MINUTES OF MEETING – SEPTEMBER 23, 2003 TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 23rd day of September, 2003, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 10:40 AM.

The Commissioners' Court reconvened the Voting Session at 11:31 AM.

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

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 2:08 PM and adjourned at 2:11 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, convened the Voting Session at 2:11 PM and adjourned at 2:11 PM.

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

The Commissioners' Court retired to Executive Session at 3:10 PM.

The Commissioners' Court reconvened the Voting Session at 4:16 PM.

The Commissioners' Court adjourned the Voting Session at 4:18 PM.

PUBLIC HEARINGS

1. DISCUSS REQUEST TO APPROVE PROPOSED STREET NAME CHANGE FOR A PORTION OF "OLD" FM 973 NEAR HAMANN LANE TO "WALTON HILL PASS" IN PRECINCT ONE. (ACTION ITEM 16) (COMMISSIONER DAVIS) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 16 for the Court's Motion and Vote.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to open the public hearing.

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

Members of the Court heard from: Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

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

INTRODUCTION OF STAFF

2. INTRODUCTION OF MICHAEL TRIMBLE, THE CRIMINAL JUSTICE COORDINATOR. (9:16 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services; and Michael Trimble, Criminal Justice Coordinator, Criminal Justice Planning.

Discussion Only. No action taken.

CITIZENS COMMUNICATION

Members of the Court heard from: Charles Williams, Conservation Coordinator, TNR. (9:18 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C4 and Items 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15.A.1-3, B, and C, 16, 17, 18, 22.A-D, 27, 29, 30, 31, 34, 35, and 36. (9:21 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- **C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE SETTING A PUBLIC HEARING ON OCTOBER 28, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: SOUTH FORK ESTATES, RESUBDIVISION OF LOT 4 (SHORT FORM PLAT 2 LOTS 10.1 ACRES FM973 NO FISCAL REQUIRED SEWAGE SERVICE TO BE ON-SITE SEPTIC CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ)
- C4. APPROVE SETTING A PUBLIC HEARING ON OCTOBER 28, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: J & S SUBDIVISION, A RESUBDIVISION OF LOT 1, BLOCK B, THE J. HOOVER MACKIN ADDITION (REVISED PLAT 2 LOTS 2.454 ACRES MOUNT LARSON ROAD NO FISCAL REQUIRED SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)

ADMINISTRATIVE OPERATIONS ITEMS

3. 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 \$499,068.70 FOR THE PERIOD OF SEPTEMBER 5, 2003 THROUGH SEPTEMBER 11, 2003. (9:21 AM)

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 PROPOSED PERSONNEL AMENDMENTS. (9:21 AM)

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

PURCHASING OFFICE ITEMS

5. APPROVE CONTRACT AWARD FOR AVIATION INSURANCE COVERAGE, RFP P03137-OJ, TO THE SOLE RESPONDENT, FALCON INSURANCE AGENCY. (HRMD) (COMMISSIONER GÓMEZ) (9:21 AM)

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

6. APPROVE SOLE SOURCE EXEMPTION AND CONTRACT WITH SUNGARD HTE, INC. (FORMERLY HTE, INC.) FOR STANDARD SOFTWARE SERVICES. (ITS) (COMMISSIONER GÓMEZ) (9:21 AM)

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

7. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS020180LB, BRIM, ARNETT & ROBINETT, P.C., FOR LITIGATION SERVICES. (COUNTY ATTORNEY) (COMMISSIONER GÓMEZ) (9:21 AM)

Clerk's Note: Item 7 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

8. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 10) TO CONTRACT NO. PS960294JW, WORKERS ASSISTANCE PROGRAM, FOR CASE MANAGEMENT SERVICES. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:21 AM)

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

9. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 7) TO CONTRACT NO. PS970029JW, AUSTIN CHILD GUIDANCE CENTER, FOR PROVISION OF INTENSIVE MULTI-FAMILY COUNSELING SERVICES FOR JUVENILE OFFENDERS UNDER THE SUPERVISION OF THE JUVENILE PROBATION DEPARTMENT. (COMMISSIONER GÓMEZ) (9:21 AM)

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

APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 02T00294OJ, EVERCOM SYSTEMS, INC., FOR INMATE AND PAY PHONE SERVICES. (ITS & SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (10:01 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Walter Lagrone, Director, Operations and Technology, Information and Telecommunications Systems (ITS); Captain William Krebs, Travis County Sheriff's Office (TCSO); and Bonnie Floyd, Assisting Purchasing Agent.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the contract extension in Item 10.

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. APPROVE PURCHASE OF CRYSTAL ENTERPRISE WEB REPORTING SOFTWARE LICENSES, MAINTENANCE AND TECHNICAL SUPPORT FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) THROUGH SHI GOVERNMENT SOLUTIONS. (ITS) (COMMISSIONER GÓMEZ) (9:21 AM)

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

12. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 01T0008-OJ, CERIDIAN BENEFITS SERVICES, INC., FOR THE ADMINISTRATION OF THE FLEXIBLE SPENDING ACCOUNT FOR TRAVIS COUNTY EMPLOYEES. (HRMD) (COMMISSIONER GÓMEZ) (9:21 AM)

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

APPROVE RENEWAL OF TWENTY-THREE (23) INTERLOCAL AGREEMENTS AND ONE HUNDRED FIFTY-ONE (151) CONTRACTS WITH VARIOUS AGENCIES AND CONTRACTORS. (COMMISSIONER GÓMEZ) (9:21 AM)

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. 9 TO CONTRACT NO. PS980024LB WITH IKON OFFICE SOLUTIONS TO ADD ADDITIONAL SERVICES AND FEES. (COUNTY ATTORNEY AND HRMD) (COMMISSIONER GÓMEZ) (9:21 AM)

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

- **15. A.** APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 02T00005OJ, UNITED HEALTHCARE INSURANCE COMPANY, FOR TRAVIS COUNTY EMPLOYEES, RETIREES AND THEIR DEPENDENTS: (9:21 AM) (9:24 AM)
 - 1. ADMINISTRATIVE SERVICES AGREEMENT;
 - 2. COBRA ADMINISTRATIVE SERVICES AGREEMENT; AND
 - 3. CUSTOMER REPORTING SYSTEM INTERNET ACCESS AGREEMENT;

Clerk's Note: Items 15.A.1-3 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

Clerk's Note: At 9:24 AM, the Court further discussed Item 15.A.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to expedite payment of Item 15.A.

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 15 CONTINUED

15. B. APPROVE CONTINUATION OF THE STOP LOSS INSURANCE PURSUANT TO NEGOTIATIONS RESULTING FROM REQUEST FOR PROPOSAL (RFP) P030119-OJ; (9:21 AM)

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

15. C. APPROVE MODIFICATION NO. 3 TO CONTRACT 02T00005OJ, UNITED HEALTHCARE INSURANCE COMPANY, FOR STOP LOSS INSURANCE. (HRMD) (COMMISSIONER GÓMEZ) (9:21 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE PROPOSED STREET NAME CHANGE FOR A PORTION OF "OLD" FM 973 NEAR HAMANN LANE TO "WALTON HILL PASS" IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:21 AM)

Clerk's Note: Item 16 is the action item for the public hearing on Agenda Item 1.

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

17. APPROVE THE ASSIGNMENT OF THE CANTERBURY TRAILS LICENSE AGREEMENT AND ITS ACCOMPANYING SECURITY DEPOSIT TO THE CITY OF AUSTIN DUE TO ANNEXATION. (COMMISSIONER DAUGHERTY) (9:21 AM)

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

18. APPROVE VARIANCE TO CHAPTER 82, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS {§82.401(c)(3)} TO ALLOW THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR DEAF SMITH BOULEVARD IN AUSTIN'S COLONY PHASE 2, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:21 AM)

Clerk's Note: Judge Biscoe noted that Deaf Smith Boulevard does not have the issues that the other streets in the subdivision do; and all the sidewalk issues have been resolved.

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

- **19.** CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR EAST METRO PARK IN PRECINCT ONE: (10:40 AM) (11:31 AM)
 - **A.** ACQUISITION OF 12.21 ACRES OF PROPERTY FROM REV. AARON TAYLOR, ET UX., FOR ASSEMBLAGE WITH EAST METRO PARK; (EXECUTIVE SESSION) ²

Clerk's Note: Judge Biscoe announced that Item 19.A would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to counter the offer from Rev. Aaron Taylor and his wife. His offer was \$262,000.00. We counter that with the amount of \$240,000.00 for the 12.21 acres for assemblage with East Metro Park.

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 19 CONTINUED

19. B. PROPOSED TERMS OF AGREEMENT WITH MILBURN HOMES AND THE YMCA OF AUSTIN FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A SWIMMING POOL; (11:32 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Dick Rathgeber, Developer.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 19.B, the terms of 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 abstain
Precinct 4, Commissioner Margaret J. Gómez yes

19. C. AMENDMENTS TO MASTER PLAN; (11:52 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Wendy Scaperotta, TNR.

Discussion only. No action taken.

Item 19.C to be reposted on September 30, 2003.

19. D. SCOPE OF PHASE 1 CONSTRUCTION. (COMMISSIONER DAVIS) (11:54 AM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 19.D, with Plan Option A, which includes the pool and the construction.

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

20. DISCUSS AND TAKE APPROPRIATE ACTION ON WAIVING DEVELOPMENT PERMIT FEES FOR LONE STAR INFRASTRUCTURE (TEXAS TURNPIKE AUTHORITY) ON THE SH 130 PROJECT IN TRAVIS COUNTY. (3:05 PM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; and Stacey Scheffel, Permit Division, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 20; send a letter saying we are going to do this; and send copies to the members of Texas Transportation Authority and Representative Krusee, the Chair of the House Transportation Committee.

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	ves

21. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED CLARIFICATION FOR FY04 PARK FEE INCREASE REGARDING TRAILER FEES. (COMMISSIONER SONLEITNER) (9:27 AM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to clarify that, when we talk about the trailer fees related to parks, it is for any type of trailer, and not specifically boat trailers.

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

PLANNING AND BUDGET DEPT. ITEMS

- **22.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:21 AM)
 - **A.** GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR AN EMERGENCY MANAGEMENT PLANNING GRANT IN EMERGENCY SERVICES. THE GRANT CONTINUES THE PROGRAM FOR FY 04;
 - **B.** GRANT CONTRACT WITH THE BUREAU OF JUSTICE ASSISTANCE FOR A COMMUNITY PROSECUTION LEADERSHIP GRANT IN THE DISTRICT ATTORNEY'S OFFICE. A NEW GRANT TO ENHANCE THE SERVICES PROVIDED BY THE DISTRICT ATTORNEY'S COMMUNITY PROSECUTION PROGRAM;
 - C. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN UNDERAGE DRINKING PREVENTION PROGRAM IN THE COUNTY ATTORNEY'S OFFICE. THE GRANT IS TO CONTINUE THE EXISTING PROGRAM FOR FY 04:
 - D. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT PROGRAM IN THE JUVENILE PROBATION DEPARTMENT. THE GRANT IS A ONE-YEAR PROGRAM TO RESEARCH A "RISK ASSESSMENT TOOL"; AND

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

E. GRANT CONTRACT WITH THE TEXAS EDUCATION AGENCY FOR A TITLE IV COMMUNITY SERVICE GRANT PROGRAM IN JUVENILE PROBATION DEPARTMENT. A NEW GRANT PROGRAM TO ENHANCE THE COMMUNITY SERVICE OPPORTUNITIES OF STUDENTS IN THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM. (9:13 AM)

Item 22.E postponed until September 30, 2003.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (2:38 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve budget amendments A1-A8, and transfers T1-T6.

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

Discussion Items DS1-DS22 to be reposted on September 30, 2003.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON OUTSTANDING FY 04 BUDGET MARK-UP ISSUES. (10:08 AM) (2:13 PM)

Clerk's Note: Planning and Budget identified 7 outstanding issues: 1) What to do with additional resources, 2) Budget corrections, 3) Letter from the County Attorney regarding an augmentation to his budget, based on some additional revenue, 4) Justice of the Peace Salaries, 5) Request from ITS, 6) Retirement rate, 7) Any last-minute, remaining resources.

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO).

(10:11 AM) Retirement Rate

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to maintain the retirement rate at 9.82%.

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

(10:12 AM) Changes to the Budget since the Budget Markup Voting Sessions

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; Christian Smith, Executive Manager, PBO; and Alan Miller, Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the recommended changes to the FY 04 Budget since completion of the Budget Markup Voting Sessions.

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

(10:18 AM) Starflight Security

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to allocate \$40,000.00 for the fence and card key system, out of the balance of resources available.

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

(10:21 AM) East Metro Park Pool

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to set aside \$25,000.00 in one-time resources for the operation and maintenance of the East Metro Park Pool.

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

(10:22 AM) County Attorney's Budget Requests

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to allocate \$52,000.00 for the County Attorney's Green Circle issue, \$24,000.00 for the County Attorney's Career Ladder, and \$24,000.00 for the District Attorney's Career Ladder, in ongoing funds.

Clerk's Note: Judge Biscoe noted that the County Attorney was able to get the County Auditor to certify additional revenue for bond forfeitures, in the amount of \$140,000.00.

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

(10:25 AM) Starflight Personnel Lump Sum Payment

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Alan Miller, Budget Analyst, PBO; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to allocate \$15,000.00 from one-time funds to match the City of Austin payout to Starflight personnel.

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

(10:28 AM) **2% Raise for Starflight Personnel** (2:13 PM)

Members of the Court heard from: Alan Miller, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to provide a 2% raise for Travis County Starflight personnel to treat them the same as City of Austin Starflight personnel and the County-reimbursed personnel. This is for pilots, mechanics, and one office person, to be effective at the same time as the City of Austin personnel.

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

Clerk's Note: Item 2% Raise for Starflight Personnel was further discussed at 2:13 PM, with PBO Staff noting that the amount required for the 2% raise for Travis County Starflight personnel would be \$13,591.00.

(10:34 AM) Facilities Management Budget Requests – Furniture, Fixtures, and Equipment (FF&E) Money for the Precinct 3 Complex

Clerk's Note: Commissioner Sonleitner noted that there is \$100,000.00 that can safely be transferred from the Precinct 2 project to the Precinct 3 project for FF&E. No extra allocation for FF&E is needed for Precinct 3. Savings from the Precinct 2 building will cover that.

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

Discussion only. No action taken.

(10:36 AM) Sheriff's Office Budget Request – Law Enforcement Challenge Grant

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to increase the earmark to \$500,000.00, with the appropriate split-off, related to how much would be ongoing versus one-time funds.

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

(10:38 AM) Transportation and Natural Resources Budget Request – Sidewalk, Wildwood Subdivision – Shady Hollow

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Joe Gieselman, Executive Manager, TNR; and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the \$245,000.00 sidewalk item.

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

(2:13 PM) Judiciary Fee Reserve

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

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to place \$472,506.00 from Judiciary Fees into a Judiciary Reserve.

A Clarification of the previous Motion was made by Commissioner Sonleitner that the intent of the Motion is to place a "fence" around the funds.

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

(2:18 PM) Sheriff's Office Budget Requests

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to allocate \$56,704.00 in ongoing monies, specifically for the 911 telecommunications operators; \$2,074.00 in ongoing monies for the Crime Scene Investigators (CSI); and \$69,885.00 in ongoing monies for the green-circled employees.

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

Item Sheriff's Office Budget Requests to be reposted on September 30, 2003.

(2:29 PM) Allocated Reserves

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to place the remaining \$286,383.00 in one-time funds, and the \$297,508.00 in ongoing funds in Allocated 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

(2:29 PM) **Evercom Contract Funds**

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

Discussion only. No action taken.

(2:33 PM) Other Budget Markup Issues – Allocated Reserves, CAR Reserves, FY 05 Capital Reserve

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

Discussion only. No action taken.

Item 24 to be reposted on September 30, 2003.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 04 BUDGET RULE ON LUMP SUM COMPENSATION PAYMENTS. (PROBABLE EXECUTIVE SESSION ITEM FOR LEGAL OPINION) 1 (10:40 AM) (11:31 AM) (2:35 PM)

Clerk's Note: Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to add the words "in to" and "out of" into the budget rules as suggested by PBO Staff.

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 25 to be reposted on September 30, 2003.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM THE WORKING COMMITTEE ON COUNTY CELL PHONE USE AND THE FY 04 BUDGET. (9:29 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services, Chair of Cell Phone Task Force; Leroy Nellis, Budget Manager, PBO; and Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to ask County departments to do the best they can to live with the budgeted cell phone amounts, and if you find yourself running short, then come and let the Court know.

Clerk's Note: The County Auditor's Office's and the Purchasing Department's cell phone budgets are approved by the District Judges and the Purchasing Board, respectively. These two departments have indicated that they will reduce their cell phone budgets by 25%.

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

OTHER ITEMS

27. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR AUGUST 2003. (9:21 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 RECOMMENDATION FROM ELECTED OFFICIALS SALARY GRIEVANCE COMMITTEE. (10:40 AM) (12:12 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Judge Richard Scott, Justice of the Peace, Precinct 1; Judge Elena Diaz, Justice of the Peace, Precinct 4; and John Hille, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to decline to change the salaries for the Justices of the Peace.

Clerk's Note: The Court did not Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Judge Biscoe and seconded by Commissioner Daugherty to award the Justices of the Peace, Precincts 1, 4, and 5, \$5,000.00 each for salary increases.

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

Clerk's Note: The Court took a Vote on the Standing Motion and Second at this time.

Motion carried: County Judge Samuel T. Biscoe	no
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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ADVERTISING THE RELOCATION OF THE TRAVIS COUNTY TAX OFFICE TO 5501 AIRPORT BLVD. TO COUNTY EMPLOYEES WITH THE NEXT PAYCHECK. (9:21 AM)

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 REQUEST TO APPROVE CLOSING THE TRAVIS COUNTY TAX OFFICE FOR RELOCATION TO 5501 AIRPORT BLVD. ON THURSDAY AND FRIDAY, SEPTEMBER 25 AND 26, 2003. (9:21 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 REQUEST TO APPROVE A CONTRACT BETWEEN TEXAS DEPARTMENT OF TRANSPORTATION AND TRAVIS COUNTY RELATING TO SUBCONTRACTORS AND TITLE SERVICES THAT CONTRACT WITH THE TAX OFFICE. (9:21 AM)

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

32. APPROVE A REPLACEMENT RESOLUTION FOR THE ISSUANCE OF \$5,000,000 OF VOTER APPROVED LIMITED TAX BONDS BY THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #3. (COMMISSIONER DAUGHERTY) (9:25 AM)

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to approve the replacement resolution in Item 32.

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. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE FIRST SUPPLEMENT TO AMENDED AND RESTATED TRUST INDENTURE AND SECOND AMENDMENT TO LOAN AGREEMENT RELATING TO MULTIFAMILY HOUSING REVENUE BONDS (WESTCHESTER WOODS APARTMENTS) SERIES 2002A-1, SERIES 2002A-2 AND TAXABLE SERIES 2002B ISSUED BY TRAVIS COUNTY HOUSING FINANCE CORPORATION, AUTHORIZING THE EXECUTION OF DOCUMENTS AND INSTRUMENTS RELATING THERETO, AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT. (2:11 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 33.

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY, AS A MEMBER OF THE EXECUTIVE COMMITTEE OF THE BARTON SPRINGS WATERSHED WATER QUALITY STANDARDS PLANNING PROJECT, TO APPROVE WITH THE CITY OF DRIPPING SPRINGS AN INTERLOCAL AGREEMENT TO PROVIDE ADMINISTRATIVE SERVICES TO THE PROJECT. (COMMISSIONER DAUGHERTY) (9:21 AM)

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

35. REAPPOINT MR. DONALD DUMAS TO THE AUSTIN/TRAVIS COUNTY MENTAL HEALTH-MENTAL RETARDATION BOARD, EFFECTIVE OCTOBER 1, 2003, AS THE PRECINCT TWO APPOINTMENT FOR A TWO-YEAR TERM. (COMMISSIONER SONLEITNER) (9:21 AM)

Clerk's Note: Item 35 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

36. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:21 AM)

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

37. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSAL FROM THE TRAVIS COUNTY MEDICAL SOCIETY FOUNDATION TO PROVIDE MEDICAL CARE FOR AREA INDIGENTS THROUGH PROJECT ACCESS. (11:55 AM)

Members of the Court heard from: Marshall Cothron, Chief Executive Officer, Travis County Medical Society; Cliff Aimes, Project Manager, Project Access; Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that Travis County commits to \$100,000.00 in the one-time category, in terms of how we parcel this in our budget.

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

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

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN FREDERICK PLUET, (DECEASED) V. MARGO FRASIER, ET AL, (PLUET; FRAISER; CIVIL RIGHTS) IN RE: ESTATE OF FREDERICK PLUET, DECEASED. ¹ (3:10 PM) (4:16 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.

No action necessary on Item 38.

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY, DESIGNATE A REPRESENTATIVE FOR MEDIATION AND TAKE APPROPRIATE ACTION IN THE MATTER OF SALLY DECKER V. TRAVIS COUNTY, TEXAS, AND STEPHEN L. WILLIAMS IN HIS OFFICIAL CAPACITY, CAUSE NO. GN202007, IN THE 201ST JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS. 1 (3:10 PM) (4:16 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 Sonleitner to request Precinct 4 Commissioner Gómez to represent the Commissioners' Court at this mediation, and she has graciously accepted.

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

40. 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 (3:10 PM) (4:17 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.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to counter the counter to the settlement offer, in the amount of \$900,000.00, payable over three years, at \$300,000.00 each year.

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

41. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE LEASE AGREEMENT FOR PARKING SPACES IN THE FROST BANK PARKING GARAGE (9TH AND LAVACA). ² (3:10 PM) (4:17 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to renew at the lower amount that has been negotiated by our Real Estate Manager, with a 30-day out clause, and that this lease be reviewed in the spring, once all of our various and sundry moves sort themselves out.

A Clarification of the previous Motion was made by Judge Biscoe that this is 80 spaces at \$85.00 each.

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

42. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AT 2919 MANCHACA ROAD, PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. ^{1 & 2} (3:10 PM) (4:18 PM)

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

No action required.

Item 42 to be reposted on September 30, 2003.

ADDED ITEM:

A1. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED RULE MAKING BY TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (DOCKET NO. 2003-0722-RUL), 30 TAC CHAPTER 330, REGARDING SITE OPERATING PLANS FOR MUNICIPAL SOLID WASTE, AND COMMISSION HEARING SCHEDULED FOR WEDNESDAY, SEPTEMBER 24, 2003. (2:40 PM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Staff recommendations to put formal comments in written form; to attend the hearing tomorrow, September 24, 2003; to present the comments; and to authorize the preparation of an appropriate document to capture this, for the Court's signature.

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 Da	avis and seconded by Commissioner Gómez to
adjourn the Voting Session.	(4:18 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

Date of Approval
Samuel T. Biscoe. Travis County Judge