

## **MINUTES OF MEETING – AUGUST 12, 2003**

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

On Tuesday, the 12<sup>th</sup> day of August, 2003, the Commissioners' Court convened the regular Voting Session at 9:15 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 11:28 AM.

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

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

The Commissioners' Court retired to Executive Session at 2:07 PM.

The Commissioners' Court reconvened the regular Voting Session at 3:27 PM.

The Commissioners' Court retired to Executive Session at 4:33 PM.

The Commissioners' Court reconvened the Voting Session at 5:36 PM.

The Commissioners' Court adjourned the Voting Session at 5:40 PM.

**PUBLIC HEARINGS**

- 1. DISCUSS REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF HIGHLAND CREEK LAKES, SECTION 1, LOTS 16 AND 17, BLOCK H (SHORT FORM PLAT – 1 LOT – .546 ACRES – PANORAMIC DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (ACTION ITEM 3) (COMMISSIONER DAUGHERTY) (9:18 AM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 3 for the Court’s Motion and Vote.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez 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:** Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Charles Williams, Conservation Coordinator, TNR; Carol Knapp, Director, Wild Basin; Jimmy Castro, Travis County Resident; and Cathy Sexton, Travis County Resident. (9:19 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C4 and Items 3, 4.A, 9.A-E, 11.A and B, 13.A and B, 14, 17 (except the non-routine Personnel Items), 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 33, and 34. (9:26 AM)

<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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 16, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: LAGUNA VISTA SUBDIVISION NO. 2, RESUBDIVISION OF LOTS 31-33 AND A PORTION OF LOT 94 (SHORT FORM PLAT – 2 LOTS – 1.78 ACRES – LAKE SHORE DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)
- C4.** APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 16, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: LAKE TRAVIS SUBDIVISION NO. 2, RESUBDIVISION OF LOT 13 (SHORT FORM PLAT – 3 LOTS – 4.901 ACRES – LIME CREEK ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE ON-SITE SEPTIC (LCRA) – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)

**SPECIAL ACTION**

- 2.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:15 AM)

Item 2 postponed until August 19, 2003.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF HIGHLAND CREEK LAKES, SECTION 1, LOTS 16 AND 17, BLOCK H (SHORT FORM PLAT – 1 LOT – .546 ACRES – PANORAMIC DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:26 AM)

**Clerk’s Note:** Item 10 is the action item for the public hearing on Agenda Item 1.

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

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUEST REGARDING BLACKHAWK SUBDIVISION: (9:26 AM)
  - A. A PLAT FOR RECORDING IN PRECINCT TWO: THE PARK AT BLACKHAWK SECTION 4 (LONG FORM PLAT – 55 LOTS – 11.143 ACRES – FARM POND LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID 2-B – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)

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

- 5. DISCUSS REQUEST FROM TEXAS CLEAN AIR WORKING GROUP MEMBERS TO PROVIDE INPUT ON FEDERAL HOUSE RESOLUTION 1891, AUTHORED BY REPRESENTATIVE RON PAUL, AND TAKE APPROPRIATE ACTION. (10:11 AM)

**Members of the Court heard from:** Scheleen Walker, Planner, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to officially take no action.

**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

- 6. DISCUSS COMMENT LETTER FOR PROPOSED TCEQ PERMIT NO. 04484, MAGNA-FLOW SLUDGE LAND APPLICATION ON TAYLOR LANE NEAR FM 969, AND TAKE APPROPRIATE ACTION. (10:16 AM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve the letter in Item 6. We would like for it to be hand delivered to the Texas Commission on Environmental Quality (TCEQ), if possible, and to make sure it is recorded as received today, and that the letter include the County Judge's editing corrections.

**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

- 7. CONSIDER PROPOSED SUBDIVISION REGULATION AMENDMENTS TO CHAPTER 82, TRAVIS COUNTY CODE, TO RESOLVE INCONSISTENCIES WITH THE CITY OF AUSTIN CODE AS REQUIRED BY HB 1445, AND TAKE APPROPRIATE ACTION. (9:29 AM)

**Members of the Court heard from:** Tom Nuckols, Assistant County Attorney; Hank Smith, Stakeholder; and Fred Dennick, Division Director, Planning and Engineering, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the order amending Chapter 82 of the Travis County Code, to resolve inconsistencies with the City of Austin Code.

**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

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON ADDITIONAL RECOMMENDATIONS ON AIR QUALITY INITIATIVES. (3:28 PM) (3:54 PM)

**Members of the Court heard from:** Scheleen Walker, Planner, TNR; Tom Nuckols, Assistant County Attorney; and Carol Joseph, Assistant Director, TNR.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to 1) approve the creation of an additional full-time position in TNR, to help implement air quality programs; 2) the source of funding is identified as the Road and Bridge Fund; and 3) if there is a better funding source before we approve the hire, and actually tap into the funds, we will revisit this.

**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

- 9. APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 16, 2003 TO DISCUSS THE FOLLOWING REQUESTS REGARDING STEINER RANCH: (9:26 AM)

- A. THE TOTAL VACATION OF STEINER RANCH PHASE ONE SECTION 6A (LOT 255, 30.95 ACRES);

- B. A REPLAT OF THE STEINER RANCH PHASE ONE SECTION 6A (2 LOTS – A 14.79 ACRE LEANDER SCHOOL SITE AND A 13.40 ACRE COMMUNITY CENTER);

- C. A PRELIMINARY PLAN IN PRECINCT THREE – STEINER RANCH PARKSIDE (PRELIMINARY PLAN – 168 LOTS – 75.90 ACRES – QUINLAN PARK ROAD – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ);

- D. A CONSTRUCTION AGREEMENT FOR STEINER RANCH PARKSIDE; AND

- E. A PLAT FOR RECORDING IN PRECINCT THREE – STEINER RANCH PARKSIDE (LONG PLAT – 75.90 ACRES – 168 LOTS – QUINLAN PARK ROAD – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WCID 17 – CITY OF AUSTIN ETJ).

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

**PLANNING AND BUDGET DEPT. ITEMS**

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON ADVERTISEMENT FOR ELECTED OFFICIALS SALARIES. (9:16 AM)

Item 10 postponed until August 19, 2003.

- 11. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:26 AM)
  - A. GRANT CONTRACT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE FY03 PHASE XXI EMERGENCY FOOD AND SHELTER GRANT. AWARD OF AN ADDITIONAL \$11,486 IN FUNDING;
  - B. GRANT APPLICATION TO THE FEDERAL HIGHWAY ADMINISTRATION THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE SURFACE TRANSPORTATION PROGRAM-METROPOLITAN MOBILITY. NEW GRANT PROGRAM FOR A TOTAL OF \$8,589,000 IN FUNDING INCLUDING A \$1,717,800 COUNTY MATCH.

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

- 12. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:07 PM) (4:08 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 12, 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**

13.    **A.** REVIEW AND APPROVE TUITION REFUNDS FOR TRAVIS COUNTY EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH TUITION REIMBURSEMENT POLICY § 10.021; AND (9:26 AM)
- B.** APPROVE REQUISITION AND AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE SUCH EMPLOYEES.

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

14.    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 \$540,528.32 FOR THE PERIOD OF JULY 25, 2003 THROUGH JULY 31, 2003. (9:26 AM)

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



15. DISCUSS AND TAKE APPROPRIATE ACTION ON PROVIDING OFFICE SPACE FOR THE TAX OFFICE COLLECTIONS DIVISION, INCLUDING CONSIDERATION OF THE 1<sup>ST</sup> FLOOR LOBBY VENDING AREA IN THE BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER. (4:08 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Jim Barr, Facilities Management; Dusty Knight, Chief Deputy, Tax Office; and Alan Miller, Budget Analyst, Planning and Budget Office (PBO).

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 15, providing office space for the Tax Office Collections Division, including consideration of the 1<sup>st</sup> floor lobby vending area in the Blackwell-Thurman Criminal Justice Center.

**A Friendly Amendment was offered by Commissioner Daugherty** that we continue to work on ways to reduce costs.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

**A Clarification of the previous Motion was made by Judge Biscoe** that the funding source is the CAR 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

16. DISCUSS AND TAKE APPROPRIATE ACTION ON EXPOSITION CENTER FEE INCREASES. (COMMISSIONER DAVIS) (3:29 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Scott Davis, Director, Travis County Exposition Center; Roger El Khoury, Director, Facilities Management; and Jessica Rio, Budget Analyst, PBO.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve the fee increases in Item 16.

**A Friendly Amendment was offered by** Judge Biscoe that the fee increases would be effective as of October 1, 2003.

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

<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

17. APPROVE PERSONNEL AMENDMENTS. (9:26 AM) (2:07 PM)

**Clerk’s Note:** The Court announced that the Personnel Amendments would be approved, excluding the non-routine Personnel Items on page 4 of the backup.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the necessary, non-routine personnel items.

<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

**PURCHASING OFFICE ITEMS**

18. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. PS020186JJ, GRANT DEVELOPMENT SERVICES, KENNEDY RIDGE WATER LINE PROJECT GRANT ADMINISTRATION SERVICES. (TNR) (COMMISSIONER DAVIS) (9:26 AM)

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

19. APPROVE CONTRACT AWARD FOR ABATEMENT PROJECTS – TIME AND MATERIALS, IFB #B030112-LD, TO THE LOW BIDDER, MARCOR REMEDIATION. (HHSD) (COMMISSIONER GÓMEZ) (9:26 AM)

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

20. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT 02T0027RG, TEXAS MARKING PRODUCTS, INC., FOR RUBBER STAMPS. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:26 AM)

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

21. DECLARE ATTACHED LISTING OF EQUIPMENT AS SURPLUS, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:26 AM)

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

22. REJECT ALL BIDS RECEIVED FOR IFB B030116-DR, HOME REPAIR MATERIALS. (HHSD) (COMMISSIONER GÓMEZ) (9:26 AM)

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

23. CONSIDER AND TAKE APPROPRIATE ACTION TO AWARD CONTRACT FOR THE TRAVIS COUNTY COURTHOUSE WATERPROOFING PROJECT, RFP P030124-DM, TO ABATEMENT REMEDIATION SPECIALISTS. (FM) (COMMISSIONER GÓMEZ) (9:26 AM)

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

24. APPROVE CHANGE ORDER NO. 2 TO CONTRACT 03K00035DM WITH WHEELER COATINGS ASPHALT, INC. FOR THE 2003 TYPE C HOT MIX ASPHALTIC CONCRETE OVERLAY PROGRAM. (TNR) (COMMISSIONER GÓMEZ) (9:26 AM)

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

25. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. MA950074, BLOOMBERG L.P., FOR BLOOMBERG FINANCIAL MARKETS AND COMMODITIES NEWS SERVICE. (PBO) (COMMISSIONER GÓMEZ) (9:26 AM)

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

26. APPROVE CONTRACT AWARD FOR JANITORIAL SERVICES – TNR SATELLITES, IFB #B030145-LD, TO THE LOW, RESPONSIVE BIDDER, PRECISION BUILDING MAINTENANCE. (TNR) (COMMISSIONER GÓMEZ) (9:26 AM)

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

27. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 02AE0241JJ, LOOMIS AUSTIN, INC. KENNEDY RIDGE WATER LINE DESIGN PROJECT. (TNR) (COMMISSIONER DAVIS) (9:26 AM)

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

**OTHER ITEMS**

- 28.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST FOR THE CERTIFICATION OF CENTRAL COUNTING STATION MANAGERS, RECEIVING SUBSTATION MANAGERS AND PRESIDING JUDGE AND ALTERNATE JUDGE FOR EARLY VOTING BALLOT BOARD FOR THE SEPTEMBER 13, 2003 TRAVIS COUNTY CONSTITUTIONAL AMENDMENT ELECTION. (4:33 PM)

Item 28 postponed until August 19, 2003.

- 29.** DISCUSS AND TAKE APPROPRIATE ACTION ON THE REORGANIZATION OF ACCOUNTING PERSONNEL IN THE OFFICES OF THE JP's AND CONSTABLES TO CREATE A CENTRAL ACCOUNTING UNIT, INCLUDING THE RECLASSIFICATION OF TWO POSITIONS. (1:41 PM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; Elena Diaz, Justice of the Peace, Precinct Four; and Barbara Bembry, Justice of the Peace, Precinct Two.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the reorganization, as presented 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

- 30.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 AM)

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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY FINANCIAL INCENTIVES POLICY TO STIMULATE JOB CREATION AND ECONOMIC DEVELOPMENT. (10:20 AM)

**Members of the Court heard from:** Mary Etta Gerhardt, Assistant County Attorney; Sandy Hedges, Vice President for Public Policy, Greater Austin Chamber of Commerce; Susan Davenport, Director of Economic Development, Greater Austin Chamber of Commerce; and Brian Rodgers, Merchant and Commercial Real Estate Investor.

Discussion only. No action taken.

Item 31 to be reposted on September 19, 2003.

32. CONSIDER REQUEST FROM ENDEAVOR REAL ESTATE GROUP LLC., FOR FINANCIAL INCENTIVES ON “THE DOMAIN” DEVELOPMENT PROJECT, AND TAKE APPROPRIATE ACTION. (11:19 AM)

**Members of the Court heard from:** Kirk Rudy, Endeavor Real Estate Group; and Mary Etta Gerhardt, Assistant County Attorney.

Discussion only. No action taken.

Item 32 to be reposted on September 19, 2003.

33. CONSIDER LICENSE AGREEMENT TO HARTMAN & ASSOCIATES, INC. TO ALLOW ENTRY ONTO LAND OFF OF HIGHWAY 71 WEST THAT IS AVAILABLE FOR PURCHASE FROM PREVIOUS TAX SALE, AND TAKE APPROPRIATE ACTION. (9:26 AM)

**Clerk's Note:** Item 33 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

34. APPOINT ROBERTO CABRERA TO THE HOUSING AUTHORITY OF TRAVIS COUNTY BOARD OF COMMISSIONERS AS RESIDENT REPRESENTATIVE. (9:26 AM)

**Clerk's Note:** Item 34 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AGREED ORDER FROM TCEQ REGARDING WASTE MANAGEMENT OF TEXAS, INCORPORATED'S ALLEGED VIOLATIONS, INCLUDING THE FOLLOWING:  
(9:45 AM)
- A. USE OF CERTAIN FUNDS TO ADDRESS ILLEGAL DUMPING;
  - B. RECOMMENDATIONS FROM NEIGHBORS ON THE BEST WAY TO USE REMAINING FUNDS;
  - C. RECOMMENDATION THAT TRAVIS COUNTY USE REMAINING FUNDS TO ADDRESS WASTE WATER ISSUES AT NORTHRIDGE ACRES; AND
  - D. RESTRICTIONS ON HOW SUCH FUNDS MAY BE USED.

**Clerk's Note:** Items 35.A-D are associated with one another and were called for concurrent discussion.

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

Discussion only. No action taken.

Item 35 to be reposted on September 9, 2003.

**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

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND CONSIDER EXTENDED PERIOD OF ADMINISTRATIVE LEAVE WITH PAY FOR BARBARA MITCHELL, EMPLOYEE OF JUVENILE PROBATION DEPARTMENT, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:33 PM) (5:36 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve extended leave with pay, to cover the days between August 4 through August 7, 2003.

<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



**37. DISCUSS LEASE AT 2919 MANCHACA ROAD, AND TAKE APPROPRIATE ACTION. <sup>1&2</sup> (2:08 PM) (5:39 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. 551.072, Real Property.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to delegate to Judge Biscoe and Commissioner Daugherty, the authorization to draft an appropriate letter to Constable, Precinct Three, and that a copy be sent to the Justice of the Peace, Precinct Three.

<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

Item 37 to be reposted on August 26, 2003.

**38. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING OPEN MEETINGS REQUIREMENTS. <sup>1</sup> (4:33 PM) (5:37 PM)**

**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.

Item 38 pulled from the Agenda.

- 39.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING BARBARA OAKLEY, AS LEGAL GUARDIAN FOR RICHARD DANZINGER V. CITY OF AUSTIN, HECTOR POLANCO, ET AL. <sup>1</sup>  
(4:33 PM) (5:37 PM)

**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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to indicate our willingness to keep pursuing some settlement, and that we need an additional two weeks.

<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

Item 39 to be reposted on August 26, 2003.

- 40.** APPROVE OR REJECT PROPOSED FARMERS’ MARKET LEASE AGREEMENT WITH JENNIFER KUNZ D/B/A JENNY’S BAKEHOUSE AND DELI. <sup>2</sup> (COMMISSIONER SONLEITNER) (4:33 PM) (5:38 PM)

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

**Clerk’s Note:** The Commissioners’ Court authorized the County Attorney to communicate to Mr. Rylander, a concern that we have involving this tenant.

Item 40 to be reposted on August 19, 2003.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON APPLICANTS INTERVIEWED FOR CRIMINAL JUSTICE COORDINATOR. <sup>3</sup> (4:33 PM) (5:38 PM)

**Clerk's Note:** Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to offer the job of Criminal Justice Coordinator to Michael Trimble, and that this is a pay grade 23, and that we offer a mid-point salary, which is \$70,408.00. At the appropriate time, when Michael can report to work, if he accepts our offer, that the appropriate personnel amendments be prepared, and put on the Commissioners' Court agenda; and any appropriate letters be written from the Court, thanking others, who have not already previously been thanked, who were finalists, for applying for this particular job, and their interest in working for Travis County.

**A Friendly Amendment was offered by** Judge Biscoe to authorize the County Judge to work with Human Resources, to make sure those letters get out.

<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. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS IN RESPONSE TO REQUEST FOR SERVICES ON JAIL OPERATIONS AND NEED FOR OUTSIDE CONSULTANT. (4:31 PM)

**Members of the Court heard from:** John Hille, Assistant County Attorney; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that the amount ought to be \$100,000.00 maximum; and that Staff be authorized to negotiate with the top two vendors.

**A Clarification of the previous Motion was made by Commissioner Sonleitner** that this Motion is for Staff to go off and see what they can negotiate. There will still be an opportunity for the Commissioners' Court to come back on a final contract, to say whether it is something worthwhile, or not. This is not the final word related to this.

**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

**ADDED ITEM**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT COUNTY COORDINATOR FOR ANNUAL UNITED CHARITIES CAMPAIGN. (11:25 AM)

**Members of the Court heard from:** Tara Ballard, Travis County Combined Charities Campaign.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to ask all of the Executive Managers, which is four, and the two Coordinators, one who is on board now, and the other will be on board soon, to try to cover the departments under each one of those; and that secondarily, elected officials be contacted to encourage employees in their departments, to help out in this effort.

**Motion carried:**

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

### ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:40 PM)

<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

### MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**