

## MINUTES OF MEETING – NOVEMBER 12, 2003

### TRAVIS COUNTY COMMISSIONERS' COURT

On Wednesday, the 12<sup>th</sup> day of November, 2003, the Commissioners' Court convened the regular Voting Session at 9:10 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 10:37 AM.

The Commissioners' Court reconvened the Voting Session at 11:16 AM.

The Commissioners' Court adjourned the Voting Session at 11:16 AM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 11:17 AM and adjourned at 11:19 AM.

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### RESOLUTIONS & PROCLAMATIONS

1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR RESOLUTION ENCOURAGING THE TEXAS DEPARTMENT OF HEALTH AND HUMAN SERVICES IN TRAVIS COUNTY NOT TO TAKE ACTION THAT WILL RESULT IN A REDUCTION OF PROGRAMS AND SERVICES, REDUCED REVENUE, CLOSURE OF OFFICES AND LOSS OF JOBS FOR TRAVIS COUNTY RESIDENTS. (JUDGE BISCOE) (9:12 AM)

**Members of the Court heard from:** Caroline O'Connor, Political Director, Texas State Employees' Union; and Ruben Lesley, Member, Texas State Employees' Union.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution in Item 1.

**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. APPROVE TWELVE (12) MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR EROSION CONTROL MATERIALS:  
(9:28 AM)

- A. NO. 03T00091RV, AFS ENVIRONMENTAL, INC.; AND

- B. NO. 03T00092RV, FUQUAY, INC. (COUNTYWIDE) (COMMISSIONER GÓMEZ)

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

4. APPROVE CONTRACT NO. PS030293JW WITH MARY LEVY FOR SEXUAL ASSAULT NURSE EXAMINER (SANE) SERVICES. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:28 AM)

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

5. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00052LD, MILLER UNIFORMS AND EMBLEMS, FOR SHERIFF'S UNIFORMS. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:28 AM)

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

6. APPROVE PURCHASE OF COPIER PAPER OFF STATE CONTRACT. (RECORDS MANAGEMENT) (COMMISSIONER GÓMEZ) (9:28 AM)

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

7. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 03AE0136JJ, LAND DESIGN STUDIO, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE EAST METRO DESIGN PROJECT. (TNR) COMMISSIONER DAVIS) (9:10 AM)

Item 7 pulled from the Agenda.



11. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON PHASE I LANDFILL ODOR STUDY, AND WORK GROUP COMMENTS. (9:10 AM)

Item 11 postponed until November 25, 2003.

12. DISCUSS AND GIVE DIRECTION ON USE OF SATELLITE 3 LOCATED AT 14624 HAMILTON POOL ROAD BY PUBLIC, SEMI-PUBLIC OR PRIVATE VENDOR. (9:45 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Terry Browder, President, Travis County Emergency Services District #6 (ESD #6); Bruce A. Watson, Fire Chief, ESD #6; and Terry Pickering, Major, Travis County Sheriff's Office (TCSO).

Discussion only. No action taken.

Item 12 to be reposted on November 25, 2003.

**PLANNING AND BUDGET DEPT. ITEMS**

13. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:  
(9:28 AM)
- A. A GRANT APPLICATION TO THE CAPITAL AREA PLANNING COUNSEL FOR A FY 04 RECYCLING EDUCATION GRANT PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES. A NEW GRANT PROGRAM TO PROVIDE FUNDS FOR EDUCATION ABOUT RECYCLING PROGRAMS;
  - B. A FY 04 SOLID WASTE ENFORCEMENT GRANT PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES. A NEW, ONE-YEAR, GRANT PROGRAM THAT PROVIDES A NEW FTE AND FUNDS TO INVESTIGATE ILLEGAL DUMPING, AND MAY REQUIRE FY 05 GENERAL FUNDS IF CONTINUED;
  - C. A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR A HAZARD MITIGATION BUYOUT (GRAVEYARD POINT) GRANT PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES. GRANT PROVIDES FUNDS TO PURCHASE 8 PROPERTIES IN GRAVEYARD POINT;
  - D. A GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR A HAZARD MITIGATION BUYOUT (TIMBER CREEK) GRANT PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES. GRANT PROVIDES FUNDS TO PURCHASE 42 PROPERTIES IN TIMBER CREEK;
  - E. A GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM WEATHERIZATION ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE AMENDMENT MAKES A MINOR WORDING CHANGE TO THE CONTRACT LANGUAGE; AND
  - F. A GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE DEPARTMENT OF ENERGY/OIL OVERCHARGE WEATHERIZATION ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE AMENDMENT MAKES A MINOR WORDING CHANGE TO THE CONTRACT LANGUAGE.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS AND TRANSFERS. (9:11 AM)

Item 14 not needed.

