

MINUTES OF MEETING – OCTOBER 7, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 7th day of October, 2003, the Commissioners' Court convened the regular Voting Session at 9:17 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 record notes that Precinct Three Commissioner Gerald Daugherty was absent during this Voting Session.

The Commissioners' Court retired to Executive Session at 10:53 AM.

The Commissioners' Court reconvened the Voting Session at 11:48 AM.

The Commissioners' Court recessed the Voting Session at 11:52 AM.

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The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:39 PM and adjourned at 1:41 PM.

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The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, convened the Voting Session at 1:41 PM and retired to Executive Session at 1:42 PM.

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The Commissioners' Court reconvened the Travis County Health Facilities Development Corporation Voting Session at 1:53 PM and adjourned at 1:55 PM.

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The Commissioners' Court reconvened the regular Voting Session at 1:56 PM.

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The Commissioners' Court adjourned the Voting Session at 1:56 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Errol Hardin, Director, Staffing, Training, and Employee Relations, HRMD; Barbara Hankins, Chair, Travis County Historical Commission; Margarine Beaman, Travis County Historical Commission; Don Wheeler, Division Director, Road Maintenance and Fleet Services, Transportation and Natural Resources (TNR); Don Ward, Manager, Road and Bridge Division, TNR; and Wes Benedict, Secretary, Travis County Libertarian Party. (9:31 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3 and Items 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20.A-F, 21, 22.A and B, 25, 26, and A2. (9:45 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	absent
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 COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 23, 2003.

ADMINISTRATIVE OPERATIONS ITEMS

5. 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 \$658,585.48 FOR THE PERIOD OF SEPTEMBER 19, 2003 THROUGH SEPTEMBER 25, 2003. (9:45 AM)

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

6. APPROVE DISTRIBUTION OF A PAYROLL FLYER FOR TRAVIS COUNTY COMBINED CHARITIES KICK-OFF. (9:45 AM)

Clerk's Note: Judge Biscoe noted that on October 17, 2003, Travis County will have its annual Combined Charities festival at Woodmansee Park, between the historic Courthouse and the new Criminal Justice Center, from 11:00 AM – 2:00 PM. All Travis County employees are invited to participate.

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

7. APPROVE AMENDMENT TO THE TRAVIS COUNTY CODE, CHAPTER 10, PEACE OFFICER PAY SCALE (POPS) POLICY 10.0295. (9:48 AM)
(10:52 AM)

Item 7 postponed until October 14, 2003.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:45 AM)

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

PURCHASING OFFICE ITEMS

9. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS000244KW WITH THE SETTLEMENT CLUB DBA SETTLEMENT HOME FOR CHILDREN FOR RESIDENTIAL TREATMENT SERVICE. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:45 AM)

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

10. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO INTERLOCAL NO. IL030034EF, EMERGENCY SERVICES DISTRICT 4, FOR FIREFIGHTER ACADEMY SERVICES. (HHSD) (COMMISSIONER GÓMEZ) (9:45 AM)

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

11. APPROVE CONTRACT AWARD FOR CUSTODIAL SERVICES AT THE EXPO CENTER, IFB NO. B030165-LD, TO THE LOW BIDDER, BLUEBONNET CLEANING SERVICES. (FM) (COMMISSIONER GÓMEZ) (9:45 AM)

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

12. APPROVE ASSIGNMENT OF CONTRACT NO. 01T0105-RG (MODIFICATION NO. 4) FOR TRAFFIC PAINT FROM LAFARGE ROAD MARKING, INC. TO ENNIS PAINT INC. (TNR) (COMMISSIONER GÓMEZ) (9:45 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

13. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: 6D RANCH (SHORT FORM PLAT – 4 LOTS – 613.327 ACRES – F.M. HWY 2244 (BEE CAVE ROAD) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEM (CITY OF AUSTIN JURISDICTION) – CITY OF AUSTIN LIMITED PURPOSE ANNEXATION). (COMMISSIONER DAUGHERTY) (9:45 AM)

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

14. APPROVE A PRELIMINARY PLAN IN PRECINCT THREE: GREENSHORES ON LAKE AUSTIN PRELIMINARY PLAN (REVISED PRELIMINARY PLAN – 138 LOTS – 178.6 ACRES – PEARCE LANE – NO FISCAL REQUIRED – SEWAGE SERVICE PROVIDED BY OAK SHORES WATER COMPANY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:45 AM)

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

15. APPROVE THE USE OF ALTERNATIVE FISCAL FOR GREENSHORES ON LAKE AUSTIN PHASE ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:45 AM)

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

16. APPROVE THE USE OF ALTERNATIVE FISCAL FOR GREENSHORES ON LAKE AUSTIN PHASE TWO, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:45 AM)

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

- 17. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN AMENDED PLAT STONEY RIDGE PHASE A2 SECTION 6, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:45 AM)

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

- 18. A. CONSIDER AND TAKE APPROPRIATE ACTION ON THE INTERLOCAL AGREEMENT WITH CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY; (10:41 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; and Richard Ridings, representing the Central Texas Regional Mobility Authority (CTRMA).

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to incorporate the changes into the final draft of the interlocal, submit that for approval, authorize the County Judge to sign on behalf of the Commissioners' Court; and that upon signature of the CTRMA, and their approval, that would initiate, at a minimum, a transfer of \$150,000.00, that we know are within the control of the Road and Bridge Fund, and that the Court shall move expeditiously to resolve the transfer of the other \$150,000.00, via the Capital Metro transfers.

Motion carried:

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

- 18. B. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED TRAVIS COUNTY PROJECT(S) FOR CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (9:18 AM) (10:41 AM)

Item 18.B postponed until October 14, 2003.

PLANNING AND BUDGET DEPT. ITEMS

19. APPROVE ORDER TO DIRECT DEPOSITING SALARY FUNDS INTO THE GENERAL FUND OF TRAVIS COUNTY. (9:45 AM)

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

20. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:45 AM)

- A. A GRANT CONTRACT WITH AUSTIN/TRAVIS COUNTY MHMR FOR A DIRECT CARE SERVICES AGREEMENT IN JUVENILE PROBATION DEPARTMENT. THIS GRANT CONTINUES FUNDING FOR A PROGRAM COORDINATOR POSITION FOR FY 04;
- B. A GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE FOR A LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE GRANT PROVIDES FUNDING TO PURCHASE MOBILE DATA TERMINALS FOR THE SHERIFF'S PATROL VEHICLES;
- C. A GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR A VICTIM COORDINATOR AND LIAISON GRANT IN THE SHERIFF'S OFFICE. THE CONTRACT CONTINUES THE PROGRAM FOR FY 04;
- D. A GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR THE OTHER VICTIM ASSISTANCE GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE CONTRACT CONTINUES THE CURRENT PROGRAM FOR FY 04;
- E. A GRANT CONTRACT WITH TXU FOR A TXU ENERGY AID PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 04; AND
- F. A GRANT CONTRACT WITH TEXAS GAS SERVICE COMPANY FOR THE PROJECT CARE GRANT PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE CONTRACT CONTINUES THE EXISTING PROGRAM FOR FY 04.

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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (9:45 AM)

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

HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING NEW WATER DELIVERY RATES: (9:45 AM)
- A. AMEND CONTRACT WITH CHINATOWN WATER WORKS, INC., FOR THE PROVISION OF WATER DELIVERY SERVICE TO REFLECT NEW WATER DELIVERY RATES; AND
 - B. AMEND SECTION 72.007 OF THE TRAVIS COUNTY EMERGENCY ASSISTANCE PROGRAM POLICIES MANUAL TO REFLECT NEW WATER DELIVERY RATES.

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

OTHER ITEMS

23. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION TO INCREASE THE LIFT-OFF FEE CHARGED TO PATIENTS FOR STAR FLIGHT SERVICES. (9:48 AM)

Members of the Court heard from: Casey Ping, Program Manager, StarFlight.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the changes proposed by Staff – to increase the lift-off fee from \$1,600.00 to \$2,000.00 for in-County, and from \$3,400.00 to \$4,000.00 for out-of-County.

Motion carried:

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

24. CONSIDER PROPOSAL FOR CHAPTER 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION, AUTHORIZE PUBLICATION OF NOTICE, SET PUBLIC HEARING DATE, AND TAKE APPROPRIATE ACTION. (9:53 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; and David Lloyd, City of Austin Attorney's Office.

Discussion only. No action taken.

Item 24 to be reposted on October 14, 2003.

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:45 AM)

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 REAPPOINT ROSIE MENDOZA TO THE MHMR BOARD, TERM EXPIRING SEPTEMBER 2005. (COMMISSIONER GÓMEZ) (9:45 AM)

Clerk's Note: Item 26 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

- 27.** CONSIDER CLAIM OF BILL LUDWIG, LEN LAYNE AND WASHING EQUIPMENT OF TEXAS REGARDING DRAINAGE EASEMENT IN LUDWIG 2 SUBDIVISION FOR PRECINCT FOUR OFFICE BUILDING, AND TAKE APPROPRIATE ACTION. ^{1&2} (10:53 AM) (11:48 AM)

Clerk's Note: Judge Biscoe announced that Item 27 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 27 to be reposted on October 14, 2003.

- 28.** CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO THE PAY DETERMINATION POLICY, §10.03001 THROUGH §10.03013, TO DEFINE CRITERIA AND CONTRACT FOR PAY ADJUSTMENTS IN A SINGLE PAYMENT. ³ (10:53 AM) (11:49 AM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't Code Ann 551.074, Personnel Matters.

Clerk's Note: Judge Biscoe requested that Precinct 2 Commissioner Karen Sonleitner, Barbara Wilson, Assistant County Attorney, and Alicia Perez, Executive Manager, Administrative Operations, work with April Bacon, Chief Assistant County Auditor, between now and October 21, 2003, to try to come up with the best policy and action.

Discussion only. No action taken.

Item 28 postponed until October 21, 2003.

31. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE LEASE FOR THE NORTH RURAL COMMUNITY CENTER AND CLINIC. ² (10:53 AM)
(11:51 AM)

Clerk's Note: Judge Biscoe announced that Item 31 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 to approve the one-month extension at the rate that has been negotiated with the landlord.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe to authorize the County Judge to sign the prepared lease amendment.

Acceptance of the Friendly Amendment was made by Commissioner Sonleitner.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

32. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AT 2919 MANCHACA ROAD, PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. ^{1 & 2} (10:53 AM)

Item 32 postponed until October 14, 2003.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON LIABILITY CLAIM FOR ARLICIA NORWOOD – COMPROMISE SETTLEMENT. (EXECUTIVE SESSION ¹) (9:17 AM)

Item A1 postponed until October 21, 2003.

