

## **MINUTES OF MEETING – JUNE 1, 2004**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 1<sup>st</sup> day of June, 2004, the Commissioners' Court convened the regular Voting Session at 9:13 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 record notes that Precinct Three Commissioner Gerald Daugherty was not present during this Voting Session.

The Commissioners' Court recessed the Voting Session at 11:03 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:37 PM and adjourned at 1:38 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:41 PM.

The Commissioners' Court retired to Executive Session at 1:38 PM.

The Commissioners' Court reconvened the Voting Session at 2:41 PM.

The Commissioners' Court adjourned the Voting Session at 2:47 PM.





## CONSENT ITEMS CONTINUED

- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 6, 2004 TO DISCUSS REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 10, LICK CREEK RANCH SUBDIVISION PHASE I (REVISED PLAT – 6 LOTS – 13.34 ACRES – OUTBACK TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY [LCRA JURISDICTION] – OUTSIDE ALL MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)

## ADMINISTRATIVE OPERATIONS ITEMS

- 2.** 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 \$663,694.03 FOR THE PERIOD OF MAY 14 THROUGH MAY 20, 2004. (9:21 AM)

**Clerk's Note:** Item 2 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 3.** CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:21 AM)

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

## PURCHASING OFFICE ITEMS

- 4.** APPROVE CONTRACT AWARD FOR COLLECTION AND TRANSPORTATION OF RECYCLABLE MATERIALS, RFP NO. P040076OJ, TO THE SOLE RESPONDENT, ACCO WASTE PAPER OF AUSTIN. (TNR) (COMMISSIONER GÓMEZ) (9:21 AM)

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

5. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 04T00174JT, WATER TREATMENT SERVICES, WITH SCALE FREE COMPANY. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:21 AM)

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

6. APPROVE CONTRACT AWARDS FOR THE FY 2004 TYPE "C" HMAC OVERLAY PROGRAM, IFB NO. B040099JJ, TO THE LOW BIDDERS, WHEELER COATINGS ASPHALT, INC. AND ASPHALT PAVING CO. OF AUSTIN, INC. (TNR) (COMMISSIONER GÓMEZ) (9:21 AM)

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

7.
  - A. APPROVE CONTRACT AWARD FOR THE FY 2004 TYPE "F" MIX OVERLAY PROGRAM IN PCT. TWO, IFB NO. B040100JJ, TO THE LOW BIDDER, WHEELER COATINGS ASPHALT, INC.; AND (9:21AM)
  - B. APPROVE CONTRACT, CONTRACT MODIFICATION AND MAKING OF CONTRACT FOR THE FY 2004 TYPE "F" MIX OVERLAY PROGRAM IN PCTS. ONE, THREE AND THE CITY OF LAKEWAY, IFB NO. B040100JJ, TO THE LOW BIDDER, J.D. RAMMING PAVING CO., INC. (TNR) (COMMISSIONER GÓMEZ)

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

8. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00237LC, DIGITAL SOUTHWEST, FOR EVIDENCE PRESENTATION SYSTEM EQUIPMENT. (ITS) (COMMISSIONER GÓMEZ) (9:21 AM)

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

9. APPROVE CONTRACT AWARD FOR PROFESSIONAL SERVICES FOR THE PAVEMENT CONDITION SURVEY PROJECT, RFQ NO. Q040030JJ, TO FUGRO CONSULTANTS, L.P. (TNR) (COMMISSIONER GÓMEZ) (9:21 AM)

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

10. APPROVE ADDITION OF HIPAA BUSINESS ASSOCIATE PROVISIONS (MODIFICATION NO. 3) TO CONTRACT NO. 02T002150J, MILLIMAN USA, INC., FOR ACTUARIAL SERVICES FOR THE TRAVIS COUNTY SELF-FUNDED PLAN. (HRMD) (COMMISSIONER GÓMEZ) (9:21 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 NO.1 TO CONTRACT NO. 03T00223LB, ALLIANT DIAGNOSTICS, TO OBTAIN GENERAL MEDICAL LAB SERVICES. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:21 AM)

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

12. APPROVE A SOLE SOURCE EXEMPTION FOR WATER AND WASTEWATER UTILITIES SERVICES FOR THE PRECINCT THREE OFFICE BUILDING AND THE WEST RURAL COMMUNITY CENTER AND CLINIC BUILDING. (FACILITIES MANAGEMENT). (COMMISSIONER DAUGHERTY) (9:21 AM)

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

## **TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

13. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY CLOSE WESTBOUND LANES OF GRAND AVENUE PARKWAY BETWEEN VISION DR. AND CENTRAL COMMERCE DR. IN PRECINCT TWO TO RELOCATE UTILITY LINE. (COMMISSIONER SONLEITNER) (9:21 AM)

