

MINUTES OF MEETING – OCTOBER 14, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th 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 recessed the Voting Session at 11:48 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:38 PM and adjourned at 1:39 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 1:42 PM and adjourned at 1:42 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:42 PM and adjourned at 1:54 PM.

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

The Commissioners' Court retired to Executive Session at 3:58 PM.

The Commissioners' Court reconvened the Voting Session at 5:14 PM.

The Commissioners' Court adjourned the Voting Session at 5:19 PM.

PUBLIC HEARINGS

1. DISCUSS REQUEST TO APPROVE PROPOSED STREET NAME CHANGE FROM ECLETO LANE TO “WELTON CLIFF DRIVE” IN PRECINCT THREE NEAR CEDAR PARK, TEXAS. (ACTION ITEM 6) (COMMISSIONER DAUGHERTY) (9:18 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 6 for the Court’s Motion and Vote.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

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

- 2. DISCUSS REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: BELLA VISTA, SECTION 1, AMENDED PLAT OF LOTS 11 AND 12, BLOCK F (SHORT FORM PLAT – 2 LOTS – 0.637 ACRES – AZZURO WAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (ACTION ITEM 7) (COMMISSIONER DAUGHERTY) (9:20 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 7 for the Court’s Motion and Vote.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

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

3. DISCUSS REQUEST TO APPROVE A TEMPORARY CLOSURE OF PINNACLE ROAD ON OCTOBER 15, 2003 BEGINNING AT 6:45 P.M. FOR THE WESTLAKE HIGH SCHOOL HOMECOMING PARADE IN PRECINCT THREE. (ACTION ITEM 8) (COMMISSIONER DAUGHERTY) (9:21 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 8 for the Court's Motion and Vote.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Stuart Thomas Gerstacker, Travis County Resident; and unidentified female Westlake High School Student.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

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

RESOLUTIONS & PROCLAMATIONS

4. APPROVE RESOLUTION HONORING HILBERT'S BURGERS FOR 30 YEARS OF BUSINESS IN AUSTIN, TEXAS. (COMMISSIONER GÓMEZ) (9:25 AM)

Members of the Court heard from: Hilbert R. Maldonado, Owner, Hil-Bert's Burgers; and Pat Ford, Real Estate Manager, Facilities Management.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the resolution in Item 4.

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

5. APPROVE A PROCLAMATION DECLARING OCTOBER 18TH AS "AUSTIN CONTRACTORS AND ENGINEERS' ASSOCIATION DAY." (SONLEITNER) (9:34 AM)

Members of the Court heard from: Lisa Lamb, Executive Director, Austin Contractors and Engineers' Association (ACEA).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the proclamation in Item 5.

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: Stuart Thomas Gerstacker, Travis County Resident; and Commissioner Ron Davis, Precinct 1. (9:37 AM)

Clerk's Note: Judge Biscoe announced that on October 17, 2003, Travis County will be holding the annual Combined Charities Festival at Woodmansee Park. All Travis County employees are encouraged to attend.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3 and Items 6, 7, 8, 9, 10, 11, 13, 16, 17.C, D, and E, 19, 22, 25, 26, 27, 28, 31, 32, 33, and 35. (9:43 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 COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 30, 2003.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE PROPOSED STREET NAME CHANGE FROM ECLETO LANE TO “WELTON CLIFF DRIVE” IN PRECINCT THREE NEAR CEDAR PARK, TEXAS. (COMMISSIONER DAUGHERTY) (9:43 AM)

Clerk's Note: Item 6 is the action item for the public hearing on Agenda Item 1.

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

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: BELLA VISTA, SECTION 1, AMENDED PLAT OF LOTS 11 AND 12, BLOCK F (SHORT FORM PLAT – 2 LOTS – 0.637 ACRES – AZZURO WAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:43 AM)

Clerk's Note: Item 7 is the action item for the public hearing on Agenda Item 2.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A TEMPORARY CLOSURE OF PINNACLE ROAD ON OCTOBER 15, 2003 BEGINNING AT 6:45 P.M. FOR THE WESTLAKE HIGH SCHOOL HOMECOMING PARADE IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:43 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 3.

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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT ONE: BELLA VISTA AT COTTONWOOD CREEK (LONG FORM PLAT – 34 LOTS – 71.547 ACRES – STEGER LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJs). (COMMISSIONER DAVIS) (9:43 AM)

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

10. APPROVE THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN BELLA VISTA AT COTTONWOOD CREEK, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:43 AM)

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

11. APPROVE MODIFICATION TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUSTIN, LCRA, CITY OF SUNSET VALLEY AND TRAVIS COUNTY FOR THE U.S. ARMY CORP OF ENGINEERS' STUDY OF ONION CREEK. (COMMISSIONER GÓMEZ) (9:43 AM)

Clerk's Note: Tom Nuckols, Assistant County Attorney stated that the dollar amount in the interlocal agreement has changed to \$3,753,033.00. All of the increase is being paid for by the City of Austin.

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

12. CONSIDER AND TAKE APPROPRIATE ACTION TO AUTHORIZE STAFF TO NEGOTIATE THE FOLLOWING: (9:46 AM)
- A. AN ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION; AND
 - B. A FISCAL SECURITY AND INDEMNIFICATION AGREEMENT WITH THOMAS PROPERTIES GROUP FOR IMPROVEMENTS TO FM 2222 BETWEEN SH 620 AND RIVER PLACE BOULEVARD RELATED TO A NEW TARGET DEPARTMENT STORE AT FOUR POINTS CENTER. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 12.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; and Terry Grey, representing Thomas Properties Group.

Discussion only. No action taken.

Items 12.A and B to be reposted on October 21, 2003.

13. APPROVE MEMORANDUM OF AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR DIGITAL FLOODPLAIN MAPPING OF TRAVIS COUNTY. (9:43 AM)

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED TRAVIS COUNTY PROJECT(S) FOR CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY AND ISSUES RELATED THERETO. (10:05 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Discussion only. No action taken.

Item 14 to be reposted on October 28, 2003.

15. 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 OTHER APPROPRIATE ACTION. (10:37 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Pat Murphy, City of Austin Watershed Protection and Development Review Department; Hank Smith, Stakeholder; and Rick Reed, Stakeholder and member of the Real Estate Council of Austin (RECA).

Motion by Judge Biscoe and seconded by Commissioner Davis to schedule the public hearing on October 28, 2003, at 9:00 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

Motion by Judge Biscoe and seconded by Commissioner Davis to follow any and all applicable rules and laws governing the public hearing and receiving public comment.

Clerk’s Note: The Court indicated that the previous Motion authorizes the Transportation and Natural Resources Department (TNR) to publish notice of the public hearing, and that the funding is available in the TNR 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

PLANNING AND BUDGET DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (9:43 AM)

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

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

- A. GRANT APPLICATION TO THE TRAVIS COUNTY CRIME VICTIMS FUND FOR A FAMILY COURT INITIATIVES PROGRAM IN JUVENILE PROBATION DEPARTMENT. THE APPLICATION IS FOR FUNDS TO PROVIDE COUNSELING SERVICES TO PARTICIPANTS IN THE “FAMILY COURT” SYSTEM; (9:17 AM)

Item 17.A pulled from the Agenda.

- B. GRANT APPLICATION TO THE TRAVIS COUNTY CRIME VICTIMS FUND FOR THE “POT OF GOLD” PROGRAM IN JUVENILE PROBATION DEPARTMENT. THE APPLICATION IS FOR FUNDS TO PROVIDE COMMUNITY RESTITUTION OPPORTUNITIES FOR JUVENILES; (9:17 AM)

Item 17.B pulled from the Agenda.

- C. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE BATTERER’S INTERVENTION-PREVENTION PROGRAM IN THE JUVENILE PROBATION DEPARTMENT. THE GRANT CONTINUES THE PROGRAM FOR FY 04; (9:43 AM)

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

- D. GRANT CONTRACT WITH THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE 2003 STATE CRIMINAL ALIEN ASSISTANCE GRANT (SCAAP) IN THE SHERIFF’S OFFICE. GRANT PROVIDES REIMBURSEMENT FOR FY 02 EXPENSES; AND (9:43 AM)

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

ITEM 17 CONTINUED

- E. GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR A VICTIM COORDINATOR AND LIAISON GRANT IN THE DISTRICT ATTORNEY'S OFFICE. THE GRANT PROVIDES ADDITIONAL RESOURCES TO ASSIST IN ADDRESSING THE NEEDS OF VICTIMS OF DOMESTIC VIOLENCE. (9:43 AM)

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON STAFF RECOMMENDATIONS FOR PURCHASE OF SOCIAL SERVICES FROM COMMUNITY-BASED ORGANIZATIONS. (11:00 AM) (2:24 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Karen Langley, President, Austin Area Human Services Association; Susan Spataro, Travis County Auditor; Cyd Grimes, Travis County Purchasing Agent; José Palacios, Travis County Auditor's Office; Susan McDowell, Executive Director, LifeWorks; Vince Caballas, City of Austin Health and Human Services; and David Escamilla, Travis County Attorney.

Clerk's Note: The Commissioners' Court requested Staff to provide a list of agencies that we think are not in good standing; an outline of an action plan for those agencies that are not in good standing, to get in good standing; and an outline of a strategy that enables Travis County to deal with some of these outstanding invoicing issues. This should be shared with the City of Austin, so they can come and provide their input, and make sure we get input from the Auditor, Purchasing, and Health and Human Services staff.

Discussion only. No action taken.

Item 18 to be reposted on October 28, 2003.

ADMINISTRATIVE OPERATIONS ITEMS

- 19. 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 \$476,851.94 FOR THE PERIOD OF SEPTEMBER 26, 2003 THROUGH OCTOBER 2, 2003. (9:43 AM)

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

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (3:31 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the proposed 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

21. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST FOR APPROVAL OF CONSTRUCTION DOCUMENTS FOR THE PRECINCT THREE OFFICE BUILDINGS – PHASE 2 AND RELEASE FOR BID. (3:31 PM)
(3:37 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 21.

Motion carried:

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

Clerk’s Note: Item 21 was further discussed at 3:37 PM with a request by Commissioner Sonleitner that the Commissioners’ Court record reflect a Corrected Vote on Item 21. Judge Biscoe instructed that the record show Commissioner Sonleitner voting in favor of the Motion on Item 21. 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

22. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TRAVIS COUNTY GRANTING A WATERLINE EASEMENT TO THE CITY OF AUSTIN AT GARDNER BETTS – THE TRAVIS COUNTY JUVENILE JUSTICE CENTER. (9:43 AM)

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(3:33 PM)

A. PROPOSED AMENDMENT TO THE TRAVIS COUNTY CODE, CHAPTER 10, PEACE OFFICER PAY SCALE (POPS) POLICY 10.0295; AND

B. REQUEST TO APPROVE FY 04 PEACE OFFICER PAY SCALE (POPS), PER BUDGET RULES APPENDICES.

Clerk’s Note: Items 23.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Bill Derryberry, Senior Budget Analyst, Planning and Budget Office (PBO).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Items 23.A and 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

PURCHASING OFFICE ITEMS

24. APPROVE PURCHASE OF MODULAR SYSTEMS FURNITURE OFF STATE CONTRACT FROM KNOLL, INC., FOR THE COUNTY CLERK’S OFFICE. (COUNTY CLERK, FAC. MGMT.) (COMMISSIONER GÓMEZ) (3:36 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 24.

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

25. APPROVE ATTACHMENT G, SCOPE OF SERVICES (MODIFICATION NO. 5) TO CONTRACT NO. PS010063JW, CLEAN INVESTMENTS COUNSELING CENTER, FOR SUBSTANCE ABUSE COUNSELING AND TREATMENT SERVICES. (DRUG COURT) (COMMISSIONER GÓMEZ) (9:43 AM)

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

26. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 01T0026-TF, AVNET NETWORK SOLUTION DIVISION, FOR CISCO NETWORKING PRODUCTS/SERVICES. (ITS) (COMMISSIONER GÓMEZ) (9:43 AM)

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

27. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00058OJ, WORKERS ASSISTANCE PROGRAM, INC. FOR THE EMPLOYEE ASSISTANCE PROGRAM FOR TRAVIS COUNTY EMPLOYEES. (HRMD) (COMMISSIONER GÓMEZ) (9:43 AM)

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

28. APPROVE PURCHASE OF FOUR (4) POLICE SEDANS AND ONE (1) PICKUP TRUCK FROM HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT ILA98-858. (TNR) (COMMISSIONER GÓMEZ) (9:43 AM)

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

OTHER ITEMS

29. APPROVE CONTRACT AWARD WITH SICKLE CELL ANEMIA ASSOCIATION FOR VARIOUS SICKLE CELL SERVICES. (HHS&VS) (3:38 PM)

Members of the Court heard from: Stephen Williams, Executive Manager, TCHHS&VS; David Escamilla, Travis County Attorney; Cyd Grimes, Travis County Purchasing Agent; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the contract, using standard language we have been using for Health and Human Services, to delay funding until the appropriate audit is turned in, and to authorize the County Judge to sign on behalf of the Commissioners' Court.

Motion carried:

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

30. CONSIDER AND TAKE APPROPRIATE ACTION TO IMPROVE JUSTIFICATION AND DOCUMENTATION OF JUSTIFICATION FOR ADVERSE PERSONNEL DECISIONS THROUGHOUT TRAVIS COUNTY. (3:52 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Linda Moore Smith, Director, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Judge Biscoe's proposal to improve the justification and documentation of justification for adverse personnel decisions throughout Travis County.

A Clarification of the previous Motion was made by Commissioner Sonleitner that the intent of the Motion is to also deal with issues involving all independent elected officials, not just the County Sheriff.

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

31. REQUEST COMMISSIONERS COURT APPROVAL TO PRINT 230,000 COPIES OF TAXPAYER NEWS FOR MAILING WITH THE 2003 PROPERTY TAX BILLS. (9:43 AM)

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

32. APPROVE INTERLOCAL AGREEMENTS BETWEEN ROSEBUD-LOTT, NIXON-SMILEY AND KNIPPA INDEPENDENT SCHOOL DISTRICTS AND TRAVIS COUNTY FOR THE OPERATION OF THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM. THESE INTERLOCAL AGREEMENTS HAVE ALREADY BEEN APPROVED BY THE TRAVIS COUNTY JUVENILE BOARD. (9:43 AM)

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

33. CONSIDER AND APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND NORTHEAST TRAVIS COUNTY UTILITY DISTRICT. (9:43 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 REQUEST FROM BENJAMIN MEEKS TO SET UP A PORTABLE SHOE SHINE STAND IN THE TRAVIS COUNTY HISTORIC COURTHOUSE AND CRIMINAL JUSTICE CENTER ON A PILOT BASIS. (JUDGE BISCOE) (3:55 PM)

Members of the Court heard from: Tenley Aldredge, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve a 30-day pilot 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:43 AM)

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

36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE: (1:55 PM)

- A. FIRST SUPPLEMENT TO TRUST INDENTURE AND FIRST AMENDMENT TO LOAN AGREEMENT RELATING TO MULTIFAMILY HOUSING REVENUE BONDS (WOODWAY SQUARE APARTMENTS) SERIES 2003 ISSUED BY TRAVIS COUNTY HOUSING FINANCE CORPORATION; AND THE EXECUTION OF DOCUMENTS AND INSTRUMENTS RELATING THERETO; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND

- B. FIRST SUPPLEMENT TO TRUST INDENTURE AND FIRST AMENDMENT TO LOAN AGREEMENT RELATING TO MULTIFAMILY HOUSING REVENUE BONDS (TOWN VISTA APARTMENTS PROJECT) SERIES 2003 ISSUED BY TRAVIS COUNTY HOUSING FINANCE CORPORATION; AND THE EXECUTION OF DOCUMENTS AND INSTRUMENTS RELATING THERETO; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Clerk's Note: Items 36.A and B are associated with one another and were called for concurrent discussion.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 36.A and 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

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

- 37. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO LEASE AGREEMENT AT THE EXPO CENTER TO ADD LANGUAGE COVERING DANGEROUS WILD ANIMALS. ¹ (3:58 PM) (5:14 PM)**

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the proposed lease modification.

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

- 38. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTED TERMS OF POURING RIGHTS AGREEMENT AT THE EXPO CENTER. ¹ (3:58 PM) (5:15 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.

Motion by Judge Biscoe and seconded by Commissioner Davis to authorize appropriate County personnel to negotiate a pouring rights agreement at the Expo Center, in a manner that generates for Travis County as much revenue as possible.

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

39. CONSIDER AND TAKE APPROPRIATE ACTION ON AUS-TEX CONCESSIONS CONTRACT AT EXPOSITION CENTER. (3:58 PM)

Item 39 postponed until October 21, 2003.

40. 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} (1:57 PM) (3:58 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, and Gov't. Code Ann. 551.072, Real Property.

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; Roger El Khoury, Director, Facilities Management; and Gary Calabrese, Attorney representing Bill Ludwig and Len Layne.

Clerk's Note: Judge Biscoe noted that the option that has Travis County partnering with the neighbors to install a second drainage pipe, at shared cost, up to \$30,000.00 on their part, is the one that makes the most sense now. The Commissioners' Court also expressed their appreciation to the neighbors for working with us on this matter.

Motion by Judge Biscoe and seconded by Commissioner Davis to direct Staff to take the steps necessary to get that implemented, including securing the necessary approval from the City of Austin Subdivision Department, and other appropriate steps to get it done.

An Clarification of the previous Motion was made by Commissioner Sonleitner that if for some reason that proves to be unworkable, it needs to be brought back to the Commissioners' Court, so we can figure out what is a workable solution.

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

41. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AT 2919 MANCHACA ROAD, PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. ^{1 & 2} (3:58 PM) (5:17 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, and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to take the landlord up on his offer, in terms of agreeing to get a further testing balance out of that location. We would also like to have a CO² test done as part of that testing balance, but that this be done in cooperation and collaboration with Travis County, in terms of the manner that this test is done, so it is done to our satisfaction as well as theirs; and that, at this point, we hold off on the CO² abatement in the November rent, until those tests are complete, and we can reevaluate where we would like to go.

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

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, COUNTER OFFER OR SETTLEMENT OFFER AND TAKE APPROPRIATE ACTION REGARDING BARBARA OAKLEY, AS LEGAL GUARDIAN FOR RICHARD DANZINGER V. CITY OF AUSTIN, HECTOR POLANCO, ET AL. ¹ (3:58 PM) (5:17 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.

No action required.

Item 42 to be reposted on October 21, 2003.

43. 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 98TH DISTRICT COURT OF TRAVIS COUNTY, TEXAS. ¹ (3:58 PM) (5:18 PM)

Clerk’s Note: Judge Biscoe announced that Item 43 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 that the County Judge be authorized to execute the settlement, agreement, and release, on behalf of the Travis County Commissioners’ Court. This case is settled for the amount of \$85,000.00.

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	absent

ADDED ITEMS

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING MODIFICATION OF ADMINISTRATIVE LEAVE POLICY WITH REGARD TO EXTENSION OF ADMINISTRATIVE LEAVE IN TITLE VII CASES. (EXECUTIVE SESSION ^{1&3}) (3:58 PM) (5:18 PM)

Clerk’s Note: Judge Biscoe announced that Item A1 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 Judge Biscoe and seconded by Commissioner Davis to authorize the modification of this policy, for this limited use.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (5:19 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 absent

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge