COUNTY ESD BOARD #9, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. V.** RE-APPOINT CATHY THOMPSON TO TRAVIS COUNTY ESD BOARD #9, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. W.** RE-APPOINT KENTON CAMPBELL TO TRAVIS COUNTY ESD BOARD #10, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. X.** RE-APPOINT GLEN REID TO TRAVIS COUNTY ESD BOARD #10, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

- 41. Y.** APPOINT SUE ELLEN JORDAN TO TRAVIS COUNTY ESD BOARD #14, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

## ITEM 41 CONTINUED

41. Z. RE-APPOINT LONNIE MOORE TO TRAVIS COUNTY ESD BOARD #14, TERM EFFECTIVE THROUGH DECEMBER 2005; (9:31 AM)

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

41. AA. RE-APPOINT STAN PHILLIPS TO TRAVIS COUNTY ESD BOARD #14, TERM EFFECTIVE THROUGH DECEMBER 2005. (DAUGHERTY) (9:31 AM)

**Clerk's Note:** Item 41.AA 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

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.

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN OTIS DANIELS (DANIELS; FRASIER; PERSONAL INJURY). <sup>1</sup> (4:02 PM) (5:29 PM)

**Clerk's Note:** Judge Biscoe announced that Item 42 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 Attorney to hire appropriate experts.

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

43. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION AND/OR CONSIDER SETTLEMENT OFFER IN KATHLEEN EATON VS. TRAVIS COUNTY, TEXAS (EATON, TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY DEFENDANT). <sup>1</sup> (4:01 PM)

Item 43 postponed until March 9, 2004.

44. CONSIDER AND TAKE APPROPRIATE ACTION ON COMPENSATION AND CLASSIFICATION OF THE DIRECTOR OF FACILITIES MANAGEMENT POSITION. <sup>3</sup> (4:02 PM) (5:29 PM)

**Clerk's Note:** Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that this position be reclassified to grade 30, salary be slotted in at \$109,450.00, and that is inclusive of any current supplements that he is receiving.

**Motion carried:**

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

45. CONSIDER APPROVAL OF PURCHASE CONTRACT WITH MRE RANCH, LTD. FOR THE ACQUISITION OF APPROXIMATELY 344.984 ACRES OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN, AND TAKE APPROPRIATE ACTION. <sup>2</sup> (4:02 PM) (5:29 PM)

**Clerk's Note:** Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to extend the offer of \$8,220,000.00, for the purchase contract, to the MRE Ranch Ltd. for the acquisition of 344.984 acres of land.

**Motion carried:**

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

46. CONSIDER AND TAKE APPROPRIATE ACTION ON EMPLOYMENT ISSUES REGARDING A SENIOR PLANNER IN THE CRIMINAL JUSTICE PLANNING DEPARTMENT. <sup>3</sup> (4:02 PM) (5:30 PM)

**Clerk's Note:** Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we authorize a pay increase of up to \$52,500.00, and that we authorize the Manager of that Department to communicate that, and execute the appropriate paperwork.

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

## ADJOURNMENT

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

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**