

MINUTES OF MEETING – DECEMBER 23, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 23rd day of December, 2003, the Commissioners' Court convened the regular Voting Session at 9:12 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 11:54 AM.

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

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.

The Commissioners' Court reconvened the regular Voting Session at 1:42 PM.

The Commissioners' Court retired to Executive Session at 1:42 PM.

The Commissioners' Court reconvened the Voting Session at 2:38 PM.

The Commissioners' Court adjourned the Voting Session at 2:43 PM.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ORDER PROHIBITING TRUCKS FROM BRODIE LANE ON SEGMENT BETWEEN SLAUGHTER LANE AND FM 1626 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:41 AM)

Clerk's Note: Item 2 is the action item for the public hearing on Agenda Item 1.

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve the order in Item 2.

Motion carried:

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| 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. CONSIDER AMENDMENT (#1) TO THE GRAND AVENUE PARKWAY INTERLOCAL AGREEMENT WITH THE CITY OF PFLUGERVILLE RELATING TO THE COST OF ENFORCEMENT OF THE CITY'S SIGN ORDINANCE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (9:51 AM)

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

- 4. CONSIDER AN ADDENDUM TO THE HOWARD LANE AT SCOFIELD RIDGE PARKWAY ROAD CONSTRUCTION AGREEMENT BETWEEN TRAVIS COUNTY AND RINGGOLD PARTNERS I, L.P., AND CATOOSA SPRINGS PARTNERS, L.P., FOR CIP # 01B01-11-1CA LOCATED IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (9:51 AM)

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

5. APPROVE LICENSE AGREEMENT WITH ROB ROY PHASE TWO HOMEOWNERS ASSOCIATION FOR LANDSCAPING IN THE RIGHT-OF-WAY OF BEECHER LANE IN ROB ROY PHASE TWO, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:51 AM)

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

6. DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE ONE, SECTION 6G (LONG FORM PLAT – 21 LOTS – 78.14 ACRES – FLAT TOP RANCH ROAD – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:51 AM)

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 A CONTRACT FOR PROFESSIONAL SERVICES FOR A MANAGEMENT AUDIT OF THE SINGLE OFFICE FOR TRAVIS COUNTY/AUSTIN SUBDIVISION REVIEW WITH DELOITTE & TOUCHE LLP. (9:55 AM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Joe Gieselman, Executive Manager, TNR; Susan Spataro, Travis County Auditor; Harry Savio, Executive Vice President, Homebuilders Association of Austin; Barbara Wilson, Assistant County Attorney; Lisa Gordon, Assistant City Manager, City of Austin; Cynthia McDonald, TNR; and Jessica Rio, Budget Analyst, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the proposed contract.

An Addition to the previous Motion was made by Judge Biscoe that the source of funding would be the \$100,000.00 budgeted during the budget process, and the other \$19,000.00 plus \$10,000.00 committed today, jointly by Transportation and Natural Resources and the Auditor; and to direct the Planning and Budget Office to do those transfers as automatic.

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (10:49 AM)

A. AMOUNT OF SHORT-TERM CERTIFICATES OF OBLIGATION AND LONG-TERM ROAD AND PARK BONDS TO BE ISSUED IN FY04; AND

B. ORDER AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION.

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO; and Ladd Pattillo, Travis County Financial Advisor.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 10.A and B.

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| 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 |

HEALTH AND HUMAN SERVICES DEPT. ITEMS

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR AMENDMENT NO. 6 OF THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE TEXAS AGRICULTURAL EXTENSION SERVICE (“TEXAS COOPERATIVE EXTENSION”), A COMPONENT OF THE TEXAS A&M UNIVERSITY SYSTEM AND PRAIRIE VIEW A&M UNIVERSITY. (9:13 AM)

Item 11 postponed until December 30, 2003.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON GRAZING LEASE, HUNTING, FISHING AND CAMPING LEASE AND INDEPENDENT MONITOR AGREEMENT COVERING THE TRAVIS COUNTY SCHOOL LAND. (9:51 AM)

Clerk's Note: The aforementioned Travis County school land is in Throckmorton County, Texas.

