

MINUTES – DECEMBER 17, 2002

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 17th day of December, 2002, the Commissioners' Court convened the regular Voting Session at 9:21 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 Four Commissioner Margaret J. Gómez was not present during this Voting Session.

The Commissioners' Court recessed the Voting Session at 12:36 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 1:54 PM and adjourned the Voting Session at 1:55 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:55 PM.

The Commissioners' Court retired to Executive Session at 4:12 PM.

The Commissioners' Court reconvened the Voting Session at 5:44 PM.

The Commissioners' Court retired to Executive Session at 5:44 PM

The Commissioners' Court reconvened the Voting Session at 6:19 PM.

The Commissioners' Court adjourned the Voting Session at 6:23 PM.

RESOLUTIONS & PROCLAMATIONS

5. APPROVE A PROCLAMATION HONORING JUDGE SCOTT DAVIS FOR HIS 14 YEARS OF SERVICE TO TRAVIS COUNTY. (9:56 AM)

Members of the Court heard from: Scott Davis, Justice of the Peace, Precinct 3.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the proclamation.

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	absent

6. APPROVE A RESOLUTION RECOGNIZING JUANITA ALVARADO VARGAS FOR HER MANY YEARS OF SERVICE TO TRAVIS COUNTY AND ITS RESIDENTS. (10:04 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHSVS); Juanita Alvarado Vargas, Health and Human Services (HHS); Sherrie Moore, Director, Family Support Services, HHS; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the resolution.

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	absent

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Northridge Acres Resident; Richard Halpin, Executive Director, American Youthworks; and Joyce Best, Travis County Resident. (10:10 AM)

CONSENT ITEMS

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the following Consent Items: C1–C11, and Items 7, 11, 12, 14, 15, 16, 17, 18, 22, 23, 24.A and B, 28, 29, 31, 34, 36.A, 38, 39, 41, 42, 43, 50, and 51.
(10:26 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	absent

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** REAPPOINT JIM WILLIAMS TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #12; EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAVIS)
- C4.** REAPPOINT JESSE ARELLANO TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #12; EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAVIS)
- C5.** REAPPOINT GILES GARMON TO COMMISSIONER OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #12; EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAVIS)
- C6.** APPOINT JOHN GRASSHOFF TO SERVE AS COMMISSIONER ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #2 BOARD (PFLUGERVILLE); TERM EFFECTIVE UNTIL DECEMBER 31, 2004. (COMMISSIONER SONLEITNER)
- C7.** APPOINT TERRY STRUBLE TO SERVE AS COMMISSIONER ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #2 BOARD (PFLUGERVILLE); TERM EFFECTIVE UNTIL DECEMBER 31, 2004. (COMMISSIONER SONLEITNER)

CONSENT ITEMS CONTINUED

- C8.** APPOINT GEORGE MENTZER II TO SERVE AS COMMISSIONER ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #2 BOARD (PFLUGERVILLE); TERM EFFECTIVE UNTIL DECEMBER 31, 2004. (COMMISSIONER SONLEITNER)
- C9.** APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: 290 EAST BUSINESS PARK - (SHORTFORM PLAT – 3 LOTS – 18.74 ACRES – US HWY 290 - NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ONSITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)
- C10.** APPROVE SETTING A PUBLIC HEARING DATE OF DECEMBER 31, 2002 TO DISCUSS AND APPROVE A FIVE-DAY ROAD CLOSURE OF WESTLAKE DRIVE BETWEEN ELOHI DRIVE AND LAKE PLACE LANE FOR THE PURPOSE OF ELECTRIC UTILITY CONSTRUCTION IN PRECINCT 3. (COMMISSIONER DAUGHERTY)
- C11.** APPROVE SETTING A PUBLIC HEARING ON JANUARY 21, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT F7, NORTHWEST HILLS RANCH, SECTION ONE – (SHORTFORM PLAT – 3 LOTS – 3.49 ACRES – D-K RANCH ROAD - NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ONSITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 7.** ADOPT RESOLUTION NOTIFYING TEXAS TRANSPORTATION COMMISSION OF TRAVIS COUNTY'S FULFILLMENT OF ALL REQUIREMENTS FOR CREATION OF CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (10:26 AM)

Clerk's Note: Item 7 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

8. RECEIVE AND CONSIDER REPORTS FROM COUNTY STAFF ON THE PETITION TO INCORPORATE THE COMMUNITY OF WEBBERVILLE AS A TYPE C GENERAL LAW MUNICIPALITY AND RELATED ATTACHMENTS, AND TAKE APPROPRIATE ACTION. (10:30 AM)

Clerk’s Note: Item 8 is the action item for the public hearing on Agenda Item 4.

