

## **MINUTES OF MEETING – JUNE 22, 2004**

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

On Tuesday, the 22<sup>nd</sup> day of June, 2004, the Commissioners' Court convened the regular Voting Session at 9:05 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 County Judge Samuel T. Biscoe was not present during this Voting Session.

The Commissioners' Court recessed the Voting Session at 12:03 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:34 PM and adjourned at 1:35 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:35 PM and adjourned at 1:40 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, convened the Voting Session at 1:40 PM and adjourned at 2:11 PM.

The Commissioners' Court, meeting as the Capital Industrial Development Corporation, the Capital Health Facilities Development Corporation, the Travis County Development Authority, and the Travis County Cultural Education Facilities Finance Corporation, convened the Voting Sessions at 2:11 PM and adjourned at 2:11 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:12 PM.

The Commissioners' Court retired to Executive Session at 2:19 PM.

The Commissioners' Court reconvened the regular Voting Session at 2:59 PM.

The Commissioners' Court adjourned the Voting Session at 3:01 PM.

### ADDITIONAL MOTION AND VOTE

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to authorize Commissioner Sonleitner to sign documents on behalf of Judge Biscoe, for items on today's Agenda.

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

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### CITIZENS COMMUNICATION

**Clerk's Note:** No speakers addressed the Court. (9:12 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C7, and Items 7, 8, 9, 11, 12, 13.A-D, 14.A and B, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 29, 32, 33, and 35. (9:08 AM)

**Motion carried:** County Judge Samuel T. Biscoe absent  
 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 JUNE 1, 2004.
- C4.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C5.** APPROVE SETTING A PUBLIC HEARING ON JULY 27, 2004 TO DISCUSS A REQUEST REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOTS 1 AND 2, GOMILLION'S SUBDIVISION (REVISED PLAT – 3 LOTS – 4.3318 ACRES – STONEBRIDGE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)
- C6.** APPROVE SETTING A PUBLIC HEARING ON JULY 13, 2004 TO DISCUSS REQUEST FOR APPROVAL OF A PROPOSED STREET NAME CHANGE FOR A PORTION OF FM 2769 TO “ANDERSON MILL ROAD” IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C7.** APPROVE SETTING A PUBLIC HEARING ON JULY 13, 2004 TO DISCUSS REQUEST FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO “RIVIERA ESTATES DRIVE” IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

### PLANNING AND BUDGET DEPT. ITEMS

1. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:06 AM)

Item 1 not needed.

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE RENEWAL OF CONTRACT WITH TEXAS DEPARTMENT OF HUMAN SERVICES FOR CASE MANAGEMENT SERVICES TO LOW INCOME DEAF ADULTS WITH DISABILITIES PROVIDED BY TRAVIS COUNTY SERVICES FOR THE DEAF AND HARD OF HEARING. (9:06 AM)

Item 2 pulled from the Agenda.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON ACCEPTANCE OF A NEW INTERLOCAL WITH THE CITY OF AUSTIN ALLOWING TRAVIS COUNTY TO CONTINUE TO PROVIDE INTERPRETERS ON REQUEST TO THE CITY HEALTH DEPARTMENT, PRIMARY CARE AND MUNICIPAL COURT. (9:06 AM)

Item 3 pulled from the Agenda.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON OPTIONS ADDRESSING THE PROJECTED BUDGET SHORTFALL IN THE RURAL MEDICAL ASSISTANCE PROGRAM. (9:11 AM)

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

Discussion only. No action taken.

Item 4 to be reposted on June 29, 2004.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HOSPITAL DISTRICT: (9:13 AM)
  - A. PROCESS FOR DETERMINING TRAVIS COUNTY PROGRAMS AND SERVICES TO TRANSFER TO THE HOSPITAL DISTRICT;
  - B. PROCESS FOR DETERMINING TRAVIS COUNTY FACILITIES TO TRANSFER TO THE HOSPITAL DISTRICT;
  - C. DETERMINATION OF TRAVIS COUNTY FUNDS TO TRANSFER TO THE HOSPITAL DISTRICT;
  - D. ISSUES RELATED TO INDEPENDENT AUDIT REQUIRED BY HEALTH AND SAFETY CODE SECTION 281.122; AND
  - E. OTHER MATTERS REGARDING THE IMPLEMENTATION OF THE DISTRICT.

**Clerk's Note:** Items 5.A-E are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Jim Collins, Executive Assistant County Attorney; and Barbara Cille, Executive Assistant, Travis County Commissioner Precinct 3 Office.

Discussion only. No action taken.

Item 5 to be reposted on June 29, 2004.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT AN AD VALOREM TAX EXEMPTION FOR TAXPAYERS OF THE TRAVIS COUNTY HOSPITAL DISTRICT PURSUANT TO TEXAS TAX CODE SECTION 11.13(n) (2004) AND TEXAS HEALTH AND SAFETY CODE SECTION 231.096 (a)(1) (2004). (9:18 AM)

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

**Clerk's Note:** The Court took note of the fact that the Texas Health and Safety Code Section mentioned in Item 6 should be section 281, not 231.

Discussion only. No action taken.

Item 6 to be reposted on June 29, 2004.

**ADMINISTRATIVE OPERATIONS ITEMS**

7. 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 \$272,532.04 FOR THE PERIOD OF JUNE 4 THROUGH JUNE 10, 2004. (9:08 AM)

**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 ON PROPOSED PERSONNEL AMENDMENTS. (9:08 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 LICENSE AGREEMENT WITH IMGRP, INC. FOR COMMERCIAL FILM PRODUCTION ON THE SEVENTH FLOOR OF THE OLD COUNTY JAIL. (9:08 AM)

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

### JUSTICE AND PUBLIC SAFETY ITEMS

10. DISCUSS AND TAKE APPROPRIATE ACTION ON AN ORDER AMENDING THE TRAVIS COUNTY CODE CHAPTER 39, WIRELESS COMMUNICATIONS POLICY. (11:43 AM)

**Members of the Court heard from:** Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the order in Item 10.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

11. APPROVE PURCHASE OF ONE JET VACUUM TRUCK FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), IL030067OJ. (TNR) (COMMISSIONER GÓMEZ) (9:08 AM)

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

12. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 04T00057RV, ADVANCED FILTRATION SYSTEMS, FOR AIR FILTER REPLACEMENT SERVICES. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:08 AM)

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

13. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR CAR WASHING SERVICES: (9:08 AM)
- A. NO. 03T00258RV, AUSTIN QUALITY CAR WASH - GROUP A: FULL SERVICE;
  - B. NO. 03T00259RV, MACE SECURITY INTERNATIONAL DBA GENIE CAR WASH - GROUP A: FