

MINUTES OF MEETING – FEBRUARY 4, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 4th day of February, 2003, the Commissioners' Court convened the regular Voting Session at 9:15 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 10:41 AM.

The Commissioners' Court reconvened the Voting Session at 12:34 PM.

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 1:45 PM and adjourned at 1:46 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation called to order the Voting Session at 1:46 PM and adjourned at 2:11 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:11 PM.

The Commissioners' Court retired to Executive Session at 3:11 PM.

The Commissioners' Court reconvened the Voting Session at 4:00 PM.

The Commissioners' Court recessed the Voting Session at 4:05 PM.

The Commissioners' Court reconvened the Voting Session at 1:43 PM, Wednesday, February 5, 2003.

The Commissioners' Court retired to Executive Session at 3:11 PM, Wednesday, February 5, 2003.

The Commissioners' Court reconvened the Voting Session at 4:27 PM, Wednesday, February 5, 2003.

The Commissioners' Court adjourned the Voting Session at 4:32 PM, Wednesday, February 5, 2003.

PUBLIC HEARINGS

1. DISCUSS TEMPORARILY CLOSING PORTIONS OF BRATTON LANE, GRAND AVENUE PARKWAY, LONG VISTA DRIVE AND WELLSPORT DRIVE ON SUNDAY, MAY 25, 2003, IN ORDER TO HOLD THE IRON KIDS TRIATHLON SERIES. (COMMISSIONER SONLEITNER) (ACTION ITEM #5) (9:21 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 5 for the Court's Motion and Vote.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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

RESOLUTIONS & PROCLAMATIONS

2. APPROVE PROCLAMATION DECLARING WEEK OF FEBRUARY 7 THROUGH 15, 2003 AS “INSURE-A-KID AWARENESS WEEK” IN TRAVIS COUNTY. (JUDGE BISCOE) (9:23 AM)

Members of the Court heard from: Valerie Winger, Insure A Kid.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proclamation, 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

CITIZENS COMMUNICATION

Members of the Court heard from: Joyce Best, Travis County Resident; Mark McAfee, Travis County Resident; Zora Williams, Resident, LBJ Neighborhood; Sue Ann Campbell, Travis County Resident; and Trek English, Travis County Resident. (9:27 AM)

Clerk’s Note: County Judge Samuel T. Biscoe requested that a moment of silence be granted for the Astronauts of the Space Shuttle Columbia, who lost their lives a few days ago, February 1, 2003.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1 – C12, and Items 3, 4, 5, 6.A and B, 11, 13, 16, 18, 20, 22.A-D, 23.A-C, 24, and 29. (9:42 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 COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JANUARY 14, 2003.
- C4.** APPROVAL OF RESERVE DEPUTY, CHARLES EDWARD, RINEY, III, IN CONSTABLE PRECINCT FIVE OFFICE.
- C5.** REAPPOINT JEAN B. STROUP TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #1 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)
- C6.** REAPPOINT CHARLES R. POPE TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #6 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)
- C7.** APPOINT JOHN M. JACKSON TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #10 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)
- C8.** APPOINT TRES H. CHILDRESS TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #10 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

- C9.** REAPPOINT TODD CRICKMER TO SERVE ON THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #10 BOARD AS A PRECINCT THREE APPOINTEE; TERM EFFECTIVE THROUGH DECEMBER 31, 2004. (COMMISSIONER DAUGHERTY)
- C10.** APPROVE SETTING A PUBLIC HEARING ON MARCH 4, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 13-16, PEDERNALES SUBDIVISION - (SHORT FORM PLAT – 1 LOT – 1.066 ACRES – PEDERNALES CLIFF TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA JURISDICTION) - NO MUNICIPAL ETJ.) (COMMISSIONER DAUGHERTY)
- C11.** APPROVE SETTING A PUBLIC HEARING ON MARCH 4, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK 'A', SEVEN OAKS, SECTION 2, PHASE 2 - (SHORT FORM PLAT – 2 LOTS – 6.582 ACRES – BEE CAVE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC - CITY OF AUSTIN ETJ.) (COMMISSIONER DAUGHERTY)
- C12.** APPROVE SETTING A PUBLIC HEARING ON MARCH 4, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 15-17, BLOCK 'B', SEVEN OAKS, SECTION 2, PHASE 2 - (SHORT FORM PLAT – 3 LOTS – 6.471 ACRES – BEE CAVE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC - CITY OF AUSTIN ETJ.) (COMMISSIONER DAUGHERTY)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 3.** APPROVE GRANT DOCUMENTS AND DESIGNATE SIGNATORIES FOR A GRANT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS TO SUPPLY WATER SERVICE FOR HOMES ON KENNEDY RIDGE. (COMMISSIONER DAVIS) (9:42 AM)

Clerk's Note: Judge Biscoe announced that Joe Gieselman, Executive Manager, TNR, Carol Joseph, Assistant Director, TNR, and Melinda Mallia, TNR be listed as signatories, designated by the Travis County Commissioners' Court.

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

4. APPROVE GRANT DOCUMENTS AND DESIGNATE SIGNATORIES FOR A GRANT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS TO SUPPLY WATER SERVICE FOR HOMES ON PLOVER PLACE. (COMMISSIONER GOMEZ) (9:42 AM)

Clerk's Note: Judge Biscoe announced that Joe Gieselman, Executive Manager, TNR, Carol Joseph, Assistant Director, TNR, and Melinda Mallia, TNR be listed as signatories, designated by the Travis County Commissioners' Court.

Clerk's Note: Item 4 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

5. APPROVE TEMPORARILY CLOSING PORTIONS OF BRATTON LANE, GRAND AVENUE PARKWAY, LONG VISTA DRIVE AND WELLSPORT DRIVE ON SUNDAY, MAY 25, 2003, IN ORDER TO HOLD THE IRON KIDS TRIATHLON SERIES. (COMMISSIONER SONLEITNER) (9:42 AM)

Clerk's Note: Item 5 is the action item for the public hearing on Agenda Item 1.

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

PLANNING AND BUDGET DEPT. ITEMS

6. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:42 AM)
 - A. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES FOR A CHILD WELFARE SERVICES CONTRACT. THE GRANT CONTINUES THE PROGRAM FOR FY 03 AND ALLOWS FOR THE REIMBURSEMENT OF CERTAIN CHILD CARE EXPENDITURES.
 - B. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES. THE GRANT CONTINUES THE PROGRAM FOR FY 03.

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 BUDGET AMENDMENTS AND TRANSFERS. (9:44 AM)

No action necessary on Item 7.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON PROJECTS AND AMOUNTS FOR FUNDING FROM ROAD AND PARK BONDS AND CERTIFICATES OF OBLIGATION TO BE ISSUED IN FY'03. (9:46 AM) (4:02 PM)

Members of the Court heard from: Jessica Rio, Budget Analyst, Planning and Budget Office (PBO).

Discussion Only. No action was taken.

Item 32 to be reposted on February 18, 2003.

ADMINISTRATIVE OPERATIONS ITEMS

9. DISCUSS WITH COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT (CSCD) THE DECISION TO CHANGE FROM TIBURON TO CORRECTIONS SOFTWARE CORPORATION (CSC) TO IMPLEMENT A STATE REQUIRED COMMUNITY SUPERVISION TRACKING SYSTEM FOR CASE MANAGEMENT, AND RESULTING IMPACT ON TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (9:16 AM)

Item 9 postponed until February 18, 2003.

10. REVIEW AND APPROVE EMPLOYEE TOTAL COMPENSATION PACKAGE FOR PAYCHECK STUFFER. (9:55 AM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the paycheck stuffer with changes.

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

11. 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 \$185,601.87 FOR THE PERIOD OF JANUARY 17, 2003 THROUGH JANUARY 23, 2003. (9:42 AM)

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

12. DETERMINE THE FEASIBILITY AND LEVEL OF PARTICIPATION FOR LIVE CABLECAST OF THE CURRENT TEXAS HOUSE OF REPRESENTATIVE LEGISLATIVE SESSIONS ON TCTV AND TAKE APPROPRIATE ACTION. (10:11 AM)

Members of the Court heard from: Steven Broberg, Director, Records Management and Communication Resources (RMCR); Alicia Perez, Executive Manager, Administrative Operations; and Al Jackson, Media Operations Manager, RMCR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the recommendation to waive the policies and cablecast the current Texas House of Representative Legislative Sessions on Wednesdays and Thursdays until the end of the Legislative Session.

