

## MINUTES OF MEETING – NOVEMBER 16, 2004

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 16<sup>th</sup> day of November, 2004, the Commissioners' Court convened the regular Voting Session at 9:13 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 12:04 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court reconvened the regular Voting Session at 1:41 PM.

The Commissioners Court retired to Executive Session at 2:19 PM.

The Commissioners Court reconvened the Voting Session at 3:46 PM.

The Commissioners Court adjourned the Voting Session at 3:55 PM.

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### CITIZENS COMMUNICATION

**Clerk's Note:** Commissioner Sonleitner announced that the son of Bill Norwood, Marine Sgt. Byron Norwood, had been killed in Iraq. Commissioner Sonleitner extended prayers and best wishes to the family.

**Clerk's Note:** Judge Biscoe announced that the Combined Charities Campaign would be extended another week.

**Members of the Court heard from:** Jennifer Gale, Travis County Resident.  
(9:15 AM)



- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS: (9:20 AM)
  - A. ROUTINE PERSONNEL ACTIONS – DISTRICT ATTORNEY CLASSIFICATION CHANGE, ATTORNEY SR. CHIEF DEPUTY; AND
  - B. NON-ROUTINE PERSONNEL ACTIONS – TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES SALARY ADJUSTMENT – TRAVIS COUNTY CODE SECTION 10.03002, COURT SERVICES MANAGEMENT ADMINISTRATIVE COORDINATOR.

**Clerk's Note:** Items 2.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON WELLNESS FAIR, 20K RUN AND 5K RUN AT TRAVIS COUNTY EXPOSITION CENTER ON DECEMBER 5, 2004. (9:25 AM)

**Members of the Court heard from:** Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); and Bonnie Floyd, Assistant Purchasing Agent.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to sponsor the Zavala Elementary Children's Walking Club, and to also encourage employees and their families to participate in the event, and that Staff come back to Court when they have a firm figure for a contribution to Brown Santa.

**A Clarification of the previous Motion was made by** Judge Biscoe that as a result of the Motion \$100.00 will be transferred to Brown Santa.

**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

4. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(11:15 AM) (2:19 PM) (3:46 PM)

A. RECEIVE STATUS REPORT AND AUTHORIZE STAFF TO PROCEED WITH PLANS TO RENOVATE THREE OFFICES LOCATED ON THE SECOND FLOOR OF THE UNIVERSITY SAVINGS BUILDING; AND

B. DISCUSS AND TAKE APPROPRIATE ACTION ON CLINIC STAFFING CHANGE TO EMPLOY A MEDICAL DOCTOR INSTEAD OF A PHYSICIAN ASSISTANT OR AN ADVANCE PRACTICE NURSE AND SUPPORTING CONTRACT PHYSICIAN.

**Clerk’s Note:** Items 4.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; and Dan Mansour, Risk Manager, HRMD.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 4.A, to proceed with plans to renovate.

<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	abstain

**Clerk’s Note:** Judge Biscoe announced that Item 4.B 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.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the recommendation to make the change discussed in Item 4.B; that we authorize appropriate malpractice insurance, which we believe will cost \$10,000.00; and that it be paid for from the same source as the doctor himself.

<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	abstain

**PURCHASING OFFICE ITEMS**

5. APPROVE CONTRACT AWARD FOR HUDSON BEND ROAD REALIGNMENT PROJECT, IFB NO. B040119JJ, TO THE LOW BIDDER, CAPITAL EXCAVATION CO. (TNR) (COMMISSIONER DAUGHERTY) (9:20 AM)

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

6. APPROVE TERMINATION OF JUVENILE PSYCHOLOGICAL SERVICES CONTRACTS: (9:20 AM)

A. GARY YORKE, PH.D., CONTRACT NO. PS990075LH; AND

B. JEFF EZELL, PH.D., CONTRACT NO. PS970205LH. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ)

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

7. APPROVE PURCHASE OF IN-CAR VIDEO SYSTEMS OFF STATE CONTRACT FROM MOBILE-VISION INC. (TNR) (COMMISSIONER GÓMEZ) (9:20 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 TRANSPORT OF CADAVERS, IFB NO. B050009RG, TO THE LOW BIDDER, CELESTIAL SERVICES, INC. (MEDICAL EXAMINERS) (COMMISSIONER GÓMEZ) (9:20 AM)

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

9. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00070RG, AAA FIRE AND SAFETY EQUIPMENT COMPANY, INC., FOR FIRE EXTINGUISHER/SPRINKLER SYSTEM SERVICE. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:20 AM)

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

10. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. MA030240SP, SCANNER MAINTENANCE, WITH AUSTIN TYPEWRITER & COMPUTER. (ITS) (COMMISSIONER GÓMEZ) (9:20 AM)

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

11. APPROVE MODIFICATION NO. 2 TO REVENUE CONTRACT NO. 05R00047LC, CITY OF AUSTIN, FOR SECURITY FOR THE COMBINED TRANSPORTATION, EMERGENCY & COMMUNICATIONS CENTER (CTECC). (TCSO / EMERGENCY SERVICES) (COMMISSIONER GÓMEZ) (9:20 AM)

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

12. APPROVE MODIFICATION NO. 6 TO INTERLOCAL AGREEMENT NO. IL980084EF WITH CITY OF AUSTIN TO PROVIDE ANIMAL SHELTER SERVICES. (HHS & VS) (9:20 AM)

**Clerk's Note:** Judge Biscoe indicated that the modification in Item 12 involves the coyotes disposition.

**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 REGARDING CONTRACTS FOR YOUTH AND FAMILY ASSESSMENT CENTER: (9:20 AM)

A. CONTRACT NO. PS050044RE, THE AUSTIN PROJECT; AND

B. CONTRACT NO. IL050043RE, TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION. (HHS & VS) (COMMISSIONER GÓMEZ)

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

14. APPROVE CONTRACT AWARD TO ELECTRIC POWER DOOR COMPANY, INC. TO REPAIR THE VEHICULAR SALLY PORT DOORS AT THE CRIMINAL JUSTICE CENTER. (FM) (COMMISSIONER GÓMEZ) (9:20 AM)

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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON BIDS RECEIVED FOR EAST METRO PARK PHASE ONE, PROJECT 2, IFB NO. B040130JJ. (TNR) (COMMISSIONER DAVIS) (9:20 AM)

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

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON A LICENSE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AND LONE STAR INFRASTRUCTURE, INC. FOR THE TEMPORARY INSTALLATION OF A GLOBAL POSITIONING SYSTEM (GPS) BASE STATION WITHIN THE TRAVIS COUNTY SOUTHEAST METROPOLITAN PARK. (COMMISSIONER GÓMEZ) (9:22 AM)

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

Item 16 pulled from the Agenda.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND PLAT FOR RECORDING IN PRECINCT ONE: FOREST BLUFF SECTION 4 (LONG FORM PLAT – 122 LOTS – 34.136 ACRES – DELTA POST DRIVE – FISCAL POSTED WITH CITY OF AUSTIN AND TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY HORNSBY BEND UTILITY COMPANY – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:20 AM)

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CREATION OF THREE NEW POSITIONS IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO PERFORM REVIEW AND INSPECTION OF SUBDIVISIONS WITHIN TRAVIS COUNTY, EFFECTIVE APRIL 1, 2005. (9:20 AM)

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING WASTE MANAGEMENT, A SHORTFORM SUBDIVISION IN PRECINCT ONE: (9:14 AM)
- A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, WASTE MANAGEMENT OF TEXAS; AND
  - B. A PLAT FOR RECORDING IN PRECINCT ONE – WASTE MANAGEMENT (SHORTFORM PLAT – 3 LOTS – 130.906 ACRES – SPRINGDALE ROAD – FISCAL POSTED WITH CITY OF AUSTIN – TRAVIS COUNTY OSSF – CITY OF AUSTIN ETJ).