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

ADMINISTRATIVE OPERATIONS ITEMS

13. 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 \$416,477.14 FOR THE PERIOD OF DECEMBER 5 THROUGH DECEMBER 11, 2003. (9:51 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 PERSONNEL AMENDMENTS. (9:51 AM)

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

JUSTICE AND PUBLIC SAFETY ITEMS

- 18. DISCUSS AND TAKE APPROPRIATE ACTION ON CONTRACT WITH CONSULTANT TO ASSIST WITH JAIL OPERATIONS ANALYSIS AND RECOMMENDATIONS. (10:53 AM)

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); Frank Holder, Assistant Purchasing Agent; and David Balagia, Major, Travis County Sheriff's Office (TCSO).

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the contract, deleting the clause that allows the Purchasing Agent to sign contract modifications, wherever it appears.

Motion carried:

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| 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

- 19. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS030313LB, DRUG AND ALCOHOL TESTING SERVICES, WITH PRORESULTS. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:51 AM)

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

- 20. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 02T00136OJ, D & L MEDICAL PRODUCTS, FOR DURABLE MEDICAL EQUIPMENT. (TCHHS) (COMMISSIONER GÓMEZ) (9:51 AM)

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

- 21. APPROVE CONTRACT AWARD FOR AIR FILTER REPLACEMENT SERVICES, IFB NO. B040008RV, TO LOW RESPONSIVE BIDDER, ADVANCED FILTRATION SYSTEMS. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:51 AM)

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

- 22. APPROVE ASSIGNMENT AND ASSUMPTION OF BELL SPRINGS ANTENNA LEASE AGREEMENT (LA030103JW) TO THE REGIONAL PARTNERS IN THE VOICE RADIO COMMUNICATION PROJECT. (EMERGENCY SERVICES) (COMMISSIONER GÓMEZ) (9:51 AM)

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

- 23. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 02AE0241JJ, LOOMIS AUSTIN, INC., KENNEDY RIDGE WATER LINE DESIGN PROJECT. (TNR) (COMMISSIONER DAVIS) (9:51 AM)

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 ON CERTAIN SOCIAL SERVICES CONTRACTS AND AUTHORIZE THE COUNTY PURCHASING AGENT TO SIGN ALL CONTRACTS ON BEHALF OF THE COMMISSIONERS' COURT. (HHS&VS) (COMMISSIONER GÓMEZ) (9:13 AM) (11:04 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the contracts in Item 24; and to authorize the County Judge to sign on behalf of the Commissioners' Court.

Motion carried:

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| 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 MODIFICATION NO. 3 TO INTERLOCAL AGREEMENT NO. IL010211EF WITH AUSTIN COMMUNITY COLLEGE TO PROVIDE EARLY CHILDHOOD MENTORING SERVICES. (HHSD). (COMMISSIONER GÓMEZ) (9:51 AM)

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

- 26. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 03AE0136JJ, LAND DESIGN STUDIO, PROFESSIONAL ENGINEERING SERVICES FOR THE EAST METRO PARK DESIGN PROJECT. (TNR) (COMMISSIONER DAVIS) (9:51 AM)

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

- 27. CONSIDER AND TAKE APPROPRIATE ACTIONS RELATED TO PROPERTY AND BOILER/MACHINERY INSURANCE:
 - A. APPROVE OR DECLINE PURCHASE OF COVERAGE FOR ACTS OF TERRORISM. (11:48 AM)

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent; Dan Mansour, Risk Manager, HRMD; and Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject the coverage for acts of terrorism.

Motion carried:

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

- 27. B. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 03T00072OJ, KEY & PISKURAN INSURANCE, TO EXTEND THE PROPERTY AND BOILER/MACHINERY INSURANCE. (HRMD) (COMMISSIONER GÓMEZ) (9:51 AM)

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (9:51 AM)

- A. REJECT ALL BIDS RECEIVED FOR IFB NO. B040026SP, MAINTENANCE OF MICROFILM EQUIPMENT; AND
- B. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. MA010050, MAINTENANCE OF MICROFILM EQUIPMENT, WITH LASON SYSTEMS, INC. (RCMR) (COMMISSIONER GÓMEZ) (9:51 AM)

Clerk's Note: Judge Biscoe noted that the modification in Item 28.B is a 60-day extension of the contract.