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

13. APPROVE PERSONNEL AMENDMENTS. (9:42 AM)

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

14. A. DISCUSS EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY JOB VACANCY, RECRUITMENT, INTERVIEW AND SELECTION PROCESS AND TIMETABLE, AND TAKE APPROPRIATE ACTION. (10:16 AM)
- B. AUTHORIZE HUMAN RESOURCES DEPARTMENT TO COORDINATE TRAVEL AND LODGING LOGISTICS WITH FOUR (4) FINALISTS RECOMMENDED BY THE COURT APPOINTED INTERVIEW AND SELECTION COMMITTEE.

Clerk's Note: Items 14.A and B are associated with one another and were called for concurrent discussion.

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

Clerk's Note: The Commissioners' Court, without objection, announced that the four finalists would be interviewed on Tuesday, February 11, 2003, beginning at 1:00 PM; that all four candidates at once are to take a tour of the Travis County Facilities on Monday, February 10, 2003; and that arrangements are in motion, so, no further action is necessary.

Discussion Only. No action was taken.

PURCHASING OFFICE ITEMS

15. APPROVE CONTRACT AWARD FOR CLOSED AND OPEN CAPTIONING SERVICES WITH TEXAS CLOSED CAPTIONING REPORTERS. (HHSD) (COMMISSIONER GOMEZ) (9:43 AM)

Item 15 pulled from the Agenda.

16. APPROVE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR WEATHERIZATION SERVICES. (HHSD) (COMMISSIONER GOMEZ) (9:42 AM)

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

17. APPROVE ASSIGNMENT OF CONTRACT (MODIFICATION NO. 10) TO CONTRACT NO. PS990019-LB FROM ASSESSNET TO ACCUSCREEN FOR DRUG AND ALCOHOL TESTING. (COUNTYWIDE) (COMMISSIONER GOMEZ) (9:17 AM)

Item 17 postponed until February 11, 2003.

18. APPROVE CONTRACT AWARD FOR FIRE ALARM PANEL AND DEVICES REPLACEMENT, BUILDING 180, AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX, IFB B030004-SI, TO THE LOW BIDDER, DESIGN SYSTEM (AUSTIN) GROUP, INC. (T.C.S.O.) (COMMISSIONER GOMEZ) (9:42 AM)

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

19. APPROVE TERMINATION OF CONTRACT NO. 02C00079-EH WITH BOILER BURNER SALES AND SERVICE, INC. FOR BOILER REPLACEMENTS IN BUILDING 160 AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX. (T.C.S.O.) (COMMISSIONER GOMEZ) (10:25 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; John Hille, Assistant County Attorney; and Joseph Truchard, Travis County Sheriff's Office (TCSO).

Discussion Only. No action was taken.

Item 19 to be reposted on February 11, 2003.

20. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 01T0068-OJ, CMI BARRON RISK MANAGEMENT SERVICES, FOR THIRD PARTY ADMINISTRATION. (HRMD) (COMMISSIONER GOMEZ) (9:42 AM)

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

21. APPROVE A 12-MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR CONCRETE & GROUT MIX: (TNR) (COMMISSIONER GOMEZ) (9:18 AM)
- A. CONTRACT NO. 02T00003-EH, CEMEX CONSTRUCTION MATERIALS, L.P.; AND
 - B. CONTRACT NO. 02T00004-EH, RAINBOW MATERIALS, INC.

Items 21.A and B pulled from the Agenda.

22. DECLARE THE FOLLOWING ITEMS AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GOMEZ) (9:42 AM)
- A. RICHARD MOYA PARK PLAYSCAPE;
 - B. CYCLONE FENCE;
 - C. PACE BEND PARK BOAT DOCK; AND
 - D. BOB WENTZ PARK BOAT DOCK.

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

23. APPROVE THE FOLLOWING PURCHASING ACTIONS (MODIFICATION NO.3): (9:42 AM)
- A. APPROVE INCREASE IN MAINTENANCE SERVICE LEVEL FROM 60-USER LIMIT TO 100-USER LIMIT;
 - B. APPROVE A 12-MONTH EXTENSION TO CONTRACT NO. MA960322, EASY ACCESS, INC. FOR MAINTENANCE OF EZ-TAX AND EZ-VOTE APPLICATION SOFTWARE; AND
 - C. APPROVE ADDITION OF THE MAINTENANCE COVERAGE FOR INTELLIGENT TEXT PROCESSING (ITP) SOFTWARE. (TAX OFFICE AND I.T.S.)

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

24. APPROVE CONTRACT AWARD FOR TWO-WAY SUPPLIES AND INFRASTRUCTURE PRODUCTS, IFB B030036-RG, TO THE LOW BIDDER, TESSCO, INC. (J&PS) (COMMISSIONER GOMEZ) (9:42 AM)

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

OTHER ITEMS

25. RECEIVE BRIEFING FROM THE SHERIFF'S OFFICE CONCERNING THE MONTHLY POPULATION/STATUS REPORT TO KEY COUNTY OFFICIALS. (2:12 PM)

Members of the Court heard from: David Balagia, Major, TCSO; and Bill Derryberry, Budget Analyst, PBO.

Discussion Only. No action was taken.

- 26. DISCUSS AND TAKE APPROPRIATE ACTION ON AN AGREEMENT WITH THE CITY OF AUSTIN FOR THE CONDUCT OF ELECTIONS AND A PLAN FOR COUNTY CLERK REORGANIZATION. (2:33 PM) (4:03 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; Diana Ramirez, Budget Analyst, PBO; and Susan Bell, Chief Deputy, Travis County Clerk’s Office.

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

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 the Interlocal agreement with the City of Austin for the conduct of elections.

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

- 27. DISCUSS APPOINTMENT OF ELECTED OFFICIALS’ SALARY GRIEVANCE COMMITTEE AND TAKE APPROPRIATE ACTION. (2:31 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve and appoint the following individuals to the Elected Officials’ Salary Grievance Committee: Clifton Van Dyke, Marjorie Hooper, A. J. Joe Schechter, Tom Christie, Dolly Camacho-Watson, Margaret Carbajal, Pat Thomas, Gordon M. Rubinett, Albert Almanza, and, as an alternate, Tom McCarty.

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

- 28.** APPROVE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS (WOODWAY SQUARE APARTMENTS) SERIES 2003 BY TRAVIS COUNTY HOUSING FINANCE CORPORATION, AND TAKE APPROPRIATE ACTION. (2:59 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 28.

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

- 29.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:42 AM)

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

JUSTICE AND PUBLIC SAFETY DEPARTMENT ITEMS

- 30.** DISCUSS RESULTS OF INTERVIEWS WITH CITY AND COUNTY STARFLIGHT PROGRAM EMPLOYEES, AND TAKE APPROPRIATE ACTION.
 (9:18 AM) (10:41 AM) (12:34 PM) (1:43 PM, Wednesday, February 5, 2003)
 (3:11 PM, Wednesday, February 5, 2003)
 (4:27 PM, Wednesday, February 5, 2003)

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.

Clerk’s Note: Judge Biscoe and Commissioner Sonleitner summarized their interviews with the Starflight Program personnel.

Members of the Court heard from: Merlin Spanky Handley, Director of Aviation, Starflight Program; Lori Gillespie, wife of Mr. Handley; Betsy Bender, Attorney representing Mr. Handley; and Todd Clark, Assistant County Attorney.

Clerk’s Note: Items 30 and 39 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 30 and 39.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner that we direct that Mr. Handley be removed from the Starflight Program immediately, and placed on 2 weeks paid administrative leave; that during this period, Human Resources be directed to work with him to find another position at Travis County; that he be terminated 2 weeks from today, and either placed in another County job, if one has been found or not; that Caryl Colburn, Acting Director of Justice and Public Safety, be asked to fill this position, Director of Aviation; and that the FAA be notified of the appointment immediately. In addition, the Court waives the requirement to post that job in advance; and that the Court have an appropriate Item on next week’s Agenda to ratify the appointment, and any other appointments that may result. Our intentions would be that Mr. Handley would remove his personal belongings from the Starflight premises today, and not be part of the Starflight program after today; that efforts to seek employment with Travis County be made directly to Linda Moore Smith, Director of Human Resources Management Department.

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	no

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

- 31.** CONSIDER WORKPLACE SAFETY ISSUES AT 1622 E. RIVERSIDE DRIVE, AND TAKE APPROPRIATE ACTION. ² (9:18 AM)

Item 31 postponed until February 11, 2003.

- 32.** DISCUSS, APPROVE AND TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES FOR COUNTY CLERK'S OFFICE. ^{1 and 2} (10:41 AM)
(3:00 PM) (3:11 PM) (4:00 PM)

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, and Gov't. Code Ann. 551.072, Real Property.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Clerk's Note: Judge Biscoe without objection gave directions to Facilities Management to work with the Justice and Public Safety Department to determine the feasibility of relocating; that we continue to gather information on the Airport location; and that we repost this matter next Tuesday, February 11, 2003 to do additional work on a financial analysis.

Item 32 to be reposted on February 11, 2003.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY, DISCUSS PROPOSED SETTLEMENT, AND GIVE DIRECTION REGARDING COLLECTION CLAIM OF TRAVIS COUNTY VS. J.C. EVANS CONSTRUCTION CO., INC., AND TAKE APPROPRIATE ACTION. ¹ (10:41 AM) (3:00 PM)

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 Sonleitner that we counter the offer to settle this matter in the amount \$212,000.00, which is the principal, and that we will allow up to 60 days for a lump sum payment.

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 AND TAKE APPROPRIATE ACTION IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL., AND IN RE: ESTATE OF FREDRICK PLUET, DECEASED, IN THE PROBATE COURT NO. 1 OF TRAVIS COUNTY, TEXAS. (PLUET; FRASIER; CIVIL RIGHTS) ¹ (9:18 AM)

Item 34 pulled from the Agenda.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TERESA SHIELDS V. TRAVIS COUNTY, TEXAS. ¹ (10:41 AM) (3:01 PM)

Clerk's Note: Judge Biscoe announced that Item 35 would be considered in Executive Session, pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we counter the counteroffer in the amount of \$32,500.00.

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 GIVE DIRECTION REGARDING TRAVIS COUNTY SUBROGATION CLAIM IN THE MATTER OF DEKE PIERCE AND TAKE APPROPRIATE ACTION. ¹ (10:41 AM) (3:11 PM)

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.

Item 36 postponed until February 18, 2003.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION AND/OR ACCEPT, REJECT OR COUNTER A SETTLEMENT OFFER REGARDING PROJECT NO. 97B06-21-3CA, STATE HIGHWAY 45 SOUTH; PARCEL NO. 8; DENISE P. TOMLINSON AND TRAVIS COUNTY, TEXAS. (CONDEMNATION CASE) ^{1 and 2} (10:41 AM) (3:01 PM)

Clerk’s Note: Judge Biscoe announced that Item 37 would be considered in Executive Session, pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney, and Gov’t. Code Ann. 551.071, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to accept the offer to settle for the amount of an additional \$33,132.00, in exchange for a full final settlement and release, and also a non-suit of the condemnation anticipated District Court case, full and final resolution; and to allow until April 25, 2003 for to remove the horses, so the County won’t fence the property until after that date.

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. DISCUSS STARFLIGHT ORGANIZATIONAL ISSUES, RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION. ¹ (10:41 AM)

Clerk’s Note: Judge Biscoe announced that Item 38 would be considered in Executive Session, pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

No action taken on Item 38.

- 39.** DISCUSS CERTAIN PERSONNEL ISSUES REGARDING MERLIN “SPANKY” HANDLEY, RECEIVE LEGAL ADVICE, AND TAKE APPROPRIATE ACTION. ¹
(10:41 AM) (3:11 PM, Wednesday, February 5, 2003)
(4:27 PM, Wednesday, February 5, 2003)

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

Clerk’s Note: Items 30 and 39 are associated with one another and were called for concurrent discussion. Please refer to Item 30 for a summary of the Court’s Motion and Vote.

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN THE MATTER OF MERLIN “SPANKY” HANDLEY V. TRAVIS COUNTY, TEXAS; CITY OF AUSTIN, TEXAS, DINAH DINWIDDIE, INDIVIDUALLY, AND IN HER OFFICIAL CAPACITY; CASEY PING, INDIVIDUALLY, AND IN HIS OFFICIAL CAPACITY; GORDON BERGH, KEVIN MCDONALD AND RICHARD HERRINGTON, CAUSE NO. A02 CA 606 JN, IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. ¹ (10:41 AM)

Clerk’s Note: Judge Biscoe announced that Item 40 would be considered in Executive Session, pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

No action taken on Item 40.

- 41.** DISCUSS PENDING NOTICE OF VIOLATION FROM THE TEXAS COMMISSION FOR ENVIRONMENTAL QUALITY REGARDING LEACHATE SEEPAGE AT THE US 290 EAST LANDFILL, AND TAKE APPROPRIATE ACTION. ¹ (10:41 AM) (3:03 PM)

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Jessica Rio, Budget Analyst, PBO.

Discussion Only. No action was taken.

