

## **MINUTES OF MEETING – MAY 25, 2004**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 25<sup>th</sup> day of May, 2004, the Commissioners' Court convened the regular Voting Session at 9:17 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 11:47 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 1:42 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:42 PM and adjourned at 1:48 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:49 PM.

The Commissioners' Court retired to Executive Session at 1:49 PM.

The Commissioners' Court reconvened the Voting Session at 4:48 PM.

The Commissioners' Court adjourned the Voting Session at 5:01 PM.

**PUBLIC HEARINGS**

1. DISCUSS REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: ST. TROPEZ P.U.D., RESUBDIVISION OF LOT 87D, AMENDED PLAT OF LOTS 87C AND 87D (SHORT FORM PLAT – 4 LOTS – 1.27 ACRES – RUE DE ST. GERMAINE (PRIVATE STREET) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN LIMITED PURPOSED ANNEXATION). (ACTION ITEM 27) (COMMISSIONER DAUGHERTY) (9:18 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 27 for the Court's Motion and Vote.

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

**Motion carried:**

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

**Members of the Court heard from:** Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

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

**Motion carried:**

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

2. DISCUSS REQUEST TO APPROVE A TEMPORARY, ONE DAY ROAD CLOSURE OF CLIFF'S EDGE FOR THE PURPOSE OF A BLOCK PARTY ON MEMORIAL DAY, MAY 31, 2004 IN PRECINCT THREE. (ACTION ITEM 28) (COMMISSIONER DAUGHERTY) (9:19 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 28 for the Court's Motion and Vote.

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

<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

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR.

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

<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

## RESOLUTIONS & PROCLAMATIONS

- 3. APPROVE RESOLUTION HONORING THE 2004 TRAVIS COUNTY WOMEN OF DISTINCTION. (COMMISSIONER GÓMEZ) (9:20 AM)**

**Members of the Court heard from:** Unknown female speaker, representing Travis County Women of Distinction.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the resolution in Item 3.

<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

4. APPROVE RESOLUTION HONORING THE RIVER CITY YOUTH FOUNDATION ON ITS 21<sup>ST</sup> ANNUAL YOUTH RECOGNITION DAY AWARDS CEREMONY. (COMMISSIONER GÓMEZ) (9:23 AM)

**Members of the Court heard from:** Robert Martinez, President of the Board, River City Youth Foundation; and Mona Gonzalez, River City Youth Foundation.

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

<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

5. APPROVE RESOLUTION URGING ALL CITIZENS TO RECOGNIZE MEMORIAL DAY. (JUDGE BISCOE) (9:30 AM)

**Members of the Court heard from:** Olie Pope, Travis County Veterans' Service Officer.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution 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	yes

6. APPROVE RESOLUTION REDEDICATING THE MONUMENT COMMEMORATING VETERANS BURIED AT THE TRAVIS COUNTY INTERNATIONAL CEMETERY. (JUDGE BISCOE) (9:36 AM)

**Members of the Court heard from:** Mr. Montoya, Commander, Tejanos in Action; Mrs. Rodriguez, Daughter of Esteban Mendoza, community activist; and two Unknown Male Speakers, representing Tejanos in Action.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution in Item 6.

**Motion carried:**

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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Charles Williams, Conservation Coordinator, TNR; and Brian Block, Executive Director, Keep Austin Beautiful. (9:46 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 7.A-C, 9, 10, 12, 13.A1, 13.A2, 15, 16, 17, 18, 19, 20.A-C, 21, 23, 24, 25, 26, 27, 28, 30.A and B, 31, 33, 34, and 35. (9:50 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.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF APRIL 27, 2004.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MAY 4, 2004.
- C5.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C6.** APPROVE SETTING A PUBLIC HEARING DATE ON JUNE 15, 2004 IN ORDER TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE 7.5' PUBLIC UTILITY EASEMENT ACROSS THE REAR OF LOT 103, BLOCK A, STEINER RANCH PHASE 2 SECTION 3A, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 29, 2004 TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 69, 70, & 71, BLOCK H, HIGHLAND CREEK LAKES SECTION ONE (REVISED PLAT – 2 LOTS – 0.58 ACRES – LAKE PARK DRIVE AT PANORAMA DRIVE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJs). (COMMISSIONER DAUGHERTY)

**PLANNING AND BUDGET DEPT. ITEMS**

7. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:50 AM)
- A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR AN ADULT DRUG COURT PROGRAM IN THE CRIMINAL COURTS. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05;
  - B. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A JUVENILE DRUG COURT PROGRAM IN JUVENILE PROBATION. A NEW GRANT PROGRAM TO INCREASE THE CAPACITY OF THE JUVENILE DRUG COURT PROGRAM; AND
  - C. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A JUVENILE PARENTING PROGRAM IN JUVENILE PROBATION DEPARTMENT. A NEW GRANT PROGRAM TO PROVIDE SERVICES TO PREGNANT (OR PARENT) JUVENILES.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:54 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Jessica Rio, Budget Analyst, PBO; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Budget Item DS1, and that the source of funding be the earmark against Allocated Reserve.

**Motion carried:**

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve all the rest of Item 8, Budget Amendments and Transfers A1, A2, A3, A4, and T1.

**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

## ADMINISTRATIVE OPERATIONS ITEMS

9. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$396,512.91 FOR THE PERIOD OF MAY 7 THROUGH MAY 13, 2004. (9:50 AM)

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



10. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:50 AM)

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

11. DISCUSS AND TAKE APPROPRIATE ACTION ON SECOND QUARTER REPORT OF THE TRAVIS COUNTY SELF-FUNDED HEALTH PROGRAM. (10:39 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Norman McRee, Financial Analyst, Lead, Human Resources Management Department (HRMD); Dan Mansour, Risk Manager, HRMD; Cindy Purinton, Benefit Contract Administrator, HRMD; and Barbara Wilson, Assistant County Attorney.

Discussion only. No action taken.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON PRINTING MORE THAN 500 COPIES OF THE AMENDED STANDING PRETRIAL SCHEDULING ORDER FOR CIVIL JURY TRIAL CASES. (9:50 AM)

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

13. A. APPROVE THE PRINTING AND MAY 28, 2004 DISTRIBUTION AS PAYROLL STUFFERS OF THE FOLLOWING: (9:50 AM)
1. WORKERS ASSISTANCE PROGRAM, INC. NAME CHANGE TO ALLIANCE WORK PARTNERS; AND
  2. eREGISTRATION, ONLINE REGISTRATION FOR INTERNAL TRAINING CLASSES.

**Clerk's Note:** Items 13.A1 and 13.A2 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

**ITEM 13 CONTINUED**

- 13. B. RECEIVE eREGISTRATION DEMONSTRATION HIGHLIGHTING THE BENEFITS OF THIS NEW TRAINING AND DEVELOPMENT INITIATIVE.**  
(10:30 AM)

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; Russell Hahn, Information and Telecommunications Systems (ITS); and Alicia Perez, Executive Manager, Administrative Operations.

Discussion only. No action taken.

- 14. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR LICENSE AGREEMENT WITH 20<sup>th</sup> CENTURY FOX FOR FILM SHOOT AT EXPOSITION CENTER.** (10:28 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; and Tenley Aldredge, Assistant County Attorney.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve the agreement in Item 14.

**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

**PURCHASING OFFICE ITEMS**

- 15. APPROVE PURCHASE OF NOVELL NSURE IDENTITY MANAGER SOFTWARE LICENSING AND MAINTENANCE SUPPORT FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES THROUGH SHI GOVERNMENT SOLUTIONS. (ITS) (COMMISSIONER GÓMEZ)** (9:50 AM)

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

16. APPROVE CONTRACT AWARD FOR PARK CONCESSION OPERATIONS, RFS NO. S040085RG, DOUG RICHARDSON, THE PHOTOGUY.COM. (TNR-PARKS) (COMMISSIONER GÓMEZ) (9:50 AM)

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

17. APPROVE ORDER EXEMPTING THE PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATORS FROM PHILIPS MEDICAL SYSTEMS FROM THE COMPETITIVE PROCUREMENT PROCESS, PURSUANT TO SECTION 262.024(A)(2) OF THE COUNTY PURCHASING ACT. (HRMD) (COMMISSIONER GÓMEZ) (9:50 AM)

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

18. DECLARE CERTAIN EQUIPMENT AS SURPLUS AND SELL BY SEALED BID PROCEDURE, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:50 AM)

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

19. APPROVE PURCHASE OF TWO SUV FORD EXPLORERS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, ILA98-858. APPROVED BY COMMISSIONERS COURT ON JANUARY 27, 1998. (TNR) (COMMISSIONER GÓMEZ) (9:50 AM)

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

20. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 3) TO THE FOLLOWING CONTRACTS FOR INMATE CLOTHING: (9:50 AM)

- A. CONTRACT NO. 01T0146LD, LESLEE SCOTT, INC.;
- B. CONTRACT NO. 01T0147LD, ICS; AND
- C. CONTRACT NO. 01T0148LD, HBD, INC. (SHERIFF) (COMMISSIONER GÓMEZ)

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

21. DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND SELL AT PUBLIC AUCTION, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:50 AM)

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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM MEALS ON WHEELS AND MORE, INC. FOR MODIFICATION NO. 1 TO CONTRACT NO. PS040105EF, ORDER TO WAIVE REQUIREMENT FOR BACKGROUND CHECKS ON CERTAIN VOLUNTEERS. (HHS) (COMMISSIONER GÓMEZ) (10:01 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Dan Pruett, Executive Director, Meals on Wheels and More, Inc.; and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the contract modification in Item 22, with the change mentioned in discussion.

**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

23. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS040103ED, GOODWILL INDUSTRIES OF CENTRAL TEXAS, FOR WORK ASSISTANCE PROGRAM. (HHS&VS) (COMMISSIONER GÓMEZ) (9:50 AM)

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

24. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO MA020194LC, PROFESSIONAL CABLING SERVICES, INC., FOR CABLING INSTALLATION SERVICES, TIME AND MATERIALS. (ITS) (COMMISSIONER GÓMEZ) (9:50 AM)

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

25. APPROVE CONTRACT AWARD FOR GPS SURVEY SYSTEMS, IFB NO. B040014JT, TO THE LOW BIDDER, MILLER BLUEPRINT CO. (TNR) (COMMISSIONER GÓMEZ) (9:50 AM)

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

26. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 04T00139DR, SIEMENS BUILDING TECHNOLOGIES, FOR FIRE ALARM MONITORING SERVICES. (FAC. MGMT) (COMMISSIONER GÓMEZ) (9:50 AM)

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

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: ST. TROPEZ P.U.D., RESUBDIVISION OF LOT 87D, AMENDED PLAT OF LOTS 87C AND 87D (SHORT FORM PLAT – 4 LOTS – 1.27 ACRES – RUE DE ST. GERMAINE (PRIVATE STREET) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN LIMITED PURPOSED ANNEXATION). (COMMISSIONER DAUGHERTY) (9:50 AM)

**Clerk's Note:** Item 27 is the action item for the public hearing on Agenda Item 1.

**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 REQUEST TO APPROVE A TEMPORARY, ONE DAY ROAD CLOSURE OF CLIFF'S EDGE FOR THE PURPOSE OF A BLOCK PARTY ON MEMORIAL DAY, MAY 31, 2004 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:50 AM)

**Clerk's Note:** Item 28 is the action item for the public hearing on Agenda Item 2.

**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 ON REQUEST TO APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF LEANDER, TEXAS, FOR PURPOSES OF RELEASE OF MAINTENANCE AND JURISDICTION OF APPROXIMATELY 0.3 MILES OF OLD 2243 WEST (FORMERLY RM 2243 ON THE TXDOT SYSTEM). (9:18 AM)

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR.

Item 29 pulled from the Agenda.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING SPEIDEL DRIVE SECTION 1, A SUBDIVISION IN PRECINCT TWO: (9:50 AM)

A. ALTERNATIVE FISCAL AGREEMENT; AND

B. CASH SECURITY AGREEMENT. (COMMISSIONER SONLEITNER)

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

### OTHER ITEMS

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:50 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 ON ISSUES RELATED TO THE CONDUCT OF EARLY VOTING AND ELECTION DAY. (11:22 AM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk.

No action necessary on Item 32.

33. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF APRIL 2004. (9:50 AM)

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

34. RECEIVE AND DISCUSS THE FIRST REVENUE ESTIMATE FOR THE FY 2005 BUDGET PROCESS. (9:50 AM)

**Clerk's Note:** Item 34 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL AND CONFIRMATION OF LICENSED PEACE OFFICERS, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (9:50 AM)

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

36. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT BETWEEN DOMESTIC RELATIONS OFFICE AND OFFICE OF THE ATTORNEY GENERAL FOR DOMESTIC RELATIONS OFFICE TO SUPERVISE PARENTS PLACED ON COMMUNITY SUPERVISION FOR NON-PAYMENT OF CHILD SUPPORT. (10:06 AM)

**Members of the Court heard from:** Cecelia Burke, Director, Domestic Relations Office (DRO).

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the contract in Item 36.

<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



37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TRAVIS COUNTY SENIOR OLYMPICS TO WAIVE VEHICLE CHARGE BY THE TRAVIS COUNTY SHERIFF'S OFFICE. (10:13 AM) (1:49 PM) (4:59 PM)

**Members of the Court heard from:** Terry Pickering, Major, Travis County Sheriff's Office (TCSO); Hector Ward, Director of Development, Senior Olympics, Austin; and Jim Connolly Assistant County Attorney.

**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 Davis to approve the waiver of the requested \$550.00, which is only for the vehicle charge.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that this is not any kind of a precedent-setting situation. It is based on the facts presented to us, specifically on this specific case.

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

38.    **A.** CONDUCT LOCAL CANVASS OF ELECTION RETURNS FOR THE SPECIAL ELECTION ON THE CREATION OF A TRAVIS COUNTY HOSPITAL DISTRICT; AND (11:27 AM)
- B.** CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION ON THE CREATION OF A TRAVIS COUNTY HOSPITAL DISTRICT.

**Clerk's Note:** Items 38.A and B are associated with one another and were called for concurrent discussion.

**Clerk's Note:** Dana DeBeauvoir, Travis County Clerk, requested that the Commissioners' Court waive the reading of the individual precinct-by-precinct results.

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the prepared order in Item 38.B, and to authorize the filing of this in the deed records of the County Clerk of Travis County.

<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

39. A. CONDUCT LOCAL CANVASS OF ELECTION RETURNS FOR THE SPECIAL ELECTION ON THE CREATION OF THE LAKE TRAVIS COMMUNITY LIBRARY DISTRICT AND ON THE ELECTION OF THE INITIAL BOARD OF TRUSTEES; AND (11:23 AM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION ON THE CREATION OF THE LAKE TRAVIS COMMUNITY LIBRARY DISTRICT AND ON THE ELECTION OF THE INITIAL BOARD OF TRUSTEES.

**Clerk's Note:** Items 39.A and B are associated with one another and were called for concurrent discussion.

**Clerk's Note:** Dana DeBeauvoir, Travis County Clerk, requested that the Commissioners' Court waive the reading of the individual precinct-by-precinct results.

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; and Tamara Armstrong, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the prepared order in Item 39.B, and to authorize the filing of this in the deed records of the County Clerk of Travis County.

<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

40.    **A.** CONDUCT LOCAL CANVASS OF ELECTION RETURNS FOR THE SPECIAL ELECTION ON THE ANNEXATION OF THE TERRITORY WITHIN THE DEL VALLE INDEPENDENT SCHOOL DISTRICT INTO THE AUSTIN COMMUNITY COLLEGE DISTRICT; AND (11:25 AM)
- B.** CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION ON THE ANNEXATION OF THE TERRITORY WITHIN THE DEL VALLE INDEPENDENT SCHOOL DISTRICT INTO THE AUSTIN COMMUNITY COLLEGE DISTRICT.

**Clerk's Note:** Items 40.A and B are associated with one another and were called for concurrent discussion.

**Clerk's Note:** Dana DeBeauvoir, Travis County Clerk, requested that the Commissioners' Court waive the reading of the individual precinct-by-precinct results.

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the prepared order in Item 40.B, and to authorize the filing of this in the deed records of the County Clerk of Travis County.

<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

**41. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HOSPITAL DISTRICT:**

**A. A PROCESS FOR THE SELECTION OF MEMBERS OF THE BOARD OF MANAGERS; (11:29 AM) (1:49 PM) (4:48 PM)**

**Clerk's Note:** Judge Biscoe announced that Item 41.A would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Clarke Heidrick, Chair, Hospital District Citizens Advisory Committee.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to ask the Travis County internal transition committee to come back with a draft selection process for Travis County, and get an update June 1, 2004.

<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

Item 41.A to be reposted on June 1, 2004.

**41. B. STANDARDS OF INDEPENDENCE FROM CONFLICTS OF INTEREST FOR THE BOARD OF MANAGERS; (11:29 AM) (1:49 PM) (4:50 PM)**

**Clerk's Note:** Judge Biscoe announced that Item 41.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** David Escamilla, Travis County Attorney; and Clarke Heidrick, Chair, Hospital District Citizens Advisory Committee.

Discussion only. No action taken.

Item 41.B to be reposted on June 1, 2004.

**ITEM 41 CONTINUED**

- 41. C.** DESIGNATION OF COUNTY OFFICERS, EMPLOYEES, AND/OR AGENTS TO PERFORM SERVICES FOR THE DISTRICT; (11:29 AM) (1:49 PM) (4:53 PM)

**Clerk's Note:** Judge Biscoe announced that Item 41.C would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 41.C to be reposted when appropriate.

- 41. D.** PROCESS FOR DETERMINING POLICY FOR CALCULATING AMOUNT OF PAYMENT FOR SALARIES AND EXPENSES OF COUNTY OFFICERS, EMPLOYEES, AND/OR AGENTS WHO PERFORM SERVICES FOR THE DISTRICT; (11:29 AM) (1:49 PM) (4:53 PM)

**Clerk's Note:** Judge Biscoe announced that Item 41.D would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 41.D to be reposted when appropriate.

**ITEM 41 CONTINUED**

- 41. E. RECOMMENDATION TO CONTINUE TO WORK WITH MEMBERS OF THE TRAVIS COUNTY HOSPITAL DISTRICT STEERING COMMITTEE AND CHANGE NAME TO HOSPITAL DISTRICT CITIZENS ADVISORY COMMITTEE; (11:30 AM)**

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 41.E, and to have the Hospital District standing committee on standby, in case they are needed for assistance.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Sonleitner to encourage the Austin City Council to adopt an Item similar to Item 41.E, in their own language, to basically, be a part of working with the Hospital District Steering Committee, and to encourage that they change the name to the Advisory Committee.

**Acceptance of the Friendly Amendment was made by** Judge Biscoe.

<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

Item 41.E to be reposted on June 1, 2004.

**ITEM 41 CONTINUED****41. F. APPOINTMENT OF INTERNAL TRANSITION TEAM TO WORK WITH CITY OF AUSTIN AND CITIZENS ADVISORY COMMITTEE; (11:36 AM)**

**Members of the Court heard from:** David Escamilla, Travis County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to appoint an internal committee, consisting of Travis County Judge Biscoe, Precinct 2 Commissioner Karen Sonleitner, Stephen Williams, Executive Manager, TCHHS&VS, Christian Smith, Executive Manager, PBO, Susan Spataro, Travis County Auditor, Barbara Cille, Executive Assistant, Travis County Commissioner Precinct 3 Office; David Escamilla, Travis County Attorney, plus others as necessary.

**Clerk's Note:** Judge Biscoe noted that the committee would consist of these core people, plus representatives from other departments, when discussions involve their departments.

<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

**41. G. ADOPTION OF CHARGE TO INTERNAL TRANSITION TEAM; (11:41 AM)**

**Clerk's Note:** The Court asked that the Committee to come up with a draft charge, for the Court's consideration on June 1, 2004.

Discussion only. No action taken.

Item 41.G to be reposted on June 1, 2004.



**ITEM 41 CONTINUED**

- 41. H. OTHER APPROPRIATE DIRECTIVES AND ACTIONS NECESSARY FOR THE CREATION OF A TRAVIS COUNTY HOSPITAL DISTRICT. (11:46 AM) (1:49 PM) (4:54 PM)**

**Members of the Court heard from:** John Hille, Assistant County Attorney.

**Clerk's Note:** Judge Biscoe announced that Item 41.H would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No action taken.

**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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE OPPORTUNITY TO PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. <sup>1 & 2</sup> (1:49 PM) (4:54 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, and Gov't. Code Ann. 551.072, Real Property.

**Members of the Court heard from:** John Hille, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to give specific direction to the Planning and Budget Office (PBO), to assist in financial due diligence, in terms of cost/benefit analysis, payback, and all the usual kinds of things related to the specific needs of property.

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

Item 42 to be reposted on June 1, 2004.

**43. CONSIDER OPPORTUNITY TO PURCHASE REAL ESTATE IN CENTRAL AUSTIN, AND TAKE APPROPRIATE ACTION. <sup>1 & 2</sup> (1:49 PM) (4:56 PM)**

**Clerk's Note:** Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to basically, authorize approval of the purchase contract, after the changes have been made that we discussed in Court and Executive Session; that we authorize the County Judge to execute that on behalf of the Travis County Commissioners' Court; to authorize the approval of the budget transfer for earnest money in the amount of \$75,000.00. And on the other \$25,000.00, after due diligence is done to our satisfaction, and issues, if any, have been resolved, then we will deposit another \$25,000.00.

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

Item 43 to be reposted on June 1, 2004.

**44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER, AND TAKE APPROPRIATE ACTION IN SALLY DECKER V. TRAVIS COUNTY AND STEPHEN L. WILLIAMS, IN HIS OFFICIAL CAPACITY. <sup>1</sup> (1:49 PM) (4:58 PM)**

**Clerk's Note:** Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No action taken.

Item 44 to be reposted on June 1, 2004.

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND DISCUSS MEDIATION AND SETTLEMENT PROPOSAL IN PENDING LITIGATION WITH PHILIP ROSENBAUM V. TRAVIS COUNTY (CAUSE NO. GN 200494, 353<sup>RD</sup> JUDICIAL DISTRICT COURT OF TRAVIS COUNTY) AND PROPERTY AT 3705 WESTLAKE DRIVE, AND TAKE APPROPRIATE ACTION (GIESELMAN; CONDEMNATION). <sup>1</sup> (1:49 PM) (4:58 PM)

**Clerk's Note:** Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No action taken.

Item 45 to be reposted on June 1, 2004.

46. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING PROJECT # 01B01-01-3CA, ANDERSON MILL ROAD; PARCEL #13 AND 13T; BRUCE D. AND SARAH M. HARRISON (GIESELMAN; CONDEMNATION). <sup>1</sup> (1:49 PM) (4:58 PM)

**Clerk's Note:** Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Daugherty to reject the counter-offer on this particular parcel and initiate condemnation proceedings.

<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

47. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER IN DEBBIE MERGELE, AS REPRESENTATIVE OF THE ESTATE OF JOHN FRUMP V. MARGO FRASIER, ET. AL (FRUMP, MARGO FRASIER; WRONGFUL DEATH) (REQUESTED BY PLAINTIFF). <sup>1</sup> (1:49 PM)

Item 47 postponed until June 1, 2004.

48. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION, AND/OR CONSIDER SETTLEMENT OFFER IN JODI MARSHALL V. TRAVIS COUNTY ET. AL (MARSHALL, TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF). <sup>1</sup> (1:49 PM)

Item 48 postponed until June 1, 2004.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:01 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

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Date of Approval

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Samuel T. Biscoe, Travis County Judge