

MINUTES OF MEETING – JULY 20, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 20th day of July, 2004, the Commissioners' Court convened the regular Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 10:53 AM.

The Commissioners' Court reconvened the Voting Session at 11:37 AM.

The Commissioners' Court recessed the Voting Session at 12:06 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:41 PM and adjourned at 1:47 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, convened the Voting Session at 1:47 PM and adjourned at 2:10 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:10 PM.

The Commissioners' Court retired to Executive Session at 2:23 PM.

The Commissioners' Court reconvened the Voting Session at 3:20 PM.

The Commissioners' Court adjourned the Voting Session at 3:41 PM.

CITIZENS COMMUNICATION

Clerk's Note: No speakers addressed the Court. (9:16 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3, and Items 1, 3, 5.A, 8, 10.A and B, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29. (9:16 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO USE ALTERNATIVE FISCAL FOR CYPRESS CANYON SECTION TWO, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:16 AM)

Clerk's Note: Item 1 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

2. DISCUSS AND TAKE APPROPRIATE ACTION ON REQUEST TO REVISE THE TRAVIS COUNTY PARKS FEES FOR ATHLETIC FIELDS. (9:18 AM)

Clerk's Note: The Court discussed revising the Parks fees for athletic fields, so that the two-hour minimum rate for use of ball field lighting be further subdivided into 15-minute increments.

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Charles Bergh, Division Director, Parks and Natural Resources, TNR.

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

Motion carried:

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

3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO USE ALTERNATIVE FISCAL FOR STONEY RIDGE NORTH POND, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:16 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SET PARAMETERS FOR EFFECTIVE TAX RATE CALCULATIONS FOR TAX YEAR 2004. (9:27 AM)

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Office; and Christian Smith, Executive Manager, Planning and Budget Office (PBO).

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

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

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:

A. A GRANT CONTRACT AMENDMENT WITH CITY OF AUSTIN FOR A DRUG COURT PROGRAM GRANT IN THE CRIMINAL COURTS. THE GRANT AMENDMENT EXTENDS THE CURRENT AGREEMENT THROUGH MARCH 2005. (9:16 AM)

Clerk's Note: Item 5.A added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:34 AM)

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO; Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office; and Christian Smith, Executive Manager, PBO.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve 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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HOSPITAL DISTRICT: (2:10 PM) (2:23 PM) (3:20 PM)
 - A. TRAVIS COUNTY PROGRAMS AND SERVICES TO TRANSFER TO THE HOSPITAL DISTRICT;
 - B. TRAVIS COUNTY FACILITIES TO TRANSFER TO THE HOSPITAL DISTRICT;
 - C. TRAVIS COUNTY FUNDS TO TRANSFER TO THE HOSPITAL DISTRICT;
 - D. ISSUES RELATED TO INDEPENDENT AUDIT REQUIRED BY HEALTH AND SAFETY CODE, SECTION 281.122;
 - E. OTHER MATTERS REGARDING THE IMPLEMENTATION OF THE DISTRICT.

Clerk's Note: Items 7.A-E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Susan Spataro, Travis County Auditor; John Hille, Assistant County Attorney; Barbara Cille, Executive Assistant, Travis County Commissioner Precinct 3 Office; and Christian Smith, Executive Manager, PBO.

Clerk's Note: Judge Biscoe announced that Items 7.D and E would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

ITEM 7 CONTINUED

Clerk's Note: The Commissioners' Court discussed Item 7.D, a draft letter prepared by County Staff, which set out three options regarding the independent audit required by Health and Safety Code, Section 281.122.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve this letter, to be sent to the entire City Council of the City of Austin and the City Manager; that it be from the Travis County Commissioners' Court; and that we go with option three. And, that we add a sentence that basically says, that although we request that the City Council suggest a firm which we may jointly retain to make the verification that is required by law, we respectfully request that the outside firm that is the audit firm for the City of Austin not be recommended. And, in the letter we do indicate that the County's outside firm, Deloitte and Touche, will not perform these duties either; and in our view, for the firm to be independent, and that it is probably necessary that it not be closely associated with either one of us.

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

Clerk's Note: The Court requested that Staff put together packets of information, including the adjusted budget for FY 04, the projected budget for FY 05, and related budget audit documents that we think the City of Austin ought to be provided, consistent with requests that we have been making from them, of the same nature. We are trying to put these packets of information together, so, beginning the first of August, when the Board of Managers is in place, hopefully, we can hand them those documents, so they can start working toward the first annual budget.

No action on Items 7.A, B, C, and E

ADMINISTRATIVE OPERATIONS ITEMS

8. 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 \$338,134.20 FOR THE PERIOD OF JULY 2 THROUGH JULY 8, 2004. (9:16 AM)

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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (11:37 AM) (11:43 AM)

A. REVIEW AND TAKE APPROPRIATE ACTION ON POLICY AUTHORIZING TEMPORARY PAY INCREASES.

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Joe Gieselman, Executive Manager, TNR; and John Dietz, District Judge, 250th District Court.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed personnel amendments, delaying the Transportation and Natural Resources (TNR) items one week, until July 27, 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

Item 9 to be reposted on July 27, 2004.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:16 AM)

A. REVIEW AND APPROVE TUITION REFUNDS FOR EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH TUITION REIMBURSEMENT POLICY SECTION 10.021; AND

B. APPROVE REQUISITION AND AUTHORIZE THE COUNTY AUDITOR AND TREASURER'S OFFICE TO REIMBURSE EMPLOYEES AS LISTED.

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

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RELOCATE THE PRINT SHOP AND IMAGING FROM THE HOLT BUILDING TO 5501 AIRPORT BLVD. (10:48 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the request in Item 11.

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

JUSTICE AND PUBLIC SAFETY ITEMS

12. APPROVE MEMORANDA OF UNDERSTANDING (MOU's) BETWEEN THE TRAVIS COUNTY JUVENILE BOARD AND TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES (TCCES) FOR LAW RELATED EDUCATION (LRE) AND ANGER MANAGEMENT CLASSES FOR JUVENILE OFFENDERS.
(9:16 AM)

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

PURCHASING OFFICE ITEMS

- 13.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE CITY OF AUSTIN TO PARTICIPATE IN SECOND GENERATION DISPARITY STUDY. (9:44 AM) (10:53 AM) (11:38 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Leno Mindeola, Outside Counsel, City of Austin; Jeff Travillion, Director, Department of Small and Minority Business Resources, City of Austin; David Escamilla, Travis County Attorney; Travis Gatlin, Budget Analyst, PBO; and Sylvia Lopez, (Historically Underutilized Business (HUB) Coordinator, Travis County Purchasing Department.

Clerk's Note: Judge Biscoe announced that Item 13 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 authorize a commitment of up to \$100,000.00, payable \$50,000.00 in October, 2004, and \$50,000.00 in October, 2005. This will be contingent upon our ability to reach an appropriate contract that sets forth a specific scope of work for Travis County, as well as a scope common to all the participating partners.

Clerk's Note: The Court directed the Planning and Budget Office (PBO) to unfreeze a slot in the Purchasing Department to put in the preliminary budget, effective October 1, 2004, and to use that position within the HUB office.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 14.** APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL STRUCTURAL AND MEP ENGINEERING SERVICES HARUTUNIAN ENGINEERING, INC. FROM THE COMPETITIVE PROCUREMENT PROCESS, PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (COMMISSIONER GÓMEZ) (9:16 AM)

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

15. DECLARE 250 ELECTION BALLOT BOX SYSTEMS AS SURPLUS PROPERTY AND APPROVE SALE TO FORT BEND COUNTY, TEXAS. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:16 AM)

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

16. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00287LD, ACCENT FOODS, FOR CAFETERIA AND VENDING MACHINE CONCESSION SERVICES. (FM) (COMMISSIONER GÓMEZ) (9:16 AM)

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

17. APPROVE PURCHASE OF ONE (1) LOADER SKID FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), NO. IL030067OJ. (TNR) (COMMISSIONER GÓMEZ) (9:16 AM)

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

18. APPROVE PURCHASE OF ONE (1) ASPHALT PAVER FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), NO. IL030067OJ. (TNR) (COMMISSIONER GÓMEZ) (9:16 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 TRACTOR CRAWLER DOZERS OFF STATE CONTRACT FROM HOLT EQUIPMENT. (TNR) (COMMISSIONER GÓMEZ) (9:16 AM)

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

- 20.** APPROVE TERMINATION OF CONTRACT NO. 03T00003RG, WITH TITANIS, INC., FOR TELEPHONE EQUIPMENT. (ITS) (COMMISSIONER GÓMEZ) (9:16 AM)

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

- 21.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. CM040145LC, VISTA SOLUTIONS GROUP, FOR THE DOCUMENT IMAGING SYSTEM FOR THE COUNTY CLERK AND DISTRICT CLERK. (ITS/COUNTY CLERK/DISTRICT CLERK) (COMMISSIONER GÓMEZ) (9:16 AM)

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

- 22.** APPROVE CONTRACT AWARD FOR PIPES AND FITTINGS FOR THE KENNEDY RIDGE WATER IMPROVEMENTS PROJECT TO THE LOW BIDDER, NATIONAL WATERWORKS, INC. (TNR) (COMMISSIONER DAVIS) (9:16 AM)

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

- 23.** APPROVE CONTRACT AWARD FOR ROOF RESTORATION OF THE EXECUTIVE OFFICE BUILDING, IFB NO. B040111-SI, TO THE LOW BIDDER, QA CONSTRUCTION SERVICES, INC. (FAC. MGMT.) (COMMISSIONER GÓMEZ) (9:16 AM)

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

OTHER ITEMS

- 24.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:16 AM)

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

25. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JUNE 2004. (9:16 AM)

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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AGREEMENT WITH AMERICAN HONDA MOTOR COMPANY FOR FOUR HONDA PERSONAL WATER CRAFT FOR LAW ENFORCEMENT PATROL FUNCTIONS ON LAKE TRAVIS. (9:16 AM)

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

27. APPOINT BRIAN THOMPSON TO SERVE AS COMMISSIONER OF EMERGENCY SERVICES DISTRICT #2 BOARD, TERM EFFECTIVE IMMEDIATELY UNTIL DECEMBER 31, 2006. (COMMISSIONER SONLEITNER) (9:16 AM)

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

28. APPROVE ACCEPTANCE OF DONATIONS IN THE AMOUNT OF \$30.00 FROM THE ROB ROY HOMEOWNERS ASSOCIATION AND \$100.00 FROM TIMOTHY AND ANN COSTELLO TO BE USED BY LAW ENFORCEMENT FOR EQUIPMENT AND SUPPLIES. (9:16 AM)

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

29. APPOINT MILTON GERARD WASHINGTON TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, TERM EFFECTIVE IMMEDIATELY, UNTIL JULY 31, 2007. (COMMISSIONER DAVIS) (9:16 AM)

Clerk's Note: Item 29 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.

- 30.** RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. GARY AND KIMBERLY FLETCHER (DALE HIBBS RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (10:53 AM) (11:40 AM)

Clerk's Note: Judge Biscoe announced that Item 30 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 approve a resale deed to Dale Hibbs, who has paid Travis County \$11,886.98.

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

- 31.** RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. ADA HARDIMAN (JUDY DEVORE RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (9:15 AM)

Item 31 pulled from the Agenda.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. LEON MUSGROVE (LYNDEN HOMES RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (10:53 AM) (11:40 AM)

Clerk's Note: Judge Biscoe announced that Item 32 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 approve a resale deed to Lynden Homes, who has paid to Travis County the sum of \$26,687.13.

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

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. DAVID K. AND BEVERLY E. ROSS (W. NEWMAN CASEY RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (10:53 AM) (11:41 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve a resale deed to W. Newman Casey, who has paid Travis County the sum of \$3,772.23.

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

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CHARLES E. PEARSON (MARGARET PETERS RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (10:53 AM) (11:41 AM)

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 Daugherty to approve a resale deed to Margaret Peters, who has paid Travis County the sum of \$2,691.05.

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

35. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN DEL VALLE ISD, ET AL V. CONSUELO MORENO (JERRY KILBER RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (10:53 AM) (11:41 AM)

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 Judge Biscoe and seconded by Commissioner Gómez to approve a resale deed to Jerry Kilber, who has paid Travis County the sum of \$6,641.82.

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.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF LEAVE FOR A JUVENILE PROBATION DEPARTMENT EMPLOYEE. ^{1&3} (10:53 AM) (11:41 AM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.074, Personnel Matters.

Clerk's Note: Judge Biscoe noted that the employee involved occupies Slot 470 in Department 45.

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize extension of leave with pay through July 23, 2004, and that would be an additional ten days to the five days already authorized.

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.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JODI MARSHALL V. TRAVIS COUNTY, ET AL. (MARSHALL, TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY DEFENDANT). ¹ (10:53 AM) (11:42 AM)

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 Gómez to agree to mediation, and that we request Dan Mansour, Risk Manager, Human Resources Management Department (HRMD) to represent Travis County in that matter.

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

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING REQUEST FOR EXTENSION OF ADMINISTRATIVE LEAVE FOR JUVENILE BOARD EMPLOYEE. ^{1&4} (9:15 AM)

Item 38 pulled from the Agenda.

39. A. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTING MEMBERS TO THE BOARD OF MANAGERS OF THE TRAVIS COUNTY HOSPITAL DISTRICT; AND (2:23 PM) (3:35 PM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION OF A JOINT APPOINTEE TO THE CITY OF AUSTIN. ³

Clerk's Note: Judge Biscoe announced that Items 39.A and B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to appoint the following individuals to the Board of Managers of the Travis County Hospital District: Clarke Heidrick, Donald Patrick, Carl Richie, Frank Rodriguez, and Tom Young. The other part of this Motion is that the County Judge, and even other members of the Court, will communicate this list of appointees to the City of Austin subcommittee, along with a reminder of our conversation about the joint appointee.

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

- 40. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH TIFFANY DICKERSON AND JUDY YORK, D/B/A RUTH'S COTTAGE. ² (10:53 AM) (11:42 AM)**

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject the lease as presented to us, which was one year plus four extensions; and that we mark it up and send it back, indicating that what would be acceptable to us, if they sign off, is one year, plus three one-year extensions.

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

- 41.** APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH MILES STONE AND JONATHAN MATTHEWS, D/B/A DOG ALMIGHTY. ² (10:53 AM) (11:43 AM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve this lease, which is for a term of one year, plus three one-year extensions.

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

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (3:41 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge