

MINUTES OF MEETING – MAY 11, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 11th day of May, 2004, the Commissioners' Court convened the regular Voting Session at 9:19 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 record notes that Precinct One Commissioner Ron Davis was not present during this Voting Session.

The Commissioners' Court retired to Executive Session at 11:37 AM.

The Commissioners' Court reconvened the Voting Session at 12:33 PM.

The Commissioners' Court adjourned the Voting Session at 12:35 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 12:35 PM and adjourned at 12:35 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 12:35 PM and adjourned at 12:37 PM.

PUBLIC HEARINGS

1. DISCUSS REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: BOULDER RIDGE SOUTH (SHORT FORM PLAT – 2 LOTS – 187.70 ACRES – KILLINGSWORTH LANE/FUTURE WELLS BRANCH PARKWAY - - NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF PFLUGERVILLE – CITY OF AUSTIN ETJ). (ACTION ITEM 12)
(COMMISSIONER SONLEITNER) (9:20 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 12 for the Court's Motion and Vote.

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

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

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

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

RESOLUTIONS & PROCLAMATIONS

2. APPROVE PROCLAMATION RECOGNIZING “NATIONAL POLICE WEEK” FROM MAY 9 THROUGH MAY 15, 2004 AND “NATIONAL PEACE OFFICERS’ MEMORIAL DAY” ON MAY 15, 2004. (JUDGE BISCOE) (9:23 AM)

Members of the Court heard from: Bob Vann, Constable, Precinct 2; and Sergeant Mike Varela, Deputy Constable, Precinct 2.

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

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

3. APPROVE PROCLAMATION DECLARING MAY 19, 2004 AS "HISTORICALLY UNDERUTILIZED BUSINESS PROGRAM (HUB) TEN-YEAR ANNIVERSARY CELEBRATION DAY" IN AUSTIN/TRAVIS COUNTY. (JUDGE BISCOE) (9:26 AM)

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

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

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

4. RECOGNIZE HONORABLE ELISABETH EARLE AS RECIPIENT OF THE TRAVIS COUNTY BAR ASSOCIATION'S OUTSTANDING YOUNG LAWYER FOR 2004. (9:40 AM)

Clerk's Note: The Commissioners' Court recognized the achievements of County Court at Law Judge Elisabeth Earle.

Members of the Court heard from: Elisabeth Earle, County Court at Law No. 7.

Discussion only. No action taken.

CITIZENS COMMUNICATION

Members of the Court heard from: Jimmy Castro, Travis County Resident; Lillianne Goeders, 4-H Capital, Texas Cooperative Extension; Leslie Dusing, Principal, Blanton Elementary School; James Henderson, Urban Animal Science, Texas Cooperative Extension; David Romero, 4-H Club Member; and Pamela Perkins, 4-H Club Member. (9:43 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 6, 7, 8.B, 9.A and B, 10, 11, 12, 22, 23, 27, 29.A and B, and 33. (9:55 AM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

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

- 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 AUTOMATIC BUDGET TRANSFERS.
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 8, 2004 TO DISCUSS AND TAKE APPROPRIATE ACTION ON THE PARTIAL VACATION OF WEST CYPRESS HILLS PHASE ONE SECTION ONE AND A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 7, BLOCK 1, WEST CYPRESS HILLS PHASE ONE SECTION ONE (REPLAT – 2 LOTS – 0.6 ACRES – TEXAS BLUEBELL DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CYPRESS RANCH WCID – OUTSIDE ALL ETJ's). (COMMISSIONER DAUGHERTY)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 15, 2004 TO DISCUSS AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 4 AND 5, BLOCK B, TRAVIS OAK TRAILS (REVISED PLAT – 2 LOTS – 0.69 ACRES – STRADER CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WATER CONTROL AND IMPROVEMENT DISTRICT 17 – CITY OF LAKEWAY ETJ). (COMMISSIONER DAUGHERTY)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 15, 2004 TO DISCUSS AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 2, FLINT ROCK HILL SUBDIVISION (REVISED PLAT – 2 LOTS – 2.62 ACRES – PEAK LOOKOUT DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY – CITY OF LAKEWAY ETJ). (COMMISSIONER DAUGHERTY)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 15, 2004 TO DISCUSS AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 59, APPLE SPRINGS (REVISED PLAT – 2 LOTS – 6.88 ACRES – APPLE SPRINGS DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY – CITY OF LEANDER ETJ). (COMMISSIONER DAUGHERTY)

PURCHASING OFFICE ITEMS

5. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. 03T000740J, REFUSE COLLECTION, WITH WASTE MANAGEMENT OF TEXAS. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (10:01 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Joyce Thoresen, Walnut Place Neighborhood Association.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 5.

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

6. REJECT ALL BIDS RECEIVED FOR IFB NO. B040048LD, PATROL BOATS. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:55 AM)

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

7. APPROVE PURCHASE OF TWO (2) PRISONER TRANSPORT VANS FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), NO. IL0300670J. (TNR) (COMMISSIONER GÓMEZ) (9:55 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 PARK CONCESSION OPERATIONS, RFS NO. S040085RG, TO THE FOLLOWING:

A. DOUG RICHARDS, THE PHOTOGUY.COM. (9:19 AM)

Item 8.A pulled from the Agenda.

- 8.** APPROVE CONTRACT AWARD FOR PARK CONCESSION OPERATIONS, RFS NO. S040085RG, TO THE FOLLOWING:

B. CARLOS CUCINA. (TNR-PARKS) (COMMISSIONER GÓMEZ) (9:55 AM)

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

- 9.** APPROVE CONTRACT AWARD OF MOBILE DATA HARDWARE AND RELATED SERVICES, RFO NO. 0040092RG, TO THE FOLLOWING VENDORS: (9:55 AM)

A. RZ COMMUNICATIONS (CATEGORIES A, B, AND F); AND

B. COMPASSCOMM, INC. (CATEGORY C). (SHERIFF'S OFFICE)
(COMMISSIONER GÓMEZ)

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

- 10.** APPROVE CONTRACT AWARD FOR GEOTECHNICAL AND CONSTRUCTION TESTING SERVICES, RFQ NO. Q030100DM, TO ENGINEERING CONSULTING SERVICES, LTD. (COMMISSIONER GÓMEZ) (9:55 AM)

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

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DECLARE CERTAIN EQUIPMENT AS SURPLUS AND AUTHORIZE SALE AT PUBLIC AUCTION, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:55 AM)

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: BOULDER RIDGE SOUTH (SHORT FORM PLAT – 2 LOTS – 187.70 ACRES – KILLINGSWORTH LANE/FUTURE WELLS BRANCH PARKWAY - -NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF PFLUGERVILLE – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (9:55 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING THE ESTATES OF ROWE LANE: (10:21 AM)

- A. A VARIANCE TO CHAPTER 82.202(D) OF STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS IN TRAVIS COUNTY FOR THE ESTATES OF ROWE LANE, SECT. 2, TO ALLOW FOR A LOT IN A SUBDIVISION WITHOUT FRONTAGE ONTO A STREET (LOT 30, BLOCK F); AND**
- B. APPROVAL OF A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT TWO: THE ESTATES OF ROWE LANE, SECT. 2 (LONG FORM PLAT – 88 LOTS – 26.452 ACRES – ROWE LANE – FISCAL POSTED WITH TRAVIS COUNTY AND CITY OF PFLUGERVILLE – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID #2C – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)**

Clerk's Note: Items 13.A and B are associated with one another and were called for concurrent discussion.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 13.A and B, contingent upon the approval of the Pflugerville City Council.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT TWO: THE ESTATES OF ROWE LANE, SECT. 1 (LONG FORM PLAT – 72 LOTS – 22.654 ACRES – ROWE LANE – FISCAL POSTED WITH TRAVIS COUNTY AND CITY OF PFLUGERVILLE – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID #2C – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (10:24 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 14, contingent upon the approval by the Pflugerville City Council.

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

15. RECEIVE UPDATE REGARDING CLEAN AIR ACTION PLAN IMPLEMENTATION ISSUES BEING CONSIDERED AT TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, AND TAKE APPROPRIATE ACTION. (10:03 AM)

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

Discussion only. No action taken.

16. CONSIDER CONVEYANCE OF FOUR TRACTS OF EXISTING RIGHT-OF-WAY TO THE TEXAS DEPARTMENT OF TRANSPORTATION AS NEEDED FOR USE IN THE DEVELOPMENT OF THE LOOP 1 NORTH AND S.H. 45 NORTH ROADWAY PROJECTS, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (10:24 AM)

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

Discussion only. No action taken.

Item 16 to be reposted on May 25, 2004.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RATIFY COMMENTS BY TRAVIS COUNTY TO CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION ON THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY AND TXDOT'S PROPOSED TOLL ROAD IMPLEMENTATION PROGRAM. (10:01 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 17.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CITY OF AUSTIN'S COUNTER-PROPOSAL FOR THE REVIEW AND INSPECTION OF SUBDIVISIONS IN THE EXTRATERRITORIAL JURISDICTION. (9:19 AM)

Item 18 not needed.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON A UTILITY AGREEMENT WITH MANVILLE WATER SUPPLY CORPORATION FOR THE GRAND AVENUE PARKWAY CIP PROJECT. (COMMISSIONER SONLEITNER) (10:25 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the agreement in Item 19.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion is to increase the \$236,000.00 that was approved last week to \$351,000.00; and also includes the Court's intention to invalidate, void, and otherwise render without effect, whatever action the Court took last week; and whatever the County Judge signed on behalf of the Commissioners' Court.

A Further Clarification of the previous Motion was made by Commissioner Sonleitner that the County Judge will now sign a new executed document that has come from Manville, that they have indeed signed, where we are expressing concurrence with the number that has been put in there.

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

PLANNING AND BUDGET DEPT. ITEMS

20. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:19 AM)

No action necessary on Item 20.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 21.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING HEALTH AND HUMAN SERVICES AND VETERANS SERVICE'S RECOMMENDATION REGARDING HIV SOCIAL SERVICES CONTRACTS. (10:49 AM)

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

Clerk's Note: The Court discussed the following recommendations on page 3 of the memo from Stephen Williams, Executive Manager: that for the County contracts that we go forward with developing a contract with United Way for \$20,000, using one-time dollars; that we also contract with the Wright House Wellness Center for case management for a nine-month period for \$52,500; that would be \$70,000 annually; and that Aids Services of Austin be awarded a contract that totals an amount of \$361,939 for case management as well as other services.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the recommendation in Item 21.

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

ADMINISTRATIVE OPERATIONS ITEMS

- 22.** 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 \$263,055.97 FOR THE PERIOD OF APRIL 23 THROUGH APRIL 29, 2004. (9:55 AM)

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:55 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 REQUEST TO APPROVE THE FY 04 JOB ANALYSIS PROJECT – PART 1, INCLUDING RECOMMENDED JOB TITLES, PAY GRADES AND FLSA DESIGNATIONS. (11:16 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 24, with the understanding that this must go through the budget process, and determine the appropriate funding, if any, for the monetary part of any of these changes.

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

JUSTICE AND PUBLIC SAFETY ITEMS

- 25.** CONSIDER AND TAKE APPROPRIATE ACTION ON THE FIRE MARSHAL BUSINESS PLAN AND DATA REPOSITORY SYSTEM. (10:30 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services; and Simon Broussard, Interim Travis County Fire Marshal.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Fire Marshal Business Plan, with the understanding that budget requests for Fiscal Year 2005 will be part of the budget submission to the Planning and Budget Office (PBO).

A Friendly Amendment to the previous Motion was offered by Commissioner Sonleitner to authorize Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services, to use the \$34,000.00 in CAR funds he already has in today's Fiscal Year 2004 budget, for the use of the repository, which is a preliminary step to all of this.

Acceptance of the Friendly Amendment was made by Judge Biscoe and Commissioner Gómez.

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

- 26.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR INTERLOCAL COOPERATION AGREEMENTS FOR THE USE OF THE REGIONAL RADIO SYSTEM (RRS) BY ASSOCIATES (ESDs AND POLICE DEPARTMENTS) AND THE FOLLOWING TWO FORMS: (10:01 AM)

A. RRS ASSOCIATE AGREEMENT WITH ANNUAL PAYMENTS; AND

B. RRS ASSOCIATE AGREEMENT WITH QUARTERLY PAYMENTS.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 26.A and B, and that the County Judge be authorized to sign the agreements as they come in, provided that no changes are made. If changes are made, we will agendize those for the Court's consideration.

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

- 27.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:55 AM)

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF EARLY VOTING AND ELECTION DAY. (11:26 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the order filling vacancies in the unexpired term of election judges and alternate election judges. This motion covers all the May 15, 2004 elections.

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR THE FOLLOWING APPOINTMENTS FOR THE MAY 15, 2004 JOINT GENERAL AND SPECIAL ELECTIONS: (9:55 AM)

A. PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE AND OTHER PERSONNEL OF THE CENTRAL COUNTING STATION;

B. PRESIDING JUDGES OF THE RECEIVING SUBSTATIONS; AND

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

ITEM 29 CONTINUED

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR THE FOLLOWING APPOINTMENTS FOR THE MAY 15, 2004 JOINT GENERAL AND SPECIAL ELECTIONS: (11:28 AM)

C. PRESIDING JUDGE AND ALTERNATE PRESIDING JUDGE OF THE EARLY VOTING BALLOT BOARD.

Members of the Court heard from: Tamara Armstrong, Assistant County Attorney; and Michael Winn, Elections Program Manager, Travis County Clerk's Office.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 29.C.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST BY ST. EDWARD'S UNIVERSITY FOR RESOLUTION SUPPORTING LOANS FOR FINANCING OF EDUCATION FACILITIES WITHIN TRAVIS COUNTY, PURSUANT TO SECTION 147(f) OF THE UNITED STATES INTERNAL REVENUE CODE OF 1986. (11:22 AM)

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations and Assistant Investment Manager, Cash/Investment Management.

Motion by Judge Biscoe **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

- 31.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TRAVIS COUNTY SENIOR OLYMPICS TO WAIVE VEHICLE CHARGE BY THE TRAVIS COUNTY SHERIFF'S OFFICE. (9:20 AM)

Item 31 postponed until May 25, 2004.

- 32.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADVERTISE THE POSITION OF EXECUTIVE MANAGER OF HEALTH AND HUMAN SERVICES AND VETERANS SERVICES. (11:30 AM)

Members of the Court heard from: Linda Moore Smith, Director, HRMD.

Clerk's Note: The Court, without objection, appointed Precinct 2 Commissioner Karen Sonleitner and Precinct 4 Commissioner Margaret Gómez as the subcommittee to give recommendations and reasons regarding Item 32.

Discussion only. No formal action taken.

- 33.** RATIFY APPOINTMENT OF JOE MUNOZ AS A CITIZEN REPRESENTATIVE TO THE CAPCO LAW ENFORCEMENT EDUCATION COMMITTEE FOR PRECINCTS ONE AND FOUR. (9:55 AM)

Clerk's Note: Item 33 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.

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING CLAIM AGAINST ALPHA ONE CORPORATION, AND TAKE APPROPRIATE ACTION.**
¹ (11:37 AM) (12:33 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 Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Attorney's Office to file a lawsuit against this corporation, and to attempt to obtain whatever damages Travis County is entitled to, plus reimbursement.

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

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING CLAIM AGAINST HARLEY DAVIDSON, INC., AND TAKE APPROPRIATE ACTION. ¹ (11:37 AM) (12:33 PM)

Clerk's Note: Judge Biscoe announced that Item 35 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 Gómez to send these bikes to the test track that was discussed, at a cost of about \$1,600.00, but the County Attorney's Office should make arrangements to make that trip. The source of the money would be the Risk Management Fund, and if that fails, it will come from Allocated Reserve.

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

36. A. RECEIVE BRIEFING FROM ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING APPEAL IN CONGRESSIONAL REDISTRICTING MATTER; ¹ (11:38 AM)

Members of the Court heard from: John Hille, Assistant County Attorney and Kevin Morse, Assistant County Attorney.

Item 36.A to be reposted on May 25, 2004.

36. B. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR MODIFICATION NO.1 TO CONTRACT NO. PS040037LB, RENE HICKS, TO OBTAIN LITIGATION SERVICES. ¹ (11:38 AM)

Members of the Court heard from: John Hille, Assistant County Attorney and Kevin Morse, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the modification in Item 36.B, with the understanding that it is exactly the funding that was approved last time, and this is just a modification to get it done.

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

37. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY ET AL. V. ANNIE MAE WILSON (W. NEWMAN CASEY RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:37 AM) (12:34 PM)

Clerk's Note: Judge Biscoe announced that Item 37 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 that the County Judge be authorized to sign, on behalf of the Commissioners' Court, the resale deed to W. Newman Casey, who has delivered to Travis County \$8,703.33 in cash.

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

38. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY EL AL. V. BAILEY PINK (BENJAMIN COOPER RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:37 AM) (12:34 PM)

Clerk's Note: Judge Biscoe announced that Item 38 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 that the County Judge be authorized to sign the prepared resale deed to Benjamin F. Cooper, who has paid Travis County the sum of \$5,850.00 in cash.

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

- 39.** CONSIDER OPPORTUNITY TO PURCHASE REAL ESTATE IN CENTRAL AUSTIN, AND TAKE APPROPRIATE ACTION. ^{1 and 2} (11:37 AM) (12:35 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.072, Real Property.

No action required on Item 39.

Item 39 to be reposted on May 25, 2004.

ADDED ITEMS

- A1.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY COMMENTS ON PROPOSED RULES, MUNICIPAL SOLID WASTE SITE OPERATING PLANS, 30 TAC CHAPTER 330, SUBCHAPTER F, RULE LOG NUMBER 2004-050-330-WS. (11:02 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the letter with comments and the attachments.

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

Item A1 to be reposted on May 25, 2004.

ADJOURNMENT

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to adjourn the Voting Session. (12:35 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge