

MINUTES OF MEETING – AUGUST 19, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 19th day of August, 2003, the Commissioners' Court convened the regular Voting Session at 9:16 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 recessed the Voting Session at 12:01 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:43 PM and adjourned at 1:44 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation convened the Voting Session at 1:44 PM and adjourned at 1:47 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation convened the Voting Session at 1:47 PM and adjourned at 1:47 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:48 PM.

The Commissioners' Court retired to Executive Session at 2:38 PM.

The Commissioners' Court reconvened the Voting Session at 5:13 PM.

The Commissioners' Court adjourned the Voting Session at 5:15 PM.

PLANNING AND BUDGET DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON ADVERTISEMENT FOR ELECTED OFFICIALS SALARIES. (9:41 AM)

Clerk's Note: Items 5 and A.2 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; Barbara Wilson, Assistant County Attorney; John Hille, Assistant County Attorney; and John Dietz, District Judge, 250th District Court.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that, pursuant to the authority granted in House Bill 2402, Travis County will pay its District Judges a salary supplement in the amount of \$19,300.00, effective October 1, 2003, and \$29,300.00, effective April 1, 2004. That is six months apart, in terms of these bumps. These market increases will be over and above the state payment appropriated by the Legislature for their Fiscal Year '04 and '05, and are intended to increase the overall salaries of the District Judges, and not to reduce the amount paid by the State of Texas. Should there be an Attorney General's opinion that the Comptroller must reduce the state portion as a result of the Travis County supplement, the supplement will be reduced back to \$9,300.00, while the issues involving House Bill 2402 are resolved. As required by the government code, the salary of the Probate Judge would be set with this same Motion, at the same amount received by the District Judges, including supplements received by the District Judges in Fiscal Year '04 and '05. The salaries for the County Court at Law Judges would be equal to the salary paid by the state, and exactly \$1,000.00 less than the annual salary, including the supplements, received by the District Judges in Fiscal Year '04 and '05. The District Judges set the salaries of the Associate Judges, and this Motion is to include funding for salaries for full-time Associate Judges, not to exceed 75% of the total salary of District Judges, including supplements. Also, that the appropriate changes be made in the ad that needs to go into the newspaper, and that an appropriate footnote be added, that says the source of this revenue is a judicial fee, and not General Fund property tax revenue.

Withdrawal of the previous Motion was made by Commissioner Sonleitner and Commissioner Gómez.

ITEM 5 CONTINUED

A Restatement of the previous Motion was made by Commissioner Sonleitner **and seconded by** Commissioner Gómez that, pursuant to the authority granted in House Bill 2402, Travis County will pay its District Judges a salary supplement in the amount of \$19,300.00, effective October 1, 2003. These market increases will be over and above the state payment appropriated by the Legislature for their Fiscal Year '04 and '05, and are intended to increase the overall salaries of the District Judges, and not to reduce the amount paid by the State of Texas. Should there be an Attorney General's opinion that the Comptroller must reduce the state portion as a result of the Travis County supplement, the supplement will be reduced back to \$9,300.00, while the issues involving House Bill 2402 are resolved. As required by the government code, the salary of the Probate Judge would be set with this same Motion, at the same amount received by the District Judges, including supplements received by the District Judges in Fiscal Year '04 and '05. The salaries for the County Court at Law Judges would be equal to the salary paid by the state, and exactly \$1,000.00 less than the annual salary, including the supplements, received by the District Judges in Fiscal Year '04 and '05. The District Judges set the salaries of the Associate Judges, and this Motion is to include funding for salaries for full-time Associate Judges, not to exceed 75% of the total salary of District Judges, including supplements. Also, that the appropriate changes be made in the ad that needs to go into the newspaper, and that an appropriate footnote be added, that says the source of this revenue is a judicial fee, and not General Fund property tax revenue.

A Clarification of the previous Motion was made by Commissioner Sonleitner that there are references related to Fiscal Year '04 and '05, because the state budget does not have the same Year that Travis County does. This is intended to cover the Legislative '04 and '05, in terms of their supplement.

A Further Clarification of the previous Motion was made by Commissioner Sonleitner that, should there be an Attorney General's opinion that the Comptroller must reduce the state portion as a result of the Travis County supplement, the supplement will be reduced back to \$9,300.00, while issues involving House Bill 2402 are resolved.

A Further Clarification of the previous Motion was made by Judge Biscoe that they are authorized to receive pay, but they won't be delivered the pay until the Attorney General clarifies this situation. The judges are in agreement with that, and will evidence their agreement in a manner satisfactory to Travis County legal counsel.

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

A. GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING FOR THE FY 03 COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE AMENDMENT INCREASES THE GRANT FUNDING BY \$123,606 FOR A TOTAL OF \$1,056,961; (9:37AM)

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

6. B. CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR THE STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICE GRANT IN THE SHERIFF'S OFFICE. THE GRANT PROVIDES STATE FUNDING FOR THE CRIME VICTIM NOTIFICATION SYSTEM CURRENTLY PROVIDED THROUGH THE EVERCOM INMATE TELEPHONE CONTRACT. (10:26 AM)

Members of the Court heard from: Alan Miller, Budget Analyst, PBO; Barbara Wilson, Assistant County Attorney; and Mike Hemby, Research Analyst, Travis County Sheriff's Office (TCSO).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the contract in Item 6.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

7. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (10:46 AM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; and Diana Ramirez, Budget Analyst, PBO.

Clerk's Note: Judge Biscoe requested that the County Clerk Budget Discussion Items DS1, 2, and 3 be postponed until August 26, 2003.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve budget amendments and transfers A1 and T2-T73, excluding A2-A7, T1, and Items DS1-DS3.

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 Gómez to approve the budget amendments and transfers A2-A7 and T1.

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

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 \$344,358.95 FOR THE PERIOD OF AUGUST 1, 2003 THROUGH AUGUST 7, 2003. (9:37AM)

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. (11:59 AM)

Members of the Court heard from: Luane Shull, Compensation Manager, Human Resources Management Department (HRMD); and Carol Joseph, Assistant Director, TNR.

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

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

HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS

10. **A.** CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AMENDMENTS TO TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE POLICIES AND PROCEDURES ADDING CHAPTER 71, PRIVACY POLICIES, PURSUANT TO SECTIONS 1.0051 AND 1.0052 OF THE TRAVIS COUNTY POLICIES, PROCEDURES, AND REGULATIONS MANUAL, TITLE VI, SECTION 79. (9:37 AM)

B. APPROVE INTERLOCAL AGREEMENT FOR CASE MANAGEMENT SERVICES FOR THE DEAF AND HARD OF HEARING WITH THE TEXAS DEPARTMENT OF HUMAN SERVICES. (HHSD) (COMMISSIONER GÓMEZ)

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

- 11. CONSIDER ACCEPTING DONATION OF \$858 FROM THE 4-H CAPITAL PROJECT FOR A PORTION OF THE REPLACEMENT COST OF A STOLEN LIVESTOCK TRAILER, AND TAKE APPROPRIATE ACTION. (9:37 AM)

Clerk's Note: The Commissioners' Court expressed its thanks to the anonymous donor for the \$858.00.

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

- 12. CONSIDER REQUEST FROM HEALTH AND HUMAN SERVICES FOR ADDITIONAL FUNDS TO COVER SHORTFALL IN RURAL MEDICAL ASSISTANCE PROGRAM. (10:43 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; and Valerie Spinelli, Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the use of Tobacco Endowment funds to cover the shortfall in the Rural Medical Assistance Program.

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

PURCHASING OFFICE ITEMS

- 13. APPROVE MODIFICATION NO. 6 TO ADDRESS CHANGE OF OWNERSHIP FROM K&J ICE TO CAPITAL ICE HOCKEY IN CONTRACT NO. 00T0003-LD, AUS-TEX CONCESSIONS, INC. FOR EXPO CONCESSION OPERATIONS. (COMMISSIONER DAVIS) (9:37AM)

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

14. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 02T002150J, MILLIMAN USA, INC., FOR ACTUARIAL SERVICES FOR THE TRAVIS COUNTY SELF-FUNDED PLAN. (HRMD) (COMMISSIONER GÓMEZ) (10:52 AM)

Members of the Court heard from: Dan Mansour, Risk Manager, HRMD; Cyd Grimes, Travis County Purchasing Agent; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the contract modification in Item 14.

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

15. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00010LD, FUELMAN/GASCARD, FOR FLEET FUEL CARD SERVICES. (TNR) (COMMISSIONER GÓMEZ) (9:37AM)

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

- 16. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 02T00295OJ, SBC GLOBAL SERVICES, INC., FOR TELECOMMUNICATIONS AND LONG DISTANCE SERVICES. (ITS & SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (10:57 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Walter Lagrone, Director, Operations and Technology, Information and Telecommunications Systems (ITS); Dennis Nobriga, Senior Account Manager, SBC; Barbara Wilson, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the contract modification in Item 16.

A Restatement of the previous Motion was made by Judge Biscoe that the Motion is to grant the 12-month extension, but to report back in 30 days, with the accuracy of the invoices at issue, and any other issues that we need to know about.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion is to grant a 12-month extension, with a 30-day report back, and if the deficiencies have not been addressed to our satisfaction, then our leverage is the termination clause.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Karen Sonleitner	no
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 17. APPROVE SOLE SOURCE EXEMPTION WITH COMPLETE COMMUNICATION SERVICE (CO COM) FOR GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) CABLING REQUIREMENTS. (ITS) (COMMISSIONER GÓMEZ) (9:37AM)

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

18. APPROVE RENEWAL OF NOVELL SOFTWARE LICENSING AND MAINTENANCE SUPPORT AND PURCHASE OF ADDITIONAL LICENSES AND MAINTENANCE SUPPORT (MODIFICATION NO. 3) FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) THROUGH SHI GOVERNMENT SOLUTIONS. (ITS) (COMMISSIONER GÓMEZ) (9:37AM)

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

19. APPROVE SOLE SOURCE EXEMPTION WITH AIR COMMUNICATIONS CO., INC. FOR THE PURCHASE AND INSTALLATION OF A PNEUMATIC TUBE AND INTERCOM SYSTEM. (TAX OFFICE) (COMMISSIONER GÓMEZ) (9:37AM)

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

20. APPROVE CONTRACT AWARD TO CONSTRUCTION RENT-A-FENCE, PERIMETER FENCE REPAIRS, TRAVIS COUNTY CORRECTIONAL COMPLEX, IFB NO. B030138-MB. (COMMISSIONER GÓMEZ) (9:37AM)

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

21. APPROVE CONTRACT AWARD TO A.D. WILLIS COMPANY, FOR ROOF REPLACEMENT AT BUILDING 130, TRAVIS COUNTY CORRECTIONAL COMPLEX, IFB NO. B030126-MB. (COMMISSIONER GÓMEZ) (9:37AM)

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

22. APPROVE TWELVE (12) MONTH EXTENSION TO THE FOLLOWING CONTRACTS FOR JANITORIAL SERVICES: (9:37 AM)

- A. CONTRACT NO. 02T00273LD, K B CONTRACT CLEANING, INC. (MODIFICATION NO. 3); AND**
- B. CONTRACT NO. 02T00274LD, BLUEBONNET CLEANING SERVICES (MODIFICATION NO. 2). (FM) (COMMISSIONER GÓMEZ)**

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

23. APPROVE MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TREATMENT PROGRAM CONTRACTS: (9:37 AM)

- A. A WORLD FOR CHILDREN, PS980019JW;**
- B. SHORELINE, INC., PS000199KW;**
- C. HAVEN OF HOPE, PS000209KW;**
- D. LUTHERAN SOCIAL SERVICES, PS000229KW;**
- E. WILDERNESS EXPERIENCE INC., DBA WOODSIDE TRAILS, PS000243KW;**
- F. NEW ENCOUNTERS RESIDENTIAL TREATMENT CENTER, INC., PS000246KW; AND**
- G. WILLIAMS, WILLIAMS & HANKS, DBA INCENTIVES BOYS RANCH, PS020015JW. (COMMISSIONER GÓMEZ)**

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

24. APPROVE 12 MONTH EXTENSION (MODIFICATION NO. 0001) TO THE FOLLOWING CONTRACTS FOR TELEPHONE EQUIPMENT: (9:37 AM)

- A. NO. 03T00002RG, SOUTHWEST CENTURY;**
- B. NO. 03T00003RG, TITANIS INCORPORATED;**
- C. NO. 03T00004RG, AERO TECH COMMUNICATIONS;**
- D. NO. 03T00005RG, CALL ONE INC.; AND**
- E. NO. 03T00006RG, AMERITEL CORPORATION. (ITS) (COMMISSIONER GÓMEZ)**

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT FOUR: RESUBDIVISION OF LOT 25, TIMBER HILLS SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 5.1384 ACRES – TIMBER HILLS DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:37AM)

Clerk's Note: Item 25 is the action item for the public hearing on Agenda Item 1.

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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT TO "POWER LANE" FOR A PRIVATE EASEMENT LOCATED OFF FM 1431 NEAR INDIAN CHIEF DRIVE IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:37AM)

Clerk's Note: Item 26 is the action item for the public hearing on Agenda Item 2.

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

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING TWIN CREEKS COUNTRY CLUB: (9:37 AM)
- A. A CONSTRUCTION AGREEMENT; AND
 - B. A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEKS COUNTRY CLUB SECTION 8 (LONG-FORM PLAT – 83 LOTS – 21.160 ACRES – DANCIGER LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY)

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING BELLA VISTA SUBDIVISION IN PRECINCT THREE: (9:37 AM)
- A. A CASH SECURITY AGREEMENT FOR BELLA VISTA SECTION 3A;
 - B. AN ALTERNATIVE FISCAL AGREEMENT FOR BELLA VISTA SECTION 3A;
 - C. A CASH SECURITY AGREEMENT FOR BELLA VISTA SECTION 3B; AND
 - D. AN ALTERNATIVE FISCAL AGREEMENT FOR BELLA VISTA SECTION 3B. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 28.A-D added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN NORTHTOWN PARK SECTION 8, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:37AM)

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

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON A LICENSE AGREEMENT TO CONSTRUCT PUBLIC AND PRIVATE IMPROVEMENTS IN THE COMANCHE TRAIL RIGHT OF WAY. (COMMISSIONER DAUGHERTY) (11:53 AM)

Members of the Court heard from: Fred Dennick, Division Director, Planning and Engineering, TNR; Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve the license agreement, subject to three conditions: Meeting the insurance requirements in the license agreements; the requirement that the landowners' lender subordinate their lien to this, so that if they foreclose, we won't have to start over; and a deadline.

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

- 31. CONSIDER AND TAKE APPROPRIATE ACTION TO GRANT TEMPORARY AND CONDITIONAL LICENSE TO CHEER UP PRODUCTIONS TO USE THE TRAVIS COUNTY SEAL AND TRAVIS COUNTY SHERIFF'S OFFICE LOGO AND BADGE IN A FEATURE FILM. (9:37AM)

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

- 32. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JULY 2003. (9:37AM)

Clerk's Note: Item 32 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

36. CONSIDER SETTING A PUBLIC HEARING TO DISCUSS THE ANNUAL WRITTEN PLAN FOR FUNDING THE PRESERVATION AND RESTORATION OF THE COUNTY CLERK'S RECORDS ARCHIVE AND PUBLISHING NOTICE AS REQUIRED BY 118.025 OF THE LOCAL GOVERNMENT CODE, AND TAKE APPROPRIATE ACTION. (11:59 AM)

Motion by Judge Biscoe and seconded by Commissioner Davis to approve setting the public hearing for September 9, 2003.

Motion carried:

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

37. CONSIDER OPTIONS AND ALTERNATIVES IN THE COLLECTION OF FINES AND FEES, AND TAKE APPROPRIATE ACTION. (COMMISSIONERS DAVIS AND DAUGHERTY) (11:17 AM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Diana Warner, First Assistant County Auditor; Dusty Knight, Chief Deputy, Tax Office; John Hille, Assistant County Attorney; Cecilia Burke, Director, Domestic Relations Office (DRO); Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office; Casey Ping, Starflight Program Manager; and John Ralston, Financial Manager, Austin-Travis County Emergency Medical Services.

Clerk's Note: The Commissioners' Court directed that a new task force be created to deal with the problems of the collection of old fines and fees, including Commissioners Davis and Daugherty, and asked the Departments in Court today, and those who are affected, to designate a top manager, or the appointed or elected official, who will serve on this working group, and let Commissioners Davis and Daugherty know.

Discussion only. No action taken.

Item 37 to be reposted on September 2, 2003.

38. REVIEW AND APPROVE INTERLOCAL WITH CAPITAL AREA PLANNING COUNCIL FOR PSAP MAINTENANCE, EQUIPMENT UPGRADE AND TRAINING. (DH) (9:37AM)

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

- 39.** APPROVE MEMORANDA OF UNDERSTANDING BETWEEN THE TRAVIS COUNTY JUVENILE BOARD AND TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES FOR LAW RELATED EDUCATION AND ANGER MANAGEMENT CLASSES FOR JUVENILE OFFENDERS. (9:37AM)

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

- 40.** CONSIDER THE STARFLIGHT INDEPENDENT REVIEW PANEL'S REPORT ON FINDINGS AND RECOMMENDATIONS OF THE STARFLIGHT PROGRAM'S ORGANIZATIONAL STRUCTURE AND TAKE APPROPRIATE ACTION. (10:29 AM)

Members of the Court heard from: Caryl Colburn, Acting Criminal Justice Coordinator; and Sheila Gladstone, Chair, Starflight Independent Review Panel.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to reaffirm the Court's agreement with the recommendations from the Review Panel's report, and to authorize Staff members who negotiate the City/County interlocal, to incorporate those into the agreement.

Motion carried:

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

- 41.** CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY FINANCIAL INCENTIVES POLICY TO STIMULATE JOB CREATION AND ECONOMIC DEVELOPMENT. (1:51 PM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the Travis County economic development program policy with the changes discussed, and to incorporate Commissioner Davis' suggested concept on the flexibility clause.

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

- 42. CONSIDER REQUEST FROM ENDEAVOR REAL ESTATE GROUP LLC., FOR FINANCIAL INCENTIVES ON “THE DOMAIN” DEVELOPMENT PROJECT, AND TAKE APPROPRIATE ACTION. (2:00 PM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; and Brian Rodgers, Local Business Owner, Travis County Resident.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Item 42 with the changes from Assistant County Attorney, Mary Etta Gerhardt, and with the new language related to the form that makes it very clear how we are counting part-time employees.

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

- 43. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSAL TO PURCHASE THE ANTHEM UPGRADE AND AI-INDEXING SOFTWARE, INCLUDING: (10:51 AM)

- A. SOLE SOURCE EXEMPTION FOR THE PURCHASE AND MAINTENANCE OF THE ANTHEM UPGRADE AND AI-INDEXING SOFTWARE FROM HART INTERCIVIC, INC.;

- B. MODIFICATION NO. 6 TO CONTRACT 99C0018-JP, DEED INDEXING SYSTEM – PURCHASE/INSTALLATION/MAINTENANCE, WITH HART INTERCIVIC, INC.; AND

- C. MODIFICATION NO. 2 TO CONTRACT MA030068LC, PURCHASE AND MAINTENANCE OF THE PROBATE IMAGING SYSTEM, WITH HART INTERCIVIC, INC. (COUNTY CLERK) (COMMISSIONER GÓMEZ)

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

Discussion Only. No action taken.

Items 43.A-C postponed until August 26, 2003.

44. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:37AM)

Clerk's Note: Item 44 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

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; NO. 02-50378; IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT (USDC CIVIL ACTION NO. A-00-CA-021-SS). ¹ (2:38 PM) (5:13 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.

No action necessary on Item 45.

Item 45 to be reposted on August 26, 2003.

46. CONSIDER AND TAKE APPROPRIATE ACTION ON A PURCHASE CONTRACT WITH CHARLES RIBELIN, MARTHA RIBELIN, THOMAS FRANCIS, LUCIA FRANCIS AND RIBELIN RANCH PARTNERSHIP, LTD., FOR THE ACQUISITION OF APPROXIMATELY 319.709 ACRES OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ² (2:38 PM) (5:13 PM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner that we extend the offer that we have received for our appraisal, that we also give them a 90-day extension of when to get back with us, to either accept or deny our offer, and that the purchase contract amount is \$8,476,000.00, which is per the appraisal.

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

47. APPROVE OR REJECT PROPOSED FARMERS' MARKET LEASE AGREEMENT WITH JENNIFER KUNZ D/B/A JENNY'S BAKEHOUSE AND DELI. ² (COMMISSIONER SONLEITNER) (2:38 PM) (5:14 PM)

Clerk's Note: Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that we reject the proposed lease, but to repost this Item in case it can be properly resubmitted next week.

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 47 to be reposted on August 26, 2003.

- 48. 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. ¹ (2:38 PM) (5:15 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.

No action necessary on Item 48.

Item 48 to be reposted on August 26, 2003.

- 49. CONSIDER AND TAKE APPROPRIATE ACTION ON CLAIM BY JAMES A. SMILEY FOR COMPENSATION FOR WORK PERFORMED WHILE AN EMPLOYEE OF FRANKLIN WOODBERRY, DBA STERLING JANITORIAL SERVICES ON A TRAVIS COUNTY CONSTRUCTION PROJECT. ¹ (2:38 PM) (5:15 PM)

Clerk's Note: Judge Biscoe announced that Item 49 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 agree to pay one-half of Mr. Smiley's claim. That would be in the amount of \$751.38. And, that we identify as a source of funding the CJC Reserve. If there is no money there, the Risk Management Reserve. And, that we authorize and direct that we expedite payment as much as possible, and that we obtain from Mr. Smiley an appropriate settlement and release, similar to the one that we obtained in the last case like 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