**ADMINISTRATIVE OPERATIONS ITEMS**

15. 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 \$348,389.03 FOR THE PERIOD OF OCTOBER 24 THROUGH OCTOBER 30, 2003. (9:28 AM)

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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:30 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 16.

**Motion carried:**

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

**Clerk's Note:** Item 16 was further discussed at 9:30 AM with a request by Commissioner Gómez that the Commissioners' Court record reflect a Corrected Vote on Item 16. Judge Biscoe instructed that the record show Commissioner Gómez voting in favor of the Motion on Item 16. 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

17. STATUS UPDATE FOR FACTS IMPLEMENTATION FOR DISTRICT CLERK, DISTRICT JUDGES, COUNTY CLERK, COUNTY JUDGES, PROBATE COURT AND JUSTICE OF THE PEACE TO PROVIDE CURRENT PROJECT ACCOMPLISHMENTS, ISSUES AND TIMELINE CONSIDERATIONS. (9:11 AM)

Item 17 postponed until November 25, 2003.

### OTHER ITEMS

18. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:28 AM)

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

19. APPROVE CANDIDATE PROJECTS FOR 2004 BUILD GREATER AUSTIN PROGRAM FROM CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY. (COMMISSIONER SONLEITNER) (9:28 AM)

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

20. APPROVE RENEWAL OF STATE OF TEXAS CONTRACT NO. 04-C0165 WITH THE OFFICE OF THE ATTORNEY GENERAL FOR FEDERALLY REQUIRED COUNTY DUTIES WITH THE TEXAS CHILD SUPPORT DISBURSEMENT UNIT (TXCSDU). THIS CONTRACT SPECIFIES THE AMOUNT OF REIMBURSEMENT TO TRAVIS COUNTY FOR INQUIRIES HANDLED BY COUNTY PERSONNEL AND FOR PROVIDING FEDERALLY MANDATED INFORMATION FOR NEW CASE FILES. (9:28 AM)

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



21. CONSIDER AND TAKE APPROPRIATE ACTION TO SCHEDULE A PUBLIC HEARING ON THE IMPACT OF STATE REDISTRICTING ON TRAVIS COUNTY IN PREPARATION FOR SUBMISSION TO THE U.S. DEPARTMENT OF JUSTICE VOTING RIGHTS DIVISION. (10:21 AM)

**Members of the Court heard from:** Jim Collins, Executive Assistant County Attorney; and Kevin Morse, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to schedule a public hearing at 9:00 AM on Tuesday, November 18, 2003, for the purpose of receiving testimony regarding the impact of proposed redistricting on the fragmentation and isolation of African-American voters in Travis County, and regarding its impact on Hispanic voters, a community of interest in Travis County.

**An Addition to the previous Motion was made by** Commissioner Sonleitner that the hearing also has to do with the changing of precinct lines, and the potential of confusion at the polls, because voting locations may change.

**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 GIVE DIRECTION TO AFFECTED PARTIES, ESPECIALLY SAWYER VENDING SERVICES, ON SCHEDULE FOR RENOVATION OF THE FIRST FLOOR OF THE HISTORIC COUNTY COURTHOUSE. (10:16 AM)

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

Discussion only. No action taken.

## 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

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

- 23.** DISCUSS ACQUISITION OF 319.709 ACRES OF LAND OWNED BY CHARLES RIBELIN, MARTHA RIBELIN, THOMAS FRANCIS, LUCIA FRANCIS AND RIBELIN RANCH PARTNERSHIP, LTD. IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN, AND TAKE APPROPRIATE ACTION. <sup>1 and 2</sup> (10:37 AM) (11:16 AM)

**Clerk's Note:** Judge Biscoe announced that Item 23 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 taken on Item 23.

Item 23 to be reposted on November 18, 2003.



**ADJOURNMENT**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to adjourn the Voting Session. (11:16 AM)

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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**