Members of the Court heard from: Elaine Wray, Planning/Engineering Services, TNR; Tom Nuckols, Assistant County Attorney; and Tamara Armstrong, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we receive the recommendation of Staff, which is basically that legal requirements have been met; and that the County Judge on behalf of the Commissioners' Court call an election for the incorporation of the Community of Webberville for February 1, 2003.

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	absent

9. RECEIVE AND CONSIDER REPORTS FROM COUNTY STAFF ON THE PETITION TO INCORPORATE THE COMMUNITY OF VOLENTE AS A TYPE B GENERAL LAW MUNICIPALITY AND RELATED ATTACHMENTS, AND TAKE APPROPRIATE ACTION. (10:36 AM) (4:12 PM) (6:22 PM)

Members of the Court heard from: Elaine Wray, Planning/Engineering Services, TNR; Tom Nuckols, Assistant County Attorney; Tamara Armstrong, Assistant County Attorney; Alan Bojorquez, Attorney, Save Our Volente; David Brooks, Attorney, representing Mr. Thompson; Merry Mattie Adams, Chair, Save Our Volente; David Springer, Volente Resident; Walt Thompson, President, Volente Neighborhood Association; and Bob Freeman, owner, VJ’s Café.

Clerk’s Note: Judge Biscoe announced that Item 9 would be considered in Executive Session pursuant to Govt. Code Ann. 551.071, Consultation with Attorney.

Clerk’s Note: Judge Biscoe announced that as Travis County Judge, he finds that the application that was filed with Travis County met all legal requirements; and that as County Judge, he will sign an appropriate order calling for an election on February 1, 2003, and make available a copy of the order for those who wish to receive a copy; and the written order will contain other specifics that are necessary and appropriate.

Clerk’s Note: No formal action was taken by the Commissioners' Court.

- 10. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE IMPLEMENTATION OF A “RELEASE OF LIABILITY AND INDEMNITY AGREEMENT FOR PARTICIPATION IN EQUINE ACTIVITIES” AND ESTABLISHING FEES FOR THE USE OF THE NORTHEAST METROPOLITAN PARK EQUESTRIAN CORRAL. (COMMISSIONER SONLEITNER) (3:08 PM)

Members of the Court heard from: Charles Bergh, Division Director, Parks and Natural Resources, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 10, with the full endorsement that, yes, we would encourage and endorse in-kind youth projects for youth with financial issues.

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	absent

- 11. CONSIDER GUIDELINES FOR WILDLIFE, INCLUDING REDUCTION OF DEER POPULATION, AND VEGETATION MANAGEMENT IN TRAVIS COUNTY PARKS AND PRESERVES, AND TAKE APPROPRIATE ACTION. (10:26 AM)

Clerk’s Note: Item 11 is the action item for the public hearing on Agenda Item 3.

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

- 12. APPROVE AMENDMENT TO LEASE AGREEMENT WITH THE LCRA FOR SATELLITE TWO OFFICE. (COMMISSIONER SONLEITNER) (10:26 AM)

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

13. DISCUSS AND TAKE APPROPRIATE ACTION ON A RESTRICTIVE COVENANT FOR THE MAINTENANCE OF PROPOSED FLOOD PLAIN MODIFICATIONS ON THE IESI SITE AT 9600 FM 812. (COMMISSIONER GOMEZ) (3:10 PM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; and John Daigh, Attorney, IESI.

Discussion only. No action was taken.

Item 13 to be reposted on December 23, 2002.

14. APPROVE A CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE ONE, SECTION 6B - (LONG FORM PLAT – 129 LOTS – 80.89 ACRES – QUINLAN PARK ROAD – TRUST DEED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – AUSTIN 2-MILE ETJ). (COMMISSIONER DAUGHERTY) (10:26 AM)

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

15. APPROVE A CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: GREENRIDGE PHASE 3, - (LONG FORM PLAT – 72 LOTS – 17.39 ACRES – GATTIS SCHOOL ROAD – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY COMPANY - PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (10:26 AM)

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

16. APPROVE A CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: GREENRIDGE PHASE 6, - (LONG FORM PLAT – 92 LOTS – 24.50 ACRES – GATTIS SCHOOL ROAD – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY COMPANY - PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (10:26 AM)

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

17. APPROVE A PRELIMINARY PLAN IN PRECINCT THREE: STEINER RANCH PHASE 1, SECTION 6 PRELIMINARY PLAN - (413 LOTS – 405.32 ACRES – QUINLAN PARK – TRUST DEED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (10:26 AM)

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

18. APPROVE A PRELIMINARY PLAN IN PRECINCT TWO: BROOKFIELD ESTATES II (PRELIMINARY PLAN - NO FISCAL REQUIRED - (194 LOTS – 67.03 ACRES – DESSAU ROAD - SEWAGE SERVICE TO BE PROVIDED BY NORTHTOWN MUD – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (10:26 AM)

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

19. APPROVE A PRELIMINARY PLAN IN PRECINCT THREE: MEDWAY RANCH SECTION TWO – (PRELIMINARY PLAN - 52 LOTS 173.204 ACRES – PECAN DRIVE – SEWAGE SERVICE TO BE PROVIDED BY ONSITE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (11:45 AM)

Clerk’s Note: Items 19 and 20 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Anna Bowlin, Development Services, TNR; John Kuhl, Natural Resources Program Manager, TNR; Linda Jones, Travis County Resident; Pam Murfin, Travis County Resident; and Sara Crocker, representing the applicant.

Members of the Court agreed to consider one Motion for Items 19 and 20.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner approve Items 19 and 20.

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	absent

20. APPROVE A PRELIMINARY PLAN IN PRECINCT THREE: MEDWAY RANCH SECTION THREE – (PRELIMINARY PLAN - 65 LOTS 127.18 ACRES – PECAN DRIVE – SEWAGE SERVICE TO BE PROVIDED BY ONSITE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (11:45 AM)

Clerk’s Note: Items 19 and 20 are associated with one another and were called for concurrent discussion. Please refer to Item 19 for a summary of the Court’s Motion and Vote.

21. DISCUSS LICENSE AGREEMENT WITH PHILIP HENDREN AND LINDA HUMPHREY FOR THE LIMITED USE OF A PORTION OF MARY QUINLAN PARK, AND TAKE APPROPRIATE ACTION. (3:51 PM)

Item 21 postponed until December 23, 2002.

22. APPROVE A PLAT VACATION AND A PLAT FOR RECORDING IN PRECINCT FOUR: REPLAT OF FOREST HILLS SUBDIVISION (SHORT FORM PLAT - 2 LOTS - 9.640 ACRES - FM2304 (MANCHACA ROAD) - NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN ON-SITE SEWAGE FACILITY - CITY OF AUSTIN ETJ). (COMMISSIONER GOMEZ) (10:26 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 1.

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

23. APPROVE THE PROPOSED NAME ASSIGNMENT FOR AN EASEMENT TO "ABRAHAMSON COURT" LOCATED OFF ABRAHAMSON ROAD IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:26 AM)

Clerk's Note: Item 23 is the action item for the public hearing on Agenda Item 2.

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

PLANNING AND BUDGET DEPT. ITEMS

- 24.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
(10:26 AM)
- A.** APPROVE GRANT APPLICATION TO THE TEXAS COMMISSION ON VOLUNTEERISM AND COMMUNITY SERVICES FOR AN AMERICORPS AFTER SCHOOL PROGRAM IN THE HEALTH AND HUMAN SERVICES DEPARTMENT. THIS IS A NEW GRANT PROGRAM WITH NO ADDITIONAL CASH MATCH REQUIREMENTS.

 - B.** APPROVE GRANT CONTRACT WITH THE CAPITAL AREA PLANNING COUNCIL FOR AN ENVIRONMENTAL EDUCATIONAL PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES. THIS IS A GRANT TO PROVIDE A TWO-DAY ENVIRONMENTAL EDUCATION PROGRAM.

Clerk's Note: Items 24.A and B added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUESTS FOR EXCEPTION TO COMMISSIONERS COURT PROHIBITION ON THE TAKING HOME OF VEHICLES OUTSIDE TRAVIS COUNTY EFFECTIVE JANUARY 1, 2003, BEGINNING WITH THE FOLLOWING:

A. SHERIFF’S OFFICE; (2:26 PM)

Members of the Court heard from: Margo Frasier, Travis County Sheriff; Mike Hemby, Research Analyst, Travis County Sheriff’s Office (TCSO); Terry Pickering, Major, TCSO; and Charles Vaughn, Chief Assistant County Auditor, Travis County Auditor’s Office.

Motion by Judge Biscoe and seconded by Commissioner Davis for the Court to sanction the Sheriff’s current policy of up to 15 miles out of the County and grandfather in the Law Enforcement deputies listed on page 1 of the Sheriff’s December 9, 2002 memo to the Travis County Commissioners’ Court; that we ask those individuals to keep certain information for the Court between now and the end of the fiscal year: 1) maintenance responsibility that the deputy picks up, that Travis County otherwise would pay for; 2) time saved by having to drive directly to work rather than having to drive to a show-up location; 3) emergency call-ins – the car is readily available, which eliminates having to go to pick up a car at one location and then respond to the emergency; and 4) incidents that the deputy happens upon while either on-duty or off-duty, where the deputy is really in a position to stop and render assistance. As to new hires, that the Court put in place a 5-mile limit, which basically means, the mileage limitation will be 5 miles out-of-County, measured by the employee’s residence to the closest point drivable by vehicle to the County, not as the crow flies, but, as you would usually follow roads and get there. There are exceptions that the Sheriff thinks she can justify, K-9 was one of the examples given, Swat Team was also mentioned, they would be presented to the Court as exceptions, and we would consider them.

Maker accept the Friendly Amendment by Commissioner Davis that there ought to be some mechanism of monitoring and reporting periods whereby we would be able to look at this for what it is, instead of waiting until the end of the fiscal year, we can maybe get something that is quarterly.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

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	absent

ITEM 26 CONTINUED

- 26. B. CONSTABLE PRECINCT 5; (3:04 PM)
- C. CONSTABLE PRECINCT 3;
- D. CONSTABLE PRECINCT 2;
- E. FIRE MARSHAL;
- F. STARFLIGHT; AND
- G. HEALTH AND HUMAN SERVICES.

Clerk’s Note: Items 26.B-G are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Bob Vann, Constable, Precinct 2.

Members of the Court agreed to consider one Motion for Items 26.B-G.

Motion by Judge Biscoe and seconded by Commissioner Davis that, of the other departments, we ask PBO to get with them, and apply these standards, and let the Court know before the end of the calendar year, how they shake out.

A Clarification of the previous Motion was made by Commissioner Sonleitner that we are applying the same standards to the other Constables, so that for those that are in a law enforcement capacity, there would be a grandfathering of the current folks; for the new, there would be a 5-mile limit. That should take care of every single one of the Constables exceptions, because most of those were within about a 2-mile limit of the County.

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	absent

ADMINISTRATIVE OPERATIONS ITEMS

- 27. DISCUSS CONSTABLE, PRECINCT TWO PROPOSAL TO TRANSITION ALL POPS SCALE EMPLOYEES IN HIS OFFICE TO NON-POPS STATUS, WITH FUTURE SALARIES TIED TO PERFORMANCE, NOT TENURE, AND TAKE APPROPRIATE ACTION. (3:33 PM)

Members of the Court heard from: Bob Vann, Constable, Precinct 2; Linda Moore Smith, Director, Human Resources Management Department (HRMD); John Hille, Assistant County Attorney; Bill Derryberry, Senior Planning and Budget Analyst, PBO; Susan Spataro, Travis County Auditor; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the Commissioners’ Court doing its ministerial duty, of doing a transition of POPS slots over to the classified pay scale; where the 82’s are going to 16’s, the 84’s are going to 17, there is the establishment of a slot that is an 18, we have a slot that is going to a 19, and one to a 21; and that Constable Vann bring back the appropriate PAF forms, that carries out him placing his employees on this established pay scale, based on a budget, and not being able to exceed that; and that he knows the 2% is going away, and they will deal with that from this point forward.

