

## **MINUTES OF MEETING – SEPTEMBER 16, 2003**

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

On Tuesday, the 16<sup>th</sup> day of September, 2003, the Commissioners' Court convened the regular Voting Session at 9:14 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 12:02 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation convened the Voting Session at 1:40 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, and the Capital Health Facilities Development, convened the Voting Sessions at 1:41 PM and adjourned at 1:48 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation adjourned at 1:55 PM.

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

The Commissioners' Court retired to Executive Session at 3:30 PM.

The Commissioners' Court reconvened the Voting Session at 4:43 PM.

The Commissioners' Court adjourned the Voting Session at 4:49 PM.











## RESOLUTIONS & PROCLAMATIONS

6. APPROVE RESOLUTION RECOGNIZING JESSICA ROSUELLO AS THE BOYS AND GIRLS CLUBS OF THE CAPITAL AREA'S YOUTH OF THE YEAR. (9:24 AM)

**Members of the Court heard from:** Jessica Rosuello, Boys and Girls Clubs of the Capital Area's Youth of the Year; Vincente Rosuello, Father of Jessica Rosuello; Mrs. Rosuello, Mother of Jessica Rosuello; David Martin, Executive Director, Boys and Girls Club; and D' Aun Knighten, Director of Operations, Boys and Girls Club.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the resolution in Item 6.

**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:** Chester Hall, Travis County Resident on Gattis School Road. (9:30 AM)







**ITEM 8 CONTINUED**

(10:45 AM) **Exposition Center Utilities**

**Members of the Court heard from:** Jessica Rio, Budget Analyst, PBO; Alicia Perez, Executive Manager, Administrative Operations; Christian Smith, Executive Manager, PBO; and Leroy Nellis, Budget Manager, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve \$130,000.00 going into the Exposition Center Utility line item, coming from our one-time reserve that we just created, and that if it is more than they need, it is only for utility purposes that the balance would fall to ending fund balance for the next year, related to the Exposition Center.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Davis that the Court receive quarterly reports monitoring the utility line item.

**Acceptance of the Friendly Amendment was made by** Commissioner Sonleitner and Commissioner Gómez.

|                                                      |     |
|------------------------------------------------------|-----|
| <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 |

(10:58 AM) **FF&E (Furniture, Fixtures, & Equipment), Precinct 3 Office Building**

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; Jessica Rio, Budget Analyst, PBO; and Christian Smith, Executive Manager, PBO.

**Clerk’s Note:** Commissioner Sonleitner suggested that savings from the Precinct 2 North Rural Community Center Office Building Budget could go to the Precinct 3 Office Building.

Discussion Only. No action taken.

Item FF&E, Precinct 3 Office Building to be reposted on September 23, 2003.

**ITEM 8 CONTINUED**

(11:04 AM) **Constable Precinct 2, Office Manager Reclassification \$11,253.00 and Overtime \$2,347.00**

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the budget request for the Office Manager Reclassification in the amount of \$11,253.00, coming out of on-going monies from the Allocated Reserve, and the Overtime budget request, related to the Warrant Roundup, in the amount of \$2,347.00 coming out of one-time monies.

**Motion carried:**

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

(11:06 AM) **Sheriff’s Office, Revised Request – ½ Law Enforcement Request with 8 Patrol Officers and 1 Sergeant and 9 Patrol Cars**

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that if the Sheriff’s Office cannot fully fund the budget request for the 8 Patrol Officers, 1 Sergeant, and 9 Patrol Cars internally, then for every dollar up to \$375,000.00 of permanent savings that the Sheriff’s Office can identify, the Court will approve funding a matching dollar amount towards this budget request; and that an earmark in the amount of \$250,000.00 against the Allocated Reserve, and an earmark in the amount of \$125,000.00 against the FY 05 Capital Reserve, be approved so that we can accomplish this. This is intended to be a challenge grant, but the number one option would be for the Sheriff’s Office to please find the \$750,000.00 on your own.

**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 8 CONTINUED**

(11:17 AM) **Sidewalks – Shady Hollow Subdivision**

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR; Christian Smith, Executive Manager, PBO; and Jessica Rio, Budget Analyst, PBO.

Discussion Only.

Item to be reposted on September 23, 2003.

**9. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED CHANGES TO BUDGET RULES FOR FY04. (2:46 PM)**

**Members of the Court heard from:** Alan Miller, Budget Analyst, PBO; Susan Spataro, Travis County Auditor; Alicia Perez, Executive Manager, Administrative Operations; and Christian Smith, Executive Manager, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the proposed changes to the budget rules for 2004, with the new rule related to Employee Recognition, with the exception of the employee compensation issue and to include the “no food paid for by the County” rule.

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|------------------------------------------------------|-----|
| <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 9 to be reposted on September 23, 2003

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:37 AM)

A. GRANT APPLICATION TO THE TASK FORCE ON INDIGENT DEFENSE FOR AN INDIGENT DEFENSE GRANTS PROGRAM IN THE CRIMINAL COURTS. THE APPLICATION IS TO CONTINUE THE PROGRAM FOR FY 04; AND

B. REQUEST TO AUTHORIZE HEALTH AND HUMAN SERVICES DEPARTMENT TO CONTINUE A GRANT SUBCONTRACT PROGRAM WITH THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER IN HOUSTON TO PROVIDE TOBACCO PREVENTION RESEARCH. THIS ALLOWS CONTINUATION OF THE PROGRAM UNTIL A FULLY EXECUTED CONTRACT CAN BE COMPLETED.

**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 AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (2:44 PM)

**Members of the Court heard from:** Alan Miller, Budget Analyst, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Budget Amendments and Transfers.

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| <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 |

**ADMINISTRATIVE OPERATIONS ITEMS**

- 12. 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 \$284,590.23 FOR THE PERIOD OF AUGUST 29, 2003 THROUGH SEPTEMBER 4, 2003. (9:37 AM)

**Clerk's Note:** Item 12 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:51 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner 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 |

14. CONSIDER AND TAKE APPROPRIATE ACTION ON UPDATED REVENUE REPORT FROM TRAVIS COUNTY EXPOSITION CENTER, INCLUDING FUNDING OF UTILITIES. (9:43 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; and Christian Smith, Executive Manager, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve a reclassification of \$154,323.00 in utilities expense from the General Fund Facilities Management to Fund 501 Expo Center.

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| <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

15. APPROVE CONTRACT MODIFICATION NO. 1 TO CONTRACT NO. PS030242EF WITH COMMUNITIES IN SCHOOLS-CENTRAL TEXAS, INC. FOR YOUTH AND FAMILY ASSESSMENT BROKER SERVICES. (HHSD) (COMMISSIONER GÓMEZ) (9:37 AM)

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

16. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR TITLE SERVICES: (9:37 AM)
- A. CONTRACT NO. PS000175JG, STEWART TITLE OF AUSTIN, INC.;
  - B. CONTRACT NO. PS000176JG, CHICAGO TITLE INSURANCE COMPANY;
  - C. CONTRACT NO. PS000177JG, COMMONWEALTH LAND TITLE COMPANY; AND
  - D. CONTRACT NO. PS000178JG, ALAMO TITLE COMPANY. (TNR/FM) (COMMISSIONER GÓMEZ)

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

17. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 03T000720J FOR PROPERTY AND BOILER/MACHINERY INSURANCE WITH KEY & PISKURAN INSURANCE AGENCY. (HRMD) (COMMISSIONER GÓMEZ) (9:37 AM)

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

18. APPROVE MODIFICATION NO. 2 TO THE FOLLOWING RESIDENTIAL TREATMENT PROGRAM CONTRACTS: (9:37 AM)
- A. POSSIBILITIES, INC., DBA CARING FAMILY NETWORK, CONTRACT NO. PS000221KW;
  - B. HELPING HAND HOME FOR CHILDREN, CONTRACT NO. PS000228KW;
  - C. CHILD AND ADOLESCENT DEVELOPMENT, INC., CONTRACT NO. PS000249KW. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ)

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





**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

22. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE FOLLOWING FOR STEINER RANCH: (9:37 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). (COMMISSIONER DAUGHERTY)

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

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: LAGUNA VISTA SUBDIVISION NO. 2, RESUBDIVISION OF LOTS 31 THROUGH 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) (9:37 AM)

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

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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO 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) (9:37 AM)

**Clerk's Note:** Item 24 is the action item for the public hearing on Agenda Item 3.

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 3, 4, 5 AND 6, BLOCK XX, TWIN LAKE HILLS (REVISED PLAT – 1 LOT – 1.07 ACRES – LAKE PARK DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJs). (COMMISSIONER DAUGHERTY) (9:37 AM)

**Clerk's Note:** Item 25 is the action item for the public hearing on Agenda Item 4.

**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 TO APPROVE PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT LOCATED OFF NAVARRO CREEK ROAD SOUTH OF SH 71 EAST IN PRECINCT FOUR TO "NAVARRO CREEK PASS". (COMMISSIONER GÓMEZ) (9:37 AM)

**Clerk's Note:** Item 26 is the action item for the public hearing on Agenda Item 5.

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

27. APPROVE THE USE OF ALTERNATE FISCAL FOR STONEY RIDGE SECTION 5-B, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:37 AM)

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON CAPTEX, INC.'S SLUDGE APPLICATION (TNRCC REGISTRATION # 710855), INCLUDING WHETHER TO FILE ANOTHER MOTION TO OVERTURN WITH TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. (COMMISSIONER DAVIS) (11:18 AM) (4:43 PM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; Gary Johnson, Travis County Resident representing Blackland Prairie Concerned Citizens; and John Riley, Attorney representing CapTex Incorporated.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve the draft letter with the changes and to approve sending the letter to the Texas Commission on Environmental Quality before the afternoon.

**Motion carried:**

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

**Clerk's Note:** Item 28 was further discussed at 4:43 PM with a request by Commissioner Gómez that the Commissioners' Court record reflect a Corrected Vote on Item 28. Judge Biscoe instructed that the record show Commissioner Gómez voting in favor of the Motion on Item 28. The Commissioners' Court record does reflect the Corrected Vote.

**Corrected Vote:**

**Motion carried:**

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

29. APPROVE A CASH SECURITY AGREEMENT WITH COSHENA III, LTD. FOR THE PURPOSE OF POSTING FISCAL FOR MEDIAN IMPROVEMENTS IN GRAND AVENUE PARKWAY, WEST OF IH 35, IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:37 AM)

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

**HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS**

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY AFTER SCHOOL INITIATIVE. (1:55 PM)

**Members of the Court heard from:** Deborah Britton, Division Director, Travis County Health and Human Services (TCHHS); Anna Land, Chair, Travis County Afterschool Network; Shirleen Justice, Austin Independent School District (AISD); Stephen Williams, Executive Manager, TCHHS&VS; David Martin, Executive Director, Boys and Girls Club; and Deacon Doots Dufour, Diocese of Austin.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the pilot program; that Judge Biscoe and Commissioner Sonleitner work together and try to creatively generate the required funding; that the only general fund money used would be whatever we can pull from the CAN contracts and other creative possibilities that would enable us to provide the necessary resources in a timely manner; and this includes the committee continuing to work together.

**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.** APPROVE AMENDMENT NUMBER ONE TO THE ANTENNA LICENSE AGREEMENT WITH THE CITY OF AUSTIN DELETING A COUNTY-OWNED PARCEL OF LAND IN PRECINCT THREE FROM USE AS A RADIO ANTENNA TOWER SITE IN THE 9-1-1 RDMT 800 MHZ REGIONAL TRUNKED RADIO SYSTEM PROJECT. (TCES) (9:37 AM)

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

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE FEES FOR SERVICES PROVIDED BY THE COUNSELING AND EDUCATION SERVICES DEPARTMENT. (10:24 AM)

**Members of the Court heard from:** Caryl Colburn, Director, Counseling and Education Services (CES).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the fees as listed in the backup.

**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 |

33. DISCUSS AND TAKE APPROPRIATE ACTION ON PROPOSAL FROM THE CRIMINAL COURTS TO THE CITY OF AUSTIN AND THE SHERIFF’S OFFICE FOR LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDING TO PROVIDE ADDITIONAL TREATMENT RESOURCES UNDER THE TRAVIS COUNTY DRUG COURT PROGRAM. (9:37 AM)

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSAL FROM THE TRAVIS COUNTY MEDICAL SOCIETY FOUNDATION TO PROVIDE MEDICAL CARE FOR AREA INDIGENTS THROUGH PROJECT ACCESS. (3:26 PM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, TCHHS&VS.

Discussion Only. No action taken.

Item 34 to be reposted on September 23, 2003.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION REGARDING THE PATIENT LANDING FEE CURRENTLY CHARGED TO HOSPITALS FOR STAR FLIGHT SERVICES. (9:15 AM)

Item 35 pulled from the Agenda.

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

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

- 37. CONSIDER OPTIONS AND ALTERNATIVES IN THE COLLECTION OF FINES AND FEES, AND TAKE APPROPRIATE ACTION. (COMMISSIONERS DAVIS AND DAUGHERTY) (10:03 AM)

**Members of the Court heard from:** Kimberly Walton, Chief Assistant County Auditor, Travis County Auditor's Office; and Susan Spataro, Travis County Auditor.

**Clerk's Note:** The Court without objection gave directions to have the Fines and Fees Committee report back to the Court in 90 days.

Discussion Only. No action taken.

- 38. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ANNUAL WRITTEN PLAN FOR FUNDING THE PRESERVATION AND RESTORATION OF THE COUNTY CLERK'S RECORDS ARCHIVE AS REQUIRED BY 118.025 OF THE LOCAL GOVERNMENT CODE. (3:12 PM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; and Diana Ramirez, Budget Analyst, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the laying out of the spending of the Records Archive money for funds 028 and 057 and to accept the reductions to the General Fund and kicking them over to the County Clerk's Records budgets; and that we find that the \$188,527.00 does satisfy the Court's previous instructions related to meet the \$250,000.00; and that Planning and Budget would need to find a minor adjustment of \$61,473.00 and balancing off of the Allocated Reserve to offset because we recognize this new issue related to the District Clerk absolutely met the spirit of what we had intended; and to approve the annual plan as submitted by the County Clerk for funding the preservation and restoration of the County Clerk's Records Archive.

**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 |

39. DECLARE A SURPLUS IN THE RISK MANAGEMENT FUND, AND TAKE APPROPRIATE ACTION. (9:57 AM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; Alicia Perez, Executive Manager, Administrative Operations; and Diana Warner, First Assistant County Auditor, Travis County Auditor’s Office.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve the Declaration and Order, and to approve the Budget Adjustment Form and budget transfer from 525-1140-981-9809 to 525-1140-522-9004 in the amount of \$1,250,000.00.

|                                                      |     |
|------------------------------------------------------|-----|
| <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 |



**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

- 40. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. AUS-TEX EQUIPMENT LEASING CO. (TRANSFIGURATION GREEK CHURCH RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:30 PM) (4:44 PM) (4:48 PM)

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

**Members of the Court heard from:** John Hille, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Judge to sign, on behalf of the Commissioners' Court, the prepared tax resale deed to Transfiguration Greek Church in the amount of \$2,501.00.

**Motion carried:**

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

- 41. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY V. WANDA BLOCK (GLENN F. MOELLER RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:30 PM) (4:45 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 Sonleitner to authorize the County Judge to sign, on behalf of the Commissioners' Court, the prepared tax resale deed to Glen Moeller, who has paid to Travis County the sum of \$3,833.53.

**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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE LEASE AGREEMENT FOR PARKING SPACES IN THE FROST BANK PARKING GARAGE (9TH AND LAVACA). <sup>2</sup> (3:30 PM) (4:47 PM)

**Clerk's Note:** Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Discussion Only. No action taken.

Item 44 to be reposted on September 23, 2003.

45. CONSIDER AND TAKE ANY APPROPRIATE ACTION ON THE ELECTED OFFICIALS GRIEVANCE FILED BY THE JUSTICES OF THE PEACE. <sup>1</sup> (3:30 PM) (4:47 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.

Discussion Only. No action taken.

Item 45 to be reposted on September 23, 2003.

46. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AT 2919 MANCHACA ROAD, PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. <sup>1 & 2</sup> (3:30 PM) (4:47 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.

Discussion Only. No action taken.

Item 46 to be reposted on September 23, 2003.

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND TAKE APPROPRIATE ACTION IN THE MATTER OF DAVID M. GRASSBAUGH V. TRAVIS COUNTY, TEXAS, DINAH DINWIDDIE, ELAINE CARPENTER AND TERRY ESQUIVEL, CAUSE NO. 99-06730, IN THE 98<sup>TH</sup> DISTRICT COURT OF TRAVIS COUNTY, TEXAS. <sup>1</sup> (3:30 PM) (4:47 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** Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject the settlement offer and counter in the amount of \$50,000.00

**Motion carried:**

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

**ADDED ITEMS:**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED CLARIFICATION OF FY04 PARK FEE INCREASE AT HIPPIE HOLLOW. (COMMISSIONER SONLEITNER) (3:10 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the clarification that the \$2.00 surcharge is also related to those who arrive at Hippie Hollow with an annual permit or a pedestrian permit and not simply a day use permit.

**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 |

**A2.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RATIFY NEW POLLING PLACE LOCATIONS FOR SEPTEMBER 13, 2003 CONSTITUTIONAL AMENDMENT ELECTION. (9:37 AM)

**Clerk's Note:** Item A2 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

**A3.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND CONSIDER EXTENDED PERIOD OF ADMINISTRATIVE LEAVE WITH PAY FOR CHERYL BROWN, EMPLOYEE OF THE TRAVIS COUNTY JUDGE'S OFFICE, AND TAKE APPROPRIATE ACTION. <sup>1&3</sup> (EXECUTIVE SESSION) (3:30 PM) (4:48 PM)

**Clerk's Note:** Judge Biscoe announced that Item A3 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to grant the request for extended Administrative Leave with Pay for the employee for the period from September 15-24, 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 |

**ADJOURNMENT**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to adjourn the Voting Session. (4:49 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, Travis County Judge**