Items 19.A and B postponed until November 23, 2004.

20. RECEIVE STATUS REPORTS FROM WASTE MANAGEMENT, INC. AND BROWNING-FERRIS INDUSTRIES ON EFFORTS TO ACQUIRE GREENFIELD SITE FOR NEW LANDFILLS. (9:14 AM)

Item 20 postponed until November 23, 2004.

## PLANNING AND BUDGET DEPT. ITEMS

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

A. GRANT CONTRACT RELEASE AGREEMENT WITH THE ONESTAR FOUNDATION FOR THE AMERICORPS GRANT PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE RELEASE AGREEMENT IS PART OF THE ONESTAR CLOSEOUT PROCEDURES FOR THE FY 04 GRANT PROGRAM. (9:20 AM)

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

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

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

## OTHER ITEMS

23. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:20 AM)

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

24. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF OCTOBER 2004. (9:20 AM)

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



**ITEM 25 CONTINUED**

**Clerk’s Note:** The Court further discussed Item 25 at 1:41pm, which covers Travis County’s Legislative Agenda and issues of concern for the upcoming Texas state legislative session as listed in the backup document, as well as the following additional issues: 1) for the Travis County Hospital District to have the ability to issue tax anticipation notes; 2) technical changes that should be made in the law authorizing the creation of the Travis County Hospital District; and 3) impact fees related to House Bill 873.

**Members of the Court heard from:** Bob Kamm, Legislative Consultant; Bill Derryberry, Budget Analyst, Planning and Budget Office (PBO); April Bacon, Travis County Auditor’s Office; and Mike Trimble, Criminal Justice Coordinator, CJP.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the list of legislative issues presented in the backup and authorize the legislative consultants to start working.

**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 25 to be reposted on November 23, 2004.

**26. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATION TO AUTHORIZE AN ADDITIONAL CRIMINAL DISTRICT COURT IN TRAVIS COUNTY. (11:19 AM)**

**Clerk’s Note:** Items 25 and 26 are associated with one another and were called for concurrent discussion. Please refer to Item 25 for a summary of the Court’s Motion and Vote.

**27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE RESERVE DEPUTY CONSTABLE IN PRECINCT FIVE. (9:20 AM)**

**Clerk’s Note:** Judge Biscoe indicated that the bond is for Reserve Deputy Constable Dara Lacey Bailes.

**Clerk’s Note:** Item 27 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 APPOINT TOMMY NOBLES AS A PRECINCT TWO REPRESENTATIVE TO THE STRATEGIC HOUSING FINANCE CORPORATION OF TRAVIS COUNTY, EFFECTIVE IMMEDIATELY, TERM TO EXPIRE DECEMBER 31, 2006. (COMMISSIONER SONLEITNER) (9:20 AM)

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

30. CONDUCT FOLLOW-UP DISCUSSION OF STRATEGY FOR STRATEGIC PLANNING INITIATIVE FOR FY 05. (3:47 PM)

Item 30 postponed until November 23, 2004.

### 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.

31. CONDUCT PERFORMANCE EVALUATION FOR SHERI FLEMING, EXECUTIVE MANAGER OF HEALTH AND HUMAN SERVICES AND VETERAN SERVICES. <sup>3</sup> (2:19 PM) (3:49 PM)

**Clerk's Note:** Judge Biscoe announced that Items 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion Only. No action taken on Item 31.









40. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. BRENDA GAIL EASTMAN (PEGGY AND PORTER LAIRD RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:19 PM) (3:54 PM)

**Clerk's Note:** Judge Biscoe announced that Items 40 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 we authorize the County Judge to sign the tax resale deed to Peggy and Porter Laird, who have paid Travis County the sum of \$3,366.71 in cash.

**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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN OPPORTUNITY TO PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. <sup>2</sup> (2:19 PM) (3:55 PM)

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

Item 41 was not discussed and no action was taken.