A Clarification of the previous Motion was made by Commissioner Sonleitner that it is with the effective date of the beginning of this pay period that this meeting is currently in, which would, basically, back it up one day, to December 16, 2002.

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	absent

- 28. 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 \$495,886.74 FOR THE PERIOD OF NOVEMBER 29, 2002 THROUGH DECEMBER 5, 2002. (10:26 AM)

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

29. APPOINT TWO COMMISSIONERS COURT MEMBERS TO THE JUSTICE AND PUBLIC SAFETY EXECUTIVE MANAGER RECRUITMENT COMMITTEE, AND TAKE APPROPRIATE ACTION. (10:26 AM)

Clerk’s Note: The Court recommended without objection that Judge Biscoe and Commissioner Gómez be appointed to the Justice and Public Safety Executive Manager Recruitment Committee.

Clerk’s Note: Item 29 added to Consent Items. Please refer to Consent Items for the Court’s Motion and Vote.

30. CONSIDER REQUEST OF A TRAVEL REIMBURSEMENT, ALLOWING REIMBURSEMENT TO AN EMPLOYEE WHO DID NOT ATTEND CONFERENCE DUE TO UNANTICIPATED JOB REQUIREMENTS. (3:51 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, HRMD; Susan Spataro, Travis County Auditor; and José Palacios, Chief Assistant County Auditor, Disbursements, Travis County Auditors Office.

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Item 30.

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	absent

31. APPROVE LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND PURE MOTIVE LP TO USE COURTHOUSE EXTERIOR, GRANGER BUILDING GARAGE AND GUADALUPE PARKING LOT ON JANUARY 11 AND 12, 2003 TO FILM A MOVIE ENTITLED "A PROMISE KEPT." (10:26 AM)

Clerk's Note: Judge Biscoe recommended without objection that the Sheriff's Office and the State Capitol security be informed about the special effects of this movie in view of our proximity to the State Capitol.

Clerk's Note: Item 31 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

32. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING REQUESTS FOR FURNITURE, FIXTURES AND EQUIPMENT FOR PRECINCT FOUR OFFICE BUILDING AND APPROVAL OF OVERALL PROJECT BUDGET. (4:03 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Jessica Rio, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 32.

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	absent

PURCHASING OFFICE ITEMS

- 34. APPROVE ADDITIONAL FUNDING TO INCREASE CONTRACT AWARD AMOUNT FOR TRAVIS COUNTY CHILDREN’S ADVOCACY CENTER. (CES) (COMMISSIONER GOMEZ) (10:26 AM)

Clerk’s Note: Item 34 added to Consent Items. Please refer to Consent Items for the Court’s Motion and Vote.

- 35. APPROVE PURCHASE OF ADDITIONAL NOVELL SOFTWARE LICENSING AND MAINTENANCE SUPPORT (MODIFICATION NO. 1) FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) THROUGH SHI GOVERNMENT SOLUTIONS. (I.T.S.) (COMMISSIONER GOMEZ) (4:01 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 35.

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	absent

36. A. APPROVE CONTRACT AWARD FOR PROPERTY AND BOILER/MACHINERY INSURANCE FOR TRAVIS COUNTY, RFP NO. P030025-OJ, TO THE QUALIFIED OFFEROR, KEY & PISKURAN INSURANCE AGENCY. (HRMD) (COMMISSIONER GOMEZ) (10:26 AM)

Clerk’s Note: Item 36.A added to Consent Items. Please refer to Consent Items for the Court’s Motion and Vote.

36. B. **ADDED ITEM:** APPROVE OR REJECT THE OPTIONAL CERTIFIED TERRORISM COVERAGE FOR TRAVIS COUNTY BEING OFFERED BY KEY & PISKURAN INSURANCE AGENCY. (HRMD) (4:01 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to reject to option on certified terrorism coverage, for the reasons set forth in Dan Mansour’s memo.

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	absent

37. APPROVE PURCHASE OF FORTY-NINE (49) POLICE SEDANS FROM THE TARRANT COUNTY INTERLOCAL AGREEMENT, IL030053-RG, APPROVED BY COMMISSIONERS COURT ON SEPTEMBER 26, 2002. (TNR) (COMMISSIONER GOMEZ) (4:02 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 37.

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	absent

Clerk’s Note: Cyd Grimes, Travis County Purchasing Agent, clarified that the Tarrant County Interlocal agreement was approved on September 26, 2000, and that “September 26, 2002” is a typographical error.

38. APPROVE PURCHASE OF ONE (1) VIBRATORY ROLLER AND ONE (1) WHEELED INTEGRATED TOOL CARRIER FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), IL 030067-OJ. (TNR) (COMMISSIONER GOMEZ) (10:26 AM)

Clerk's Note: Item 38 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

39. APPROVE CONTRACT AWARD FOR PORTABLE HORSE STALLS, IFB B030022-DR, TO THE LOW BIDDER, W-W MANUFACTURING COMPANY. (FACILITIES MGMT. – EXPO. CENTER) (COMMISSIONER GOMEZ) (10:26 AM)

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

40. APPROVE CONTRACT AWARD FOR REFUSE COLLECTION, IFB B030007-OJ, TO THE LOW BIDDER, WASTE MANAGEMENT OF TEXAS. (COUNTYWIDE) (COMMISSIONER GOMEZ) (12:10 PM) (4:12 PM) (6:22 PM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; Trek English, Travis County Resident; Mark McAfee, owner Barr Mansion; and Melanie McAfee, owner, Barr Mansion.

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Govt. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No action was taken.

Item 40 to be reposted on December 23, 2002.

41. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. MA010050, LASON, INC. FOR MAINTENANCE OF MICROFILM EQUIPMENT. (RMCR, COUNTY CLERK) (COMMISSIONER GOMEZ) (10:26 AM)

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

46. APPROVE PURCHASE OF IBM SOFTWARE SUBSCRIPTIONS, SUPPORT LINE AND EQUIPMENT UPGRADES, OFF STATE CATALOG (QISV) FROM MARK III, INC. (I.T.S.) (9:22 AM)

Item 46 postponed until December 23, 2002.

OTHER ITEMS

47. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS REGARDING JAIL OVERCROWDING ISSUES:

- A. REPORT ON IMPACT OF 24-HOUR MAGISTRATION PILOT PROJECT; (2:00 PM)

Members of the Court heard from: Kati Broderick, Manager, Research and Planning, Justice and Public Safety (JPS); and Margo Frasier, Travis County Sheriff.

Discussion Only. No action was taken.

- B. SCOPES OF WORK FOR COUNTY STAFF AND POTENTIAL OUTSIDE CONSULTANTS ON COUNTY JAIL OVERCROWDING ISSUES. (2:03 PM)

Members of the Court heard from: Kati Broderick, Manager, Research and Planning, JPS; Margo Frasier, Travis County Sheriff; and Cyd Grimes, Travis County Purchasing Agent.

Discussion Only. No action was taken.

- C. RECEIVE REPORT ON ACTION TAKEN BY TEXAS COMMISSION ON JAIL STANDARDS IN RESPONSE TO TRAVIS COUNTY PLAN FOR COUNTY JAIL OVERCROWDING ISSUES, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (1:55 PM)

Members of the Court heard from: Kati Broderick, Manager, Research and Planning, JPS; and Margo Frasier, Travis County Sheriff.

Discussion Only. No action was taken.

48. CONSIDER COUNTY ACTIONS NECESSARY TO COMPLETE DRAFT LEGISLATION ON HOSPITAL DISTRICT, REQUEST FOR FUNDING. (9:22 AM)

Item 48 postponed until December 23, 2002.

49. CONSIDER AND APPROVE APPOINTMENT OF COMMISSIONER GERALD DAUGHERTY TO MEMBERSHIP ON COMMITTEES AND BOARDS PREVIOUSLY HELD BY COMMISSIONER MARGARET MOORE. (4:10 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Precinct 3 Commissioner Gerald Daugherty being the representative for Travis County on the Balcones Canyonland Preserve Coordinating Committee.

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	absent

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Commissioner Daugherty being on the E-Commerce Committee, that was missing from the previous list.

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	absent

50. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF NOVEMBER 2002. (10:26 AM)

Clerk’s Note: Item 50 added to Consent Items. Please refer to Consent Items for the Court’s Motion and Vote.

51. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:26 PM)

Clerk’s Note: Item 51 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

- 52.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING COUNTY CLERK LEASE SPACE. ² (4:12 PM) (6:20 PM)

Clerk's Note: Judge Biscoe announced that Item 52 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we authorize Facilities Management to lease the space in question at 209 West 9th Street for the County Clerk's election equipment; that we authorize the County Judge to execute the lease on behalf of Travis County; that we authorize the use of lease savings and that at our next meeting we identify the source of funding for the difference in funding that we need.

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	absent

- 53.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION FOR THE REMODEL OF THE 1ST FLOOR ENTRY LOBBY OF THE GRANGER ADMINISTRATION BUILDING TO IMPROVE SECURITY. (COMMISSIONER DAVIS) ⁴ (4:12 PM) (6:20 PM)

Clerk's Note: Judge Biscoe announced that Item 53 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.076, Security.

No action required on Item 53.

Item 53 to be reposted on December 23, 2002.

- 54. CONSIDER REQUEST FROM TRAVIS COUNTY JUDGES REGARDING WORKPLACE SAFETY ISSUES AT 1622 E. RIVERSIDE DRIVE, AUSTIN, TEXAS, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE)^{1 and 2}
(4:12 PM) (6:20 PM)

Clerk's Note: Judge Biscoe announced that Item 54 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 54.

Item 54 to be reposted on December 23, 2002.

- 55. CONSIDER RIGHT-OF-WAY SETTLEMENT OFFER FOR PROPERTY LOCATED ON GRAND AVENUE PARKWAY IN PRECINCT TWO, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER)² (4:12 PM)
(6:21 PM)

Clerk's Note: Judge Biscoe announced that Item 55 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the right-of-way settlement offer that has been presented to Travis County, and to authorize Commissioner Sonleitner to sign any and all appropriate documents related to this settlement.

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	absent

- 56. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN TERESA SHIELDS V. TRAVIS COUNTY, TEXAS.¹
(9:21 AM)

Item 56 pulled from the Agenda,

- 57. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN EDWIN LOWTHER V. CHRISTOPHER NOWLIN ET AL. ¹ (4:12 PM) (6:21 PM)

Clerk’s Note: Judge Biscoe announced that Item 57 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 settlement of this matter in the amount of \$16,000.00 as recommended by our representative at mediation and the County Attorney’s Office, and that we authorize the County Judge to sign on behalf of Travis County.

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	absent

- 58. DISCUSS CERTAIN PERSONNEL ISSUES REGARDING STARFLIGHT STAFF, RECEIVE LEGAL ADVICE, AND TAKE APPROPRIATE ACTION. ^{1 AND 3} (4:12 PM) (5:44 PM) (6:22 PM)

Clerk’s Note: Judge Biscoe announced that Item 58 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.073, Personnel Matters.

No action required on Item 58.

Item 58 to be reposted on December 23, 2002.

- 59. CONSIDER APPEAL BY ELBERT WALKER (FACILITIES MANAGEMENT EMPLOYEE) OF GRIEVANCE PANEL DECISION OF SEPTEMBER 20, 2002, AND TAKE APPROPRIATE ACTION. ^{1 & 3} (4:12 PM) (6:22 PM)

Clerk’s Note: Judge Biscoe announced that Item 58 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.073, Personnel Matters.

No action required on Item 59.

Item 59 to be reposted on December 23, 2002.

