

## **MINUTES OF MEETING – JULY 22, 2003**

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

On Tuesday, the 22<sup>nd</sup> day of July, 2003, the Commissioners' Court convened the regular Voting Session at 9:16 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 12:06 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation and the Travis County Health Facilities Development Corporation convened the Voting Sessions at 1:40 PM and adjourned at 2:14 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:15 PM.

The Commissioners' Court retired to Executive Session at 4:37 PM.

The Commissioners' Court reconvened the Voting Session at 5:51 PM.

The Commissioners' Court adjourned the Voting Session at 5:58 PM.

**PUBLIC HEARINGS**

1. DISCUSS PROPOSED TRAVIS COUNTY SOLID WASTE FACILITIES SITING ORDINANCE INCLUDING READOPTION OF FLOOD PLAIN ORDINANCE UNDER THE HEALTH AND SAFETY CODE. (ACTION ITEM 34) (9:33 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 34 for the Court's Motion and Vote.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner 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:** John Kuhl, Natural Resources Program Manager, Transportation and Natural Resources (TNR); Tom Nuckols, Assistant County Attorney; Henry Troell, member, Parks Springs Neighborhood Association; and Trek English, Travis County Resident.

**Motion by** Judge Biscoe **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 RESOLUTION RECOGNIZING KATHLEEN (BENNIE) DUSENBURY ON HER RETIREMENT FROM PRECINCT THREE JUSTICE OF THE PEACE AFTER TWENTY-FOUR YEARS OF SERVICE TO TRAVIS COUNTY. (9:20 AM) (9:51 AM)

**Members of the Court heard from:** Kathleen Dusenbury, Justice of Peace, Precinct 3 Office; and Ruth Allison, Office Manager, Justice of Peace, Precinct 3 Office.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to approve the resolution in 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. APPROVE RESOLUTION RECOGNIZING REGINALD F. HARRIS ON HIS RETIREMENT FROM THE FACILITIES MANAGEMENT DEPARTMENT AFTER EIGHTEEN YEARS OF SERVICE TO TRAVIS COUNTY. (9:20 AM)

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

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the resolution in Item 3.

**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. APPROVE PROCLAMATION PROCLAIMING “NATIONAL PAN AMERICAN GOLF ASSOCIATION CONVENTION AND GOLF TOURNAMENT WEEK”. (COMMISSIONER GÓMEZ) (9:27 AM)

**Members of the Court heard from:** Greg Martinez, member, Pan American Golf Association (PAGA); and Jesse Peña, President, PAGA.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the proclamation in 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

### CITIZENS COMMUNICATION

**Members of the Court heard from:** Cindy Schelper, Private Citizen. (9:31 AM)

### CONSENT ITEMS

**Motion by Commissioner Gómez and seconded by Commissioner Davis** to approve the following Consent Items: C1–C2 and Items 5.A-E, 6, 8, 9, 14, 15.A.1-4, 16, 17, 18.A and B, 20, 21, 23, 27, 29, 30, 36, 39, and 40. (9:58 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.

**PLANNING AND BUDGET DEPT. ITEMS**

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:  
(9:58 AM)
- A. GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL, CRIME VICTIM SERVICES AGENDA FOR A VICTIM COORDINATOR AND LIAISON GRANT (VCLG) IN THE SHERIFF'S OFFICE. THIS GRANT MODIFIES THE VICTIM'S ASSISTANCE DISCRETIONARY GRANT AND CONTINUES THE EXISTING PROGRAM FOR FY 04 THROUGH FY 05;
  - B. GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL, CRIME VICTIM SERVICES AGENDA FOR AN OTHER VICTIM ASSISTANCE GRANTS (OVAG) IN THE SHERIFF'S OFFICE. THIS GRANT MODIFIES THE VICTIM'S ASSISTANCE DISCRETIONARY GRANT AND CONTINUES THE EXISTING PROGRAM FOR FY 04 THROUGH FY 05;
  - C. GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR A FAMILY VIOLENCE AND SEXUAL ASSAULT LIAISONS GRANT IN THE DISTRICT ATTORNEY'S OFFICE. THE GRANT CONTINUES THE EXISTING GRANT PROGRAM FOR FY 04 THROUGH FY 05;
  - D. GRANT APPLICATION AMENDMENT TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE BATTERER'S INTERVENTION-PREVENTION PROGRAM (JBIPP) IN JUVENILE PROBATION DEPARTMENT. THE AMENDMENT CHANGES THE RESOLUTION TO INDICATE THAT THE COURT AUTHORIZES JUDGE BISCOE TO ACT REGARDING THIS GRANT; AND
  - E. GRANT CONTRACT AMENDMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT TO THE MANSFIELD DAM PARK GRANT IN TNR. THE AMENDMENT EXTENDS THE TERM OF THE GRANT TO DECEMBER 31, 2003.

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

- 6. APPROVE ACCEPTANCE OF GRANT IN AMOUNT OF \$80,000 FOR THE DOMESTIC VIOLENCE UNIT FROM THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR’S OFFICE. (9:58 AM)

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

- 7. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (4:01 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the budget amendments and transfers.

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

**ADMINISTRATIVE OPERATIONS ITEMS**

- 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 \$292,049.79 FOR THE PERIOD OF JULY 4, 2003 THROUGH JULY 10, 2003. (9:58 AM)

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

- 9. APPROVE PERSONNEL AMENDMENTS. (9:58 AM)

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

10. REVIEW AND APPROVE THE FOLLOWING PROPERTY CLAIM RECOMMENDATIONS: (4:19 PM)

- A. CONSTABLE 5 UNIT 1855 – SETTLE;
- B. TCSO UNIT 1943 – SETTLE;
- C. TCSO UNIT 1981 – SETTLE;
- D. TCSO UNIT S9767 – SETTLE;
- E. TCSO UNIT 1823 – SETTLE; AND
- F. TNR UNIT PC2265 – SETTLE.

**Members of the Court heard from:** Dan Mansour, Risk Manager, Human Resources Management Department (HRMD).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve all of the recommendations in Items 10.A-F.

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

- 11. DISCUSS AND TAKE APPROPRIATE ACTION ON THE PROPOSED RELOCATION OF THE DOMESTIC RELATIONS OFFICE TO THE UNIVERSITY SAVINGS BUILDING LOCATED AT 1010 LAVACA. (3:11 PM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; Jessica Rio, Budget Analyst, Planning and Budget Office (PBO); Cecelia Burke, Director, Domestic Relations Office; and Joe Harlow, Director, Information and Telecommunications (ITS).

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve all of the recommendations to relocate the Domestic Relations Office, for the funding amount of \$236,500.00 from CAR, and to include directing Planning and Budget to do the budget adjustment as an automatic.

**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

- 12. RECEIVE BRIEFING ON PROPOSAL TO REMODEL THE 1<sup>ST</sup>, 2<sup>ND</sup>, 3<sup>RD</sup> AND 5<sup>TH</sup> FLOORS OF THE TRAVIS COUNTY CIVIL COURTS BUILDING (THE HISTORICAL COURTHOUSE) LOCATED AT 1000 GUADALUPE. (2:15 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Amalia Rodriguez Mendoza, Travis County District Clerk; Dana DeBeauvoir, Travis County Clerk; Jim Barr, Facilities Management; Jessica Rio, Budget Analyst, PBO; and John Dietz, Civil District Judge, 250<sup>th</sup> District Court.

**Clerk’s Note:** The Court indicated that this Item would be reposted for a Work Session.

Discussion Only. No action taken.

- 13. DISCUSS AND TAKE APPROPRIATE ACTION TO INTEGRATE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT’S CSC CASE MANAGEMENT SYSTEM WITH THE IJS INTEGRATED DATABASE (IDB). (9:17 AM)

Item 13 postponed until July 29, 2003.



**PURCHASING OFFICE ITEMS**

- 14. APPROVE CONTRACT AWARD FOR STAFF UNIFORMS, IFG B03133-DR, TO THE LOW BIDDER, TIC TOC, INC. (JUV. PROB) (COMMISSIONER GÓMEZ) (9:58 AM)

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

- 15. A. APPROVE CONTRACT AWARDS FOR NON-ORIGINAL EQUIPMENT MANUFACTURER AUTOMOTIVE PARTS TO THE FOLLOWING VENDORS: (9:58 AM)
  - 1. O'REILY AUTOMOTIVE PARTS: GROUPS 5, 10, 12 AND 19;
  - 2. TEXAS ALTERNATOR STARTER SERVICES: GROUPS 6, 7 AND 9;
  - 3. CARQUEST AUTO: GROUPS 2, 13, 20 AND 22; AND
  - 4. ARNOLD OIL COMPANY: GROUPS 1, 3, 4, 8, 11, 14, 15, 17, 18, 21, 23, 24, 25 AND 26.

**Clerk's Note:** Items 15.A.1-4 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- B. RESOLVE TIE BID FOR GROUP 16. (TNR) (COMMISSIONER GÓMEZ) (4:01 PM)

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

**Clerk's Note:** Judge Biscoe resolved the tie bid by drawing O'Reily Automotive Parts' name.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve O'Reily Automotive Parts winning the tie bid for group 16, the contract for non-original equipment manufacturer automotive parts.

**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

16. APPROVE INTERLOCAL AGREEMENT FOR REFRIGERATOR REPLACEMENT/DELIVERY SERVICES WITH CITY OF AUSTIN. (HHSD) (COMMISSIONER GÓMEZ) (9:58 AM)

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

17. APPROVE INTERLOCAL AGREEMENT FOR DEAF SERVICES WITH TEXAS REHABILITATION COMMISSION. (HHSD) (COMMISSIONER GÓMEZ) (9:58 AM)

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

18. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR PAINTING AND WALL REPAIR/MINOR CONSTRUCTION: (9:58 AM)

A. NO. 03T00016RV, HARMONY CONSTRUCTION, INC.; AND

B. NO. 03T00017RV, SCHNURR, INC. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ)

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

- 19. APPROVE CONTRACT FOR EMERGENCY RESPONSE AND REMEDIATION SERVICES, IFB B030120-RV, TO THE QUALIFIED LOW BIDDERS (COUNTYWIDE): (4:02 PM)
  - A. EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, INC. – PRIMARY CONTRACTOR; AND
  - B. GARNER ENVIRONMENTAL SERVICES – SECONDARY CONTRACTOR. (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 19.A and B are associated with one another and were called for concurrent discussion.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Items 19.A and B.

**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

- 20. APPROVE PURCHASE OF CRYSTAL ENTERPRICE WEB REPORTING SOFTWARE LICENSES, MAINTENANCE, TECHNICAL SUPPORT AND CONSULTING SERVICES FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) THROUGH SHI GOVERNMENT SOLUTIONS. (ITS) (COMMISSIONER GÓMEZ) (9:58 AM)

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

- 21. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT 03T00001DR FOR RECORDS STORAGE BOXES, CAPITAL CITY CONTAINER CORPORATION. (REC MGMT) (COMMISSIONER GÓMEZ) (9:58 AM)

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

- 22. APPROVE MODIFICATION NO. 1 AND RATIFICATION OF CONTRACT NO. PS020181LB WITH CORRECTIONS SOFTWARE CORPORATION (CSC) FOR RENEWAL OF THE FINANCIAL MODULE FOR THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT. (CSCD) (COMMISSIONER GÓMEZ) (3:26 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Joe Harlow, Director, ITS; Jim Rust, Director, Community Supervision and Corrections Department (CSCD); Donna Farris, Financial Manager, CSCD; Susan Spataro, Travis County Auditor; Ruth Davis, ITS; and Alan Miller, Budget Analyst, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to indicate the Court’s inclination to approve the modified contract and that the source of funding be the CSCD financial reserve.

**Motion carried:**

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

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF THE PARTIAL VACATION OF DOE RUN AND LOT 20, PANORAMIC HILLS AND A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 20 PANORAMIC HILLS (REPLAT – 1 LOT – 34.851 ACRES – DOE RUN AT MOUNTAIN TOP CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF LAGO VISTA ETJ). (COMMISSIONER DAUGHERTY) (9:58 AM)

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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PRELIMINARY PLAN IN PRECINCT THREE: GARZA BRODIE SUBDIVISION (LOWE'S HOME CENTER IN SUNSET VALLEY) (PRELIMINARY PLAN – 2 LOTS – 31.40 ACRES – BRODIE LANE). (COMMISSIONER DAUGHERTY) (9:18 AM)

Item 24 postponed until July 29, 2003.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON PARTICIPATION AGREEMENT WITH PLAZA V 620, LTD. FOR THE CONSTRUCTION OF ANDERSON MILL ROAD AND RM 620. (COMMISSIONERS SONLEITNER & DAUGHERTY) (4:21 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

Discussion Only. No action taken.

Item 25 to be reposted on July 29, 2003.

**Clerk's Note:** Items 25 and 26 are associated with one another and were called for concurrent discussion.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH WILLIAMSON COUNTY FOR THE CONSTRUCTION OF ANDERSON MILL ROAD. (COMMISSIONERS SONLEITNER & DAUGHERTY) (4:36 PM)

**Clerk's Note:** Items 25 and 26 are associated with one another and were called for concurrent discussion.

Item 26 to be reposted on July 29, 2003.

27. DISCUSS CONVEYANCE OF A PORTION OF PFLUGER LANE RIGHT OF WAY TO THE CITY OF PFLUGERVILLE FOR ITS SUBSEQUENT ANNEXATION AND RELOCATION, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (9:58 AM)

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

**28. DISCUSS AND TAKE APPROPRIATE ACTION ON EAST METRO PARK MASTER PLAN. (COMMISSIONER DAVIS) (10:42 AM)**

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Charles Bergh, Division Director, Parks and Natural Resources, TNR; Gary Bellamy, Principal, Land Design Studio; Denise Martinez, Travis County Resident; Henry Troell, member, Parks Springs Neighborhood Association; and Reginald Turner, Field Director, Manor Youth Football Association.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the master plan for the East Metropolitan Park as presented before the Court and to direct Staff to continue to negotiate with the YMCA and others that have been mentioned – the school districts, anybody else as far as local partnerships, and even re-visit the House Bill 1445 deal with the parkland dedication.

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

**29. DISCUSS AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH CITY OF PFLUGERVILLE FOR THE ENGINEERING DESIGN OF PECAN STREET. (COMMISSIONER SONLEITNER) (9:58 AM)**

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

**30. DISCUSS AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR THE ENGINEERING DESIGN OF CAMERON ROAD. (COMMISSIONER DAVIS) (9:58 AM)**

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

- 31. DISCUSS AND TAKE APPROPRIATE ACTION ON MAGNA-FLOW BENEFICIAL LAND USE (SLUDGE) PERMIT APPLICATION ON TAYLOR LANE NEAR FM 969 (PROPOSED TCEQ PERMIT NO. 04484). (COMMISSIONER DAVIS) (10:00 AM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR; Henry Troell, member, Parks Springs Neighborhood Association; Larry Beard, representing land owners and Austin Estates Limited Partnership; Barry Hall, resident, Twin Creek Meadows Subdivision; Deanne Kaeler, resident, Twin Creek Meadows Subdivision; and Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to direct Staff to construct a letter to the Texas Commission on Environmental Quality (TCEQ) opposing the Magna Flow Beneficial land use Permit 04484, and that this letter be returned to the Commissioners' Court prior to August 16, 2003 for approval.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Gómez that Staff go ahead and pull up the inventory of other similar sites and be prepared to have a like letter to submit to TCEQ so that we don't waste any time addressing those issues.

**Acceptance of the Friendly Amendment was made by** Commissioner Davis.

**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 that we notify Magna Flow representatives of the action taken today, and to also repost this matter two weeks from today, August 5, 2003, to review the specific language of the letter.

**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 31 to be reposted on August 5, 2003.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON ADDITIONAL RECOMMENDATIONS ON AIR QUALITY INITIATIVES. (4:18 PM) (4:36 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

Discussion Only. No action taken.

Item 32 to be reposted on July 29, 2003.

33. DISCUSS PROPOSED FY 04 PARK FEE INCREASES, AND TAKE APPROPRIATE ACTION. (11:47 AM)

**Members of the Court heard from:** Cynthia McDonald, Financial Manager, TNR; Joe Gieselman, Executive Manager, TNR; Charles Bergh, Division Director, Parks and Natural Resources, TNR; John Hille, Assistant County Attorney; and Roy Turley, Parks Program Manager, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to adopt the preliminary fee recommendations as listed in the backup, and that we invite comments from residents on whether Recommendation E or Recommendation F is better.

**Clerk's Note:** The Court indicated that a public hearing would be held on park fee increases in approximately a month.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED SOLID WASTE FACILITIES SITING ORDINANCE INCLUDING READOPTION OF FLOOD PLAIN ORDINANCE UNDER THE HEALTH AND SAFETY CODE AND COMMENTS RECEIVED. (9:55 AM) (10:41 AM)

**Clerk’s Note:** Item 34 is the action item for the public hearing on Agenda Item 1.

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the siting ordinance as advertised and, as the item indicates, to include the re-adoption of the flood plain ordinance.

**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** that we authorize appropriate County Staff to notify the Texas Commission on Environmental Quality (TCEQ) of the action taken on the solid waste facilities siting ordinance today.

**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

### OTHER ITEMS

35. RECEIVE AND DISCUSS THE THIRD REVENUE ESTIMATE FOR THE FY 2004 BUDGET PROCESS. (4:11 PM)

**Members of the Court heard from:** Blain Keith, Chief Assistant County Auditor; Travis County Auditor’s Office; and Susan Spataro, Travis County Auditor.

Discussion Only. No action taken.

36. RECEIVE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF JUNE 2003. (9:58 AM)

**Clerk's Note:** Item 36 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF THE EARLY VOTING AND MOBILE SITES FOR THE SEPTEMBER 13, 2003 CONSTITUTIONAL ELECTION. (4:03 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the early voting and mobile sites for the September 13, 2003 Constitutional Election.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF THE APPOINTMENT OF ELECTION JUDGES FOR A TERM OF TWO YEARS BEGINNING AUGUST 1, 2003. (4:10 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the appointment of Election Judges for a term of two years.

**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 38 to be reposted July 29, 2003.

- 39. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:58 AM)

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

- 40. RECEIVE FY '02 AUDIT REPORTS FOR THE FOLLOWING EMERGENCY SERVICES DISTRICTS: ESD #8, ESD #10 AND ESD #14. (9:58 AM)

**Clerk's Note:** Item 40 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

- 41. ACTION REGARDING FORMER TNR EMPLOYEE JAMES YOUNG (YOUNG, JAMES; PEREZ; SUBROGATION). <sup>1</sup> (4:37 PM) (5:51 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we authorize settlement of this matter for the amount of \$6,000.00 lump sum payment to Travis County in the form of a certified check, money order, or cash.

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

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO AUTHORIZE COUNTY ATTORNEY TO INITIATE CONDEMNATION REGARDING PROJECT #01B01-09-2CA, GRAND AVENUE PARKWAY; PARCEL NO. 3; THOMAS D. SHAFFER AND DEBRA V. SHAFFER, AND TRAVIS COUNTY, TEXAS (THOMAS D. SHAFFER AND DEBRA V. SHAFFER; GIESELMAN; CONDEMNATION). <sup>1 & 2</sup> (4:37 PM) (5:52 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.072, Real Property.

Item 42 postponed until July 29, 2003.

- 43. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING LEASE REQUIREMENTS FOR VARIOUS LEASES AND MOVES RESULTING FROM COMPLETION OF VARIOUS CONSTRUCTION AND RENOVATION PROJECTS. <sup>2</sup> (4:37 PM) (5:53 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 43 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, for the properties identified in a document given to the Commissioners’ Court Clerk, namely DRO, Elections, CSCD, JPS and EMS at 209 West 9<sup>th</sup> Street, and the NRCC Windermere location, we authorize Facilities Management or appropriate other County Staff to terminate these leases; that we direct the Director of Facilities Management to execute the termination letters and send them; that we authorize any payment associated with the tenant improvement payback out of fiscal year 2004 lease funds; and that we direct Facilities Management to make the appropriate payments in October, 2003 and November, 2003. That would be in next year’s budget The intention is for the impact to be in next year’s budget, not this one.

**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

- 44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND TAKE APPROPRIATE ACTION ON THE CLAIM OF DARLA ROBERSON.**  
<sup>1</sup> (4:37 PM) (5:54 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we authorize the County Attorney to communicate with Ms. Roberson Travis County’s willingness to settle any and all claims in this matter for the amount of \$30,000.00; that we will withdraw our protest filed to the application for unemployment compensation; that we invite her to make application for any and all appropriate jobs at Travis County; and that we authorize the County Attorney’s Office to communicate this to Ms. Roberson as soon after today’s meeting as possible. We would expect, if this is agreeable, a full release and settlement as to all claims against 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                         no  
 Precinct 4, Commissioner Margaret J. Gómez                         yes

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON LAWS RELATED TO UNMARKED GRAVES WITHIN COUNTY ROAD RIGHTS OF WAY, ISSUES RELATED TO LOCKWOOD ROAD AND LOCKWOOD ROAD CEMETERY, AND TAKE APPROPRIATE ACTION.** <sup>1</sup> (4:37 PM) (5:55 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we approve the consultant’s report; that we authorize the consultant to send the original or an appropriate copy of this report to the Texas Historic Commission for their response; and that further, we share a copy of this with the Twain Family as soon as possible.

**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

46. CONSIDER REQUEST TO THE TEXAS TURNPIKE AUTHORITY TO DESIGN AND CONSTRUCT AN INTERCHANGE AT THE PROPOSED HOWARD LANE ARTERIAL DURING THE INITIAL CONSTRUCTION OF STATE HIGHWAY 130, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS)<sup>1&2</sup>  
(4:37 PM) (5:56 PM)

**Clerk's Note:** Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.072, Real Property.

No action taken on Item 46.

Item 46 to be reposted on July 29, 2003.

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING GRACE S. ELMORE AND THE TONAHILL FIRM, P.C. V. ESQUIRE DEPOSITION SERVICE, LLC.; NO. A-167,911; IN THE 58<sup>TH</sup> DISTRICT COURT OF JEFFERSON COUNTY, TEXAS. <sup>1</sup> (4:37 PM) (5:56 PM)

**Clerk's Note:** Judge Biscoe announced that Item 47 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 authorize the County Attorney to intervene as a member of the class in this lawsuit.

**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

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION CONCERNING HELEN HODGE V. TRAVIS COUNTY AND STEPHEN L. WILLIAMS. <sup>1</sup> (4:37 PM) (5:56 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 48 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 increase our recent offer by \$2,500.00, to a total of \$15,000.00. This would be in full settlement of any and all claims against Travis County with execution of the appropriate releases if this amount is satisfactory.

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

49. A. CONSIDER REQUEST FROM CERTAIN COUNTY EMPLOYEES TO BE FURTHER CONSIDERED FOR THE POSITION OF CRIMINAL JUSTICE COORDINATOR, AND TAKE APPROPRIATE ACTION; <sup>3</sup> (4:37 PM) (5:57 PM)

**Clerk's Note:** Judge Biscoe announced that Item 49.A would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that the County Judge be authorized to communicate to the two employees who requested further consideration, basically, the general comments of the Commissioners Court, and basically, confirmation of our appreciation of their filing an application for this position, but our not finding the broad Criminal Justice experience that we seek.

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

- B. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERVIEWS CONDUCTED OF APPLICANTS FOR CRIMINAL JUSTICE COORDINATOR. <sup>3</sup> (4:37 PM)

Item 49.B to be reposted on July 29, 2003.



**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (5:58 PM)

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

**MINUTES APPROVED BY THE COMMISSIONERS’ COURT**

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**Date of Approval**

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**Samuel T. Biscoe**