**Clerk's Note:** Item 13 is the action item for the public hearing on Agenda Item 1.

**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 THE FOLLOWING:  
(9:21 AM)

A. ADVANCED FUNDING AGREEMENT FOR VOLUNTARY TRANSPORTATION IMPROVEMENT PROJECTS WITH THE STATE OF TEXAS AND TRAVIS COUNTY FOR MODIFICATION OF A PERMANENT TRAFFIC SIGNAL ON RM 620 AT HUDSON BEND ROAD, A TRAFFIC IMPROVEMENT PROJECT IN PRECINCT THREE; AND

B. INDEMNIFICATION AGREEMENT WITH BILLY DAVENPORT DBA AMERICAN FIREWORKS TO FUND MODIFICATION OF PERMANENT TRAFFIC CONTROL SIGNAL ON RM 620 AT HUDSON BEND ROAD.  
(COMMISSIONER DAUGHERTY)

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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT TO PURCHASE 237.17 ACRES IN FEE SIMPLE AND A 0.903 ACRE CONSERVATION EASEMENT FROM THE BULLCREEK WARBLER OWNERS ASSOCIATION TO BECOME PART OF THE BALCONES CANYONLANDS PRESERVE. (COMMISSIONER DAUGHERTY) (9:21 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 REQUEST FOR THE EXTENSION OF THE REVISED FEE SCHEDULE FOR PARTICIPATION UNDER THE BALCONES CANYONLANDS CONSERVATION PLAN – SHARED VISION FOR A PERIOD OF ONE YEAR (UNTIL JULY 14, 2005).  
(COMMISSIONER DAUGHERTY) (9:21 AM)

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

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO APPROVE A PRELIMINARY PLAN IN PRECINCT ONE: AUSTIN'S COLONY PHASES 6, 7, 8, 9, 10, 11, 12 AND 13 (PRELIMINARY PLAN – 960 LOTS – 221.09 ACRES – HUNTERS BEND ROAD AND DEAF SMITH BOULEVARD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY HORNSBY BEND UTILITY COMPANY – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:21 AM)

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



18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSAL TO CONSOLIDATE THE ROAD AND BRIDGE SATELLITE OFFICES IN PRECINCTS ONE AND FOUR INTO ONE EASTSIDE SERVICE CENTER.  
(9:25 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Don Wheeler, Division Director, Road Maintenance and Fleet Services, TNR; and Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO).

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve the proposal in Item 18, and; to ask that the Court be advised of timetables and other specifics that are proposed; and that Staff show how they will demonstrate the efficiencies and cost savings, or total cost of consolidation.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Sonleitner that we include discussions with Information and Telecommunications Services (ITS), in terms of where the GAATN lines are, or are not, related to making sure that we have the infrastructure related to IT. Also, at some point, we will be looking at either a traffic light, or something that will require discussions with the Texas Department of Transportation (TxDOT), because FM 969 is their roadway, so our vehicles will be able to get safely onto and off of FM 969.

**Acceptance of the Friendly Amendment was made by** Commissioner Davis and Commissioner Gómez.

**Clerk’s Note:** Judge Biscoe suggested that two public hearings be held regarding this proposal – one at Precinct One and one at Precinct Four, after we go to the next stage, because people will want to know specifically what is recommended.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

19. RECEIVE AND TAKE APPROPRIATE ACTION ON CITY OF AUSTIN AND TRAVIS COUNTY EFFORTS TO IMPLEMENT HB 1445 FOR THE REVIEW AND INSPECTION OF SUBDIVISIONS IN THE EXTRATERRITORIAL JURISDICTION. (9:57 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

Discussion only. No action taken.

Item 19 to be reposted on June 8, 2004.

### PLANNING AND BUDGET DEPT. ITEMS

20. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:21 AM)
- A. A GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 04; AND
  - B. A GRANT CONTRACT AMENDMENT WITH THE GREATER AUSTIN WORKFORCE DEVELOPMENT BOARD TO THE FY 04 CHILD CARE LOCAL MATCH CONTRIBUTION AGREEMENT AND FY 04 CHILD CARE LOCAL MATCH TRANSFER AGREEMENT IN HEALTH AND HUMAN SERVICES DEPARTMENTS. THE AMENDMENT DECREASES THE TRAVIS COUNTY EXPENDITURE ESTIMATE FROM \$180,000 TO \$120,000.

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

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

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

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 22.** CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FOR THE 2005 JOINT SOCIAL SERVICES INVESTMENT STRATEGY.  
(10:29 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

**Clerk's Note:** The Commissioners' Court discussed the following list of Recommended Actions for Joint Social Services Investment Strategy 2005:

- I. Continue in joint social service investment process with the City of Austin.
- II. Renegotiate with existing providers who meet programmatic and administrative requirements:
  - Utilize evidence-based practices
  - Promote greater impact and efficiency
  - Improve integration of services across program
  - Build upon community planning
- III. Establish Investment framework that will:
  - Sustain Safety Net
  - Build/Sustain Service Delivery Systems
  - Support Continuums of Care
  - Respond to Changing Needs
- IV. Continue with programmatic and administrative changes to enhance accountability and efficiency
- V. Continue community planning through the CAN to guide ongoing improvement to social services across the community
- VI. Create request(s) for information for agencies from whom the city and county do not currently purchase services
  - Identify agencies that provide services that could fill an identified need or gap (add to vendor list)
  - Expand service networks under managed service models (i.e. Substance Abuse, Youth and Family Assessment Center, Child Care)
  - Engage new participants in community assessment and planning



- 24. CONSIDER AND TAKE APPROPRIATE ACTION TO ACCEPT THE REQUEST OF COMMUNITY ADVOCATES FOR TEENS AND PARENTS TO: (9:23 AM)
  - A. TERMINATE CONTRACT WITH TRAVIS COUNTY THROUGH THE HEALTH AND HUMAN SERVICES DEPARTMENT AS OF JUNE 30, 2004 (EFFECTIVELY CEASING THE AGENCY’S PROVISION OF HEALTHY FAMILIES PROGRAM SERVICES); AND
  - B. TRANSITION THE PROGRAM TO THE HEALTH AND HUMAN SERVICES DEPARTMENT THROUGH THE CREATION OF TWO CASEWORKER FTE SLOTS AND EXTENDING OFFERS OF COUNTY EMPLOYMENT TO THE TWO CURRENT FAMILY SUPPORT WORKERS.

Items 24.A and B postponed until June 8, 2004.

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING THE FY 04 SUMMER YOUTH EMPLOYMENT PROGRAM: (10:38 AM)
  - A. FY 04 CONTRACT; AND
  - B. TRANSFER OF FUNDING FOR CONTRACT.

**Clerk’s Note:** Items 25.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Stephen Williams, Executive Manager, TCHHS&VS; Deborah Britton, Travis County Health and Human Services Department (TCHHSD); and Valerie Spinelli, Budget Analyst, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Items 25.A and B, as laid out in the Staff memo.

**Motion carried:**

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

**OTHER ITEMS**

- 26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:21 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 ACTION TO APPROVE THE FORMATION OF A NEW HOUSING FINANCE CORPORATION AND TO APPROVE THE IMPLEMENTATION BY THE NEW HOUSING FINANCE CORPORATION OF A SINGLE FAMILY LEASE PURCHASE PROGRAM AND OTHER RELATED MATTERS. (10:48 AM)

**Members of the Court heard from:** Cliff Blount, Attorney for the Corporations; Keith Hoffpauier, Director, Homeownership and Development, Housing Authority of Travis County; and Wylie Hopkins, Executive Director, Housing Authority of Travis County.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 27.

**Motion carried:**

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

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE REVISED AMENDMENT ONE TO LEASE OF STATE OF TEXAS REGISTRATION AND TITLE SYSTEM INFORMATION RESOURCES TO ALLOW TITLE COMPANY ACTING AS SUBSTATION TO GET ADDITIONAL EQUIPMENT. (9:14 AM)

Item 28 pulled from the Agenda.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION GRANTING CERTAIN COUNTY EMPLOYEES ACCESS TO THE REGISTRATION AND TITLING SYSTEM THROUGH THE INTERNET. (9:21 AM)

**Clerk's Note:** Item 29 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A RESOLUTION FOR THE ISSUANCE OF BONDS BY THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT # 9. (COMMISSIONER DAUGHERTY) (9:21 AM)

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

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM THE COUNTY CLERK TO ADDRESS VARIOUS SECURITY MATTERS AT 5501 AIRPORT BLVD. (1:38 PM) (2:41 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.076, Security.

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to put up “No Trespassing” signs on this property as soon as that is possible. If there are lead time items on things like lighting and cameras, that Facilities Management be authorized to go ahead and start that work now, as opposed to having to wait until this item is on for June 15, 2004. Related to the long lead time items, in terms of ordering; that we continue to explore other ways to secure our parking lot in terms of blockage, chains, etc.; and that we continue our discussions with the users of this building about what things we may have to do to further our security concerns about this building.

**An Addition to the previous Motion was made by** Commissioner Sonleitner that the Texas Department of Transportation (TxDOT) be asked to immediately discontinue use of our parking lot for a day labor site; and only if they wish that to be discussed, they should come see us and talk to us. Day laborers should be redirected to the proper day labor site, on IH-35, near 51<sup>st</sup> St.

**Clerk’s Note:** Judge Biscoe asked that Facilities Management put 110% effort into having the final proposal ready for the Court’s consideration on June 15, 2004. The other thing that we would look at is armed security versus unarmed security, and try to figure that out, if not by June 8, 2004, then by June 15, 2004.

**Clerk’s Note:** Dana DeBeauvoir, Travis County Clerk, requested that the Court ask the TxDOT subcontractors to discontinue using the Chair King parking lot next door to 5501 Airport Blvd. as a day labor site, as well.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 31 to be reposted on June 8, 2004.



- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HOSPITAL DISTRICT: (9:14 AM)
  - A. A PROCESS FOR THE SELECTION OF MEMBERS OF THE BOARD OF MANAGERS;
  - B. STANDARDS OF INDEPENDENCE FROM CONFLICTS OF INTEREST FOR THE BOARD OF MANAGERS;
  - C. ADOPTION OF CHARGE TO INTERNAL TRANSITION TEAM; AND
  - D. ADOPTION OF CHARGE TO THE HOSPITAL DISTRICT ADVISORY COMMITTEE.

Items 32.A-D postponed until June 8, 2004.

- 33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
  - A. ACCEPT NOTICE OF RESIGNATION FROM STEPHEN WILLIAMS, EXECUTIVE MANAGER FOR HEALTH AND HUMAN SERVICES AND VETERAN SERVICES; AND (9:21 AM)

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

- 33. B. APPOINT ACTING EXECUTIVE MANAGER. (9:15 AM) (1:38 PM) (2:45 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that a subcommittee of the Commissioners' Court conduct brief, informal interviews with the people we think ought to be considered, and hopefully do that this week, and have this back on the Court's Agenda next week, June 8, 2004.

**Motion carried:**

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

Item 33.B to be reposted on June 8, 2004.

**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.

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH MEDWAY RANCH (MRE RANCH, LTD.) FOR ACQUISITION OF APPROXIMATELY 344.984 ACRES OF LAND IN CONNECTION WITH THE BALCONES CANYONLAND CONSERVATION PLAN (GIESELMAN). (REQUESTED BY THE COUNTY ATTORNEY) <sup>1 and 2</sup> (1:38 PM) (2:46 PM)

**Clerk's Note:** Judge Biscoe announced that Item 34 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** Commissioner Gómez to accept the purchase contract that has been presented to Travis County, in the amount of \$9.2 million, and that the County Judge be authorized to sign all documents that are necessary to conclude this acquisition.

**Motion carried:**

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

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT PROPOSAL IN SALLY DECKER V. TRAVIS COUNTY AND STEPHEN L. WILLIAMS, IN HIS OFFICIAL CAPACITY. <sup>1</sup> (1:38 PM)

Item 35 to be postponed until June 8, 2004.

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT PROPOSAL IN PHILIP ROSENBAUM V. TRAVIS COUNTY (CAUSE NO. GN 200494, 353<sup>RD</sup> JUDICIAL DISTRICT COURT OF TRAVIS COUNTY) AND PROPERTY AT 3705 WESTLAKE DRIVE (GIESELMAN; CONDEMNATION). <sup>1</sup> (1:38 PM) (2:46 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 36 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 Sonleitner that the County Judge be authorized to sign, on behalf of the Commissioners’ Court, the settlement agreement that has been prepared by the County Attorney’s office, and signed by the other side, meaning Mr. Rosenbaum and his lawyers.

**Motion carried:**

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

- 37. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER IN DEBBIE MERGELE, AS REPRESENTATIVE OF THE ESTATE OF JOHN FRUMP V. MARGO FRASIER, ET. AL (FRUMP, MARGO FRASIER; WRONGFUL DEATH) (REQUESTED BY PLAINTIFF). <sup>1</sup> (1:38 PM)

Item 37 to be postponed until June 8, 2004.

- 38. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN JODI MARSHALL V. TRAVIS COUNTY ET. AL (MARSHALL, TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF). <sup>1</sup> (1:38 PM)

Item 38 to be postponed until June 8, 2004.

- 39.** RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON IMPLEMENTATION OF TRAVIS COUNTY HOSPITAL DISTRICT. <sup>1</sup> (1:38 PM)  
(2:47 PM)

**Clerk's Note:** Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No discussion on Item 39.

Item 39 to be reposted on June 8, 2004.

### **ADDED ITEMS**

- A1.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 15, 2004 TO DISCUSS REQUEST TO CLOSE NORTHEAST METROPOLITAN PARK TO THE GENERAL PUBLIC FROM JUNE 24 THROUGH JUNE 30, 2004 DURING THE 2004 U.S. YOUTH SOCCER NATIONAL CHAMPIONSHIP SERIES - SOUTHERN REGION. (COMMISSIONER SONLEITNER) (9:21 AM)

**Clerk's Note:** Item A1 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

