

MINUTES OF MEETING – NOVEMBER 4, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 4th day of November, 2003, the Commissioners' Court convened the regular Voting Session at 9:11 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 12:21 PM.

The Commissioners' Court reconvened the Voting Session at 1:50 PM.

The Commissioners' Court briefly recessed the Voting Session at 1:52 PM.

The Commissioners' Court reconvened the Voting Session at 1:53 PM.

The Commissioners' Court retired to Executive Session at 3:19PM.

The Commissioners' Court reconvened the Voting Session at 4:59 PM.

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

PUBLIC HEARINGS

1. DISCUSS REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: PALEFACE LAKE COUNTRY ESTATES, REVISED PLAT OF LOTS 2 AND 3, BLOCK 1 (SHORT FORM PLAT – 2 LOTS – 0.733 ACRES – NOMAD DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) – NO MUNICIPAL ETJ). (ACTION ITEM 21) (COMMISSIONER DAUGHERTY) (9:14 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 21 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: ANGEL BAY, RESUBDIVISION OF LOT 1, BLOCK B (SHORT FORM PLAT – 2 LOTS – 5.315 ACRES – ANGEL LIGHT DRIVE (PRIVATE ROAD) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (ACTION ITEM 22) (COMMISSIONER DAUGHERTY) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 22 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 PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 7 AND 8, PALEFACE PARK, PHASE 1, SECTION B (REVISED PLAT – 2 LOTS – 13.98 ACRES – STATE HIGHWAY 71 AND PACE BEND ROAD (RM 2322) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY (LCRA JURISDICTION) – OUTSIDE ALL ETJs). (ACTION ITEM 23)
(COMMISSIONER DAUGHERTY) (9:15 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 23 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

- 4. DISCUSS REQUEST FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENTS TO “CRAWFISH LANE” AND “THURMAN BEND ROAD” IN EDGEWATER BEACH, SECTION TWO, NEAR LAKE TRAVIS IN PRECINCT THREE. (ACTION ITEM 24) (COMMISSIONER DAUGHERTY) (9:16 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 24 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

RESOLUTIONS & PROCLAMATIONS

- 5. APPROVE RESOLUTION RECOGNIZING NOVEMBER 11, 2003 AS “VETERANS DAY” IN TRAVIS COUNTY. (9:17 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); and Olie Pope, Travis County Veterans’ Services Officer.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution 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

- 6. APPROVE RESOLUTION HONORING VIRGIL LIMON ON HIS RETIREMENT FROM THE DISTRICT CLERK’S OFFICE AFTER 27 YEARS OF SERVICE TO TRAVIS COUNTY. (JUDGE BISCOE) (9:23 AM)

Members of the Court heard from: Virgil O. Limon, Travis County District Clerk’s Office; Amalia Rodriguez-Mendoza, Travis County District Clerk; and Lonnie Limon, son of Virgil Limon.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez 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

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR RESOLUTION IN OPPOSITION TO ACTIONS BY THE TEXAS DEPARTMENT OF HEALTH AND HUMAN SERVICES IN TRAVIS COUNTY THAT WILL RESULT IN A REDUCTION OF SERVICES, CLOSURE OF OFFICES, REDUCED REVENUE AND LOSS OF JOBS FOR TRAVIS COUNTY RESIDENTS. (JUDGE BISCOE) (9:11 AM)

Item 7 postponed until November 12, 2003.

CITIZENS COMMUNICATION

Clerk's Note: No speakers addressed the Commissioners Court. (9:38 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C4 and Items 8, 9, 11.A and B, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33.A-D, 35, 36, 38, and 39. (9:39 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 OCTOBER 21, 2003.

CONSENT ITEMS CONTINUED

- C4.** APPROVE SETTING A PUBLIC HEARING ON DECEMBER 2, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: VILLAGES OF HIDDEN LAKE, PHASE 1, AMENDED PLAT, LOTS 32-35 AND 42, BLOCK B (SHORT FORM PLAT – 5 LOTS – 3.113 ACRES – KELLY LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF PFLUGERVILLE – CITY OF PFLUGERVILLE ETJ.) (COMMISSIONER SONLEITNER)

ADMINISTRATIVE OPERATIONS ITEMS

- 8.** REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$632,673.29 FOR THE PERIOD OF OCTOBER 17, 2003 THROUGH OCTOBER 23, 2003. (9:39 AM)

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 PROPOSED PERSONNEL AMENDMENTS. (9:39 AM)

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

- 10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE SCHEMATIC DESIGN FOR PHASES TWO, THREE AND FOUR AT THE 5501 AIRPORT BLVD. BUILDING THAT INCLUDES INFORMATION AND TELECOMMUNICATIONS SYSTEMS, PRINT SHOP, IMAGING, COUNSELING AND EDUCATION SERVICES, CRIMINAL JUSTICE PLANNING AND EMERGENCY SERVICES DEPARTMENTS. (9:42 AM) (9:49 AM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the schematic design for phases 2, 3, and 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

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:39 AM)

- A. REQUEST FOR TUITION REFUNDS FOR EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH TUITION REIMBURSEMENT POLICY §10.021; AND

- B. AUTHORIZATION FOR THE COUNTY AUDITOR AND TREASURER TO REIMBURSE EMPLOYEES AS LISTED.

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

PURCHASING OFFICE ITEMS

12. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. SL030126LC, BEARINGPOINT, INC., FOR TEXAS ONLINE SERVICE LEVEL AGREEMENT WITH EPAY ATTACHMENT FOR TRAVIS COUNTY. (ITS) (COMMISSIONER GÓMEZ) (9:43 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Judy Pittsford, Program Manager, Information and Telecommunications Systems (ITS).

Discussion Only. No action taken on Item 12.

13. APPROVE CONTRACT NO. PS030292JW WITH ROCKDALE REGIONAL JUVENILE JUSTICE CENTER TO PROVIDE RESIDENTIAL TREATMENT SERVICES TO TRAVIS COUNTY JUVENILE OFFENDERS. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:39 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. 3 TO CONTRACT NO. PS000251LB, DOMESTIC VIOLENCE AND SEXUAL ASSAULT SURVIVAL CENTER, WITH SAFEPLACE. (DISTRICT ATTORNEY) (COMMISSIONER GÓMEZ) (9:39 AM)

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

15. APPROVE CONTRACT AWARD FOR DISHWASHING AND LAUNDRY CHEMICALS, IFB NO. B030160-RV, TO THE SOLE BIDDER, ECOLAB, INC. (SHERIFF'S OFFICE, GARDNER BETTS) (COMMISSIONER GÓMEZ) (9:39 AM)

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

16. APPROVE ASSIGNMENT OF CONTRACT NO. 02T00063RG (MODIFICATION NO. 2) FOR TRANSPORT OF CADAVERS FROM PERCHES-FALCON GROUP, INC. TO TEXAS FOREVER, INC. (MEDICAL EXAMINER) (COMMISSIONER GÓMEZ) (9:39 AM)

Clerk's Note: Judge Biscoe announced that on Item 16 the assignment would be through December 31, 2003.

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

17. REJECT ALL BIDS FOR IFB NO. B030159-SI, REPLACEMENT OF HVAC SYSTEM AT GARDNER-BETTS (SHETLER) BUILDING, AND REBID. (FM) (COMMISSIONER GÓMEZ) (9:39 AM)

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

18. RECEIVE BRIEFING ON HISTORICALLY UNDERUTILIZED BUSINESSES (HUB) INITIATIVES AND RECOMMENDATIONS FOR IMPROVING THE COUNTY'S HUB PROGRAM. (PURCHASING OFFICE) (COMMISSIONER GÓMEZ) (2:27 PM) (3:19 PM) (5:15 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Colette Holt, Civil Rights Attorney, Colette Holt and Associates.

Clerk's Note: Judge Biscoe announced that Item 18 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No action taken.

19. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 01AE601-JJ, CARTER & BURGESS, INC., PROFESSIONAL ENGINEERING SERVICES FOR THE ANDERSON MILL ROAD DESIGN PROJECT. (TNR) (COMMISSIONER SONLEITNER) (9:39 AM)

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

20. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 02K00145JJ, RGM CONSTRUCTORS, FOR THE LITTIG ROAD RECONSTRUCTION PROJECT. (TNR) (COMMISSIONER DAVIS) (9:39 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

21. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: PALEFACE LAKE COUNTRY ESTATES, REVISED PLAT OF LOTS 2 AND 3, BLOCK 1 (SHORT FORM PLAT – 2 LOTS – 0.733 ACRES – NOMAD DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) – NO MUNICIPAL ETJ). COMMISSIONER (DAUGHERTY) (9:39 AM)

Clerk's Note: Item 21 is the action item for the public hearing on Agenda Item 1.

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

22. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: ANGEL BAY, RESUBDIVISION OF LOT 1, BLOCK B (SHORT FORM PLAT – 2 LOTS – 5.315 ACRES – ANGEL LIGHT DRIVE (PRIVATE ROAD) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 2.

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 REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 7 AND 8, PALEFACE PARK, PHASE 1, SECTION B (REVISED PLAT – 2 LOTS – 13.98 ACRES – STATE HIGHWAY 71 AND PACE BEND ROAD (RM 2322) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY (LCRA JURISDICTION) – OUTSIDE ALL ETJs). (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 23 is the action item for the public hearing on Agenda Item 3.

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 REGARDING REQUEST FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENTS TO "CRAWFISH LANE" AND "THURMAN BEND ROAD" IN EDGEWATER BEACH, SECTION TWO, NEAR LAKE TRAVIS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 24 is the action item for the public hearing on Agenda Item 4.

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

25. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEKS COUNTRY CLUB, SECTION 9 (LONG FORM PLAT – 74 LOTS – 22.315 ACRES – FARLEIGH LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID 1G – CITY OF CEDAR PARK ETJ.) (COMMISSIONER DAUGHERTY) (9:39 AM)

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

26. EXTEND LICENSE AGREEMENT WITH MATT AND JAKE LUCAS TO ASSIST TRAVIS COUNTY STAFF WITH TRAPPING AND CONTROLLING THE FERAL HOG POPULATION ON TRAVIS COUNTY'S BALCONES CANYONLANDS PRESERVE LAND. (COMMISSIONER DAUGHERTY) (9:39 AM)

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

27. APPROVE 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) (9:39 AM)

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

28. APPROVE A CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: LOS CIELOS, SECTION 1 (LONG FORM PLAT – 138 LOTS – 55.682 ACRES – PEARCE LANE – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:39 AM)

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

29. A. DISCUSS AND GIVE APPROPRIATE DIRECTIONS ON PROPOSAL FOR CHAPTER 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION; (10:56 AM)

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

Discussion Only. No action taken on Item 29.A.

Item 29.A to be reposted on Thursday, November 13, 2003

29. B. CONSIDER STRATEGIC PLAN TO RETAIN INDEPENDENT AUDIT OF CITY AND COUNTY INSPECTION AND SUBDIVISION RELATED SERVICES TO AVOID DUPLICATION. (10:30 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Susan Spataro, Travis County Auditor; Tom Nuckols, Assistant County Attorney; and Hank Smith, Stakeholder.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Auditor to work with the Purchasing Department and the Transportation and Natural Resources Department to contact firms and get them ready to perform an independent audit for the County upon notice; to contact the City of Austin and try to reach agreement on how we can collaboratively get this done; and to give authorization to prepare to spend money, and see a workplan that the audit firm would recommend to the Court, as well as cost; and at that point we would make a final decision.

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO USE RIGID (CONCRETE) PAVEMENT UNDER SECTION 82.302(d)(4) STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS OF THE TRAVIS COUNTY CODE. (COMMISSIONER DAVIS) (9:12 AM)

Item 30 postponed until November 12, 2003.

31. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON REGIONAL SOLID WASTE SUMMIT. (10:09 AM)

Members of the Court heard from: John Kuhl, Environmental Officer, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to transfer \$2,000.00 from the reserve into the Transportation and Natural Resources line item identified in the memo, to use as necessary.

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 Sonleitner to give authorization to Staff to proceed with this agenda; try to get final decisions on the participants; to share the information with the Court members individually at the appropriate time; and that the item does not necessarily have to be back on the Court's Agenda unless there is a dramatic 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	yes

32. AMEND INTERLOCAL AGREEMENT WITH CAPITAL METRO FOR REGIONAL MOBILITY AND TRANSPORTATION PROJECTS. (COMMISSIONER SONLEITNER) (9:39 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

33. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:39 AM)

A. A GRANT APPLICATION TO THE TEXAS TASK FORCE ON INDIGENT DEFENSE FOR TECHNOLOGY IMPROVEMENTS FOR TRAVIS COUNTY INDIGENT DEFENSE GRANT IN THE CRIMINAL AND JUVENILE COURTS. THE GRANT PROVIDES RESOURCES TO PURCHASE TECHNOLOGY TO IMPROVE THE INDIGENT DEFENSE PROGRAM IN TRAVIS COUNTY;

B. A GRANT CONTRACT AMENDMENT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE KENNEDY RIDGE STEP #2 WATER GRANT IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. THE GRANT AMENDMENT EXTENDS THE TERMINATION DATE OF THE GRANT;

C. A GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A RETIRED SENIORS AND VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 04; AND

D. A GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE FY 03 COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT AMENDMENT REDUCES THE FUNDS FOR THE GRANT BY \$100,000.

Clerk's Note: Items 33.A-D added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (3:18 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the budget amendments and transfers item A1.

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

- 35.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:39 AM)

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

- 36.** DISCUSS THE REQUEST FROM TRAVIS COUNTY SHERIFF'S OFFICE TO ALLOW JUDGE BISCOE, ON BEHALF OF THE COMMISSIONERS' COURT, TO SIGN A TEXAS COMMISSION ON JAIL STANDARDS VARIANCE REQUEST TO MIX CUSTODY CLASSIFICATION LEVELS IN THE HEALTH SERVICES BUILDING AT TRAVIS COUNTY DEL VALLE CORRECTIONAL COMPLEX. (9:39 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 GIVE DIRECTION TO AFFECTED PARTIES, ESPECIALLY SAWYER VENDING SERVICES, ON SCHEDULE FOR RENOVATION OF THE FIRST FLOOR OF THE HISTORIC COUNTY COURTHOUSE. (1:50 PM)
(1:53 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Rick Collier, Sawyer's Vending Services.

Discussion Only. No action taken.

Item 37 to be reposted on November 12, 2003.

- 38.** RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF SEPTEMBER 2003. (9:39 AM)

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

39. APPROVE THE PRINTING OF 500+ COPIES OF A FLYER FOR THE 2003 BROWN SANTA PROGRAM AND APPROVE DISTRIBUTION WITH PAYROLL CHECKS ON NOVEMBER 14, 2003. (9:39 AM)

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

40. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AMENDMENT NO. 2 TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES AND HELICOPTER SERVICES. (3:07 PM)

Members of the Court heard from: Caryl Colburn, Director, Travis County Counseling and Educational Services (TCCES).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the amendment to the interlocal in Item 40.

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

- 41. DISCUSS ACQUISITION OF APPROXIMATELY 254.53 ACRES OF LAND OWNED BY R-BAR-B PROPERTIES, INC. IN CONNECTION WITH THE BALCONES CANYONLAND CONSERVATION PLAN, AND TAKE APPROPRIATE ACTION. ² (3:19 PM) (5:07 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 Judge Biscoe **and seconded by** Commissioner Daugherty that we rescind the offer and proceed to negotiate with others.

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 IN CAUSE NO. GN-300127; AUSTIN 1825 FORTVIEW, INC. V. TRAVIS COUNTY, TEXAS, IN THE 353RD DISTRICT COUNTY OF TRAVIS COUNTY, TEXAS. ¹ (3:19 PM) (5:07 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.

Item 42 postponed until November 12, 2003.

- 43. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AT 2919 MANCHACA ROAD, PRECINCT THREE JUSTICE OF THE PEACE AND CONSTABLE OFFICES. ^{1 & 2} (3:19 PM) (5:07 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 and Gov’t. Code Ann. 551.072, Real Property.

Members of the Court heard from: David Escamilla, Travis County Attorney; and Pat Ford, Real Estate Manager, Facilities Management.

No action required on Item 43.

ADDED ITEMS

- A1. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. JC020107DM – JOB ORDER NO. 23, ARCHITECTURAL HABITAT OF AUSTIN, INC., RENOVATION OF THE BUILDING AT 5501 AIRPORT BLVD. (FM) (COMMISSIONER DAVIS) (3:10 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Dana DeBeauvoir, Travis County Clerk; Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO); and John Hille, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item A1, the modification to the contract.

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 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. (EXECUTIVE SESSION ¹) (2:00 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Judge to sign the settlement agreement.

Motion carried:

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

- A3.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING TRAVIS COUNTY INTEREST OR NO INTEREST IN THE EXTENSION OF BRENHAM/BLAKE MANOR FROM WILD HORSE CREEK SECTION 3 SUBDIVISION TO AND/OR INTO TRAVIS COUNTY, MANOR COMMUNITY CENTER AND CLINIC. (COMMISSIONER DAVIS) (2:14 PM) (5:08 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Tom Nuckols, Assistant County Attorney; Joe Gieselman, Executive Manager, TNR; and Danny Burnett, Development Coordinator, Dwyer Realty Companies.

Motion by Commissioner Davis **and seconded by** Judge Biscoe that Travis County take no interest in the extension of the Brenham/Blake Manor Road from Wild Horse Creek Section 3 Subdivision to and/or into Travis County Manor Community Center and Clinic; and also within the Motion, to authorize Facilities Management, under Roger El Khoury, to sign the proper documentation to take this forward to the City of Manor Review and Planning before November 6, 2003, so they can go ahead and move forward with this project.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe to reserve the right to finally approve the impact on Carrie Manor that gives the County access to the Center; and to condition approval upon our seeing the final design and basically approving it. Another stipulation would be to not give up any property without compensation.

Acceptance of the Friendly Amendment was made by Commissioner Davis.

Clerk’s Note: The Court did not take a Vote on the previous Motion.

Clerk’s Note: The Court further discussed and took action on Item A3 at 5:08 PM.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to indicate to the City of Manor that Travis County has no interest in the extension of the Brenham/Blake Manor Road from Wild Horse Creek Section 3 Subdivision to and/or into Travis County Manor Community Center and Clinic; and also within the Motion, to authorize Facilities Management, under Roger El Khoury, to sign the proper documentation to take this forward to the City of Manor Review and Planning before November 6, 2003, so they can go ahead and move forward with this project.

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

A4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TRAVIS COUNTY INVOLVEMENT IN LEGAL ACTION OBJECTING TO CONGRESSIONAL REDISTRICTING EFFORT BY THE TEXAS LEGISLATURE. (COMMISSIONER DAVIS) ¹ (11:16 AM) (3:19 PM) (4:59 PM)

Clerk’s Note: Judge Biscoe announced that Item A4 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Jim Collins, Executive Assistant County Attorney; Alfred Stanley, Travis County Resident; James B. Eccles, Attorney, Travis County Resident; Robert Hartle, Travis County Resident; Wilhemina Delco, Travis County Resident; Melissa Gonzales, Travis County Resident; Maria Santana, Travis County Resident; Marilyn Mlotok, Travis County Resident; Gary Keith, Travis County Resident; Anne McAfee, Travis County Resident; and Paul Robbins, Travis County Resident.

Clerk’s Note: The Court further discussed and took action on Item A4 at 4:59 PM.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we authorize the County Attorney to file a Motion to intervene on Travis County’s behalf; and that we authorize the County Attorney, at the appropriate time, as the County Attorney sees necessary, to retain outside counsel and obligate the County up to the amount of \$25,000.00 initially, and to come back to the Court once that amount is exhausted.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (5:15 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