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

29. APPROVE MODIFICATION NO. 1 TO THE FOLLOWING CRIME VICTIM FUND CONTRACTS FOR CRIME VICTIMS SERVICES: (COMMISSIONER GÓMEZ) (9:51 AM)

- A. NO. PS030039JW - AUSTIN ACADEMY;
- B. NO. PS030040JW - AUSTIN/TRAVIS COUNTY MHMR;
- C. NO. PS030041JW - CASA OF TRAVIS COUNTY, INC.;
- D. NO. PS030042JW - FOR THE LOVE OF CHRISTI;
- E. NO. PS030043JW - TEXAS RURAL LEGAL AID;
- F. NO. PS030044JW - LIFEWORKS;
- G. NO. PS030045JW - COMMUNITIES IN SCHOOLS - CENTRAL TEXAS, INC.;
- H. NO. PS030046JW - SAFEPLACE;
- I. NO. PS030047JW - CHILDREN'S ADVOCACY CENTER;
- J. NO. PS030048JW - VOLUNTEER LEGAL SERVICES OF CENTRAL TEXAS;
- K. NO. PS030049JW - TRAVIS COUNTY SHERIFF'S OFFICE - CRIME VICTIM'S DIVISION;
- L. NO. PS030050JW - TRAVIS COUNTY JUVENILE PROBATION DEPT - DOMESTIC RELATIONS OFFICE - FAMILY COURT SERVICES; (9:13 AM)

Item 29.L pulled from the Agenda.

- M. NO. PS030051JW - TRAVIS COUNTY JUVENILE PROBATION DEPT - COURT SERVICES - POT OF GOLD PROGRAM.

Clerk's Note: Items 29.A-M, excluding Item 29.L, added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

30. REJECT ALL BIDS FOR IFB NO. B040020SI, PRECINCT THREE OFFICE BUILDINGS – PHASE 2 PROJECT, AND REBID. (FM) (COMMISSIONER DAUGHERTY) (9:51 AM)

Clerk's Note: Item 30 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

OTHER ITEMS

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:51 AM)

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

32. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF THE SALE OR USE OF RESTRICTED FIREWORKS IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:14 AM)

Clerk's Note: Items 32 and 33 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Department of Emergency Services.

Clerk's Note: Judge Biscoe announced that by taking no action on Items 32 and 33 the burn ban and prohibition of the sale or use of restricted fireworks would remain in place until January 7, 2004.

Discussion Only. No action taken.

Items 32 and 33 to be reposted on December 30, 2003.

33. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:14 AM)

Clerk's Note: Items 32 and 33 are associated with one another and were called for concurrent discussion. Please refer to Item 32 for a summary of the Court's actions.

34. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF NOVEMBER 2003. (9:51 AM)

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

35. APPROVE REQUEST TO PURCHASE TWO LOW SPEED VEHICLES AS ALTERNATIVES FOR ONE STANDARD PICKUP FROM 2003 CAPITAL FUNDING BUDGETED IN FLEET SERVICES TO BE UTILIZED BY THE TRAVIS COUNTY SHERIFF'S OFFICE. (9:51 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 APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND WILLIAMSON-TRAVIS COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1F. (9:51 AM)

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

40. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING ONGOING LITIGATION IN CONGRESSIONAL REDISTRICTING MATTER. ¹
(1:42 PM) (2:40 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.

No action required on Item 40.

Item 40 to be reposted on December 30, 2003.

41. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE EXTENSION OF THE LEASE FOR 2919 MANCHACA ROAD. ²
(11:45 AM)

Members of the Court heard from: Pat Ford, Real Estate Manager, Facilities Management; and Tenley Aldredge, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that notice be sent to the landlord regarding the extension of the lease in Item 41.

Motion carried:

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

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING PROPERTY AT 1412 COLLIER IN AUSTIN, TEXAS, AT TAKE APPROPRIATE ACTION. ^{1 & 2}
(1:42 PM) (2:40 PM)

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

Members of the Court heard from: David Escamilla, Travis County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to authorize the Risk Management Office to spend up to \$3,000.00 from the Risk Management Fund to erect appropriate fencing, and apply appropriate signage, to safeguard that property, and hopefully, keep individuals, and especially young people, off, until we decide what follow-up action to take. We need, probably, to do a follow-up study, and take additional steps, which will take until after the first of the year, if not before; and to include any and all appropriate remedial steps.

Motion carried:

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

Item 42 to be reposted in mid-January, 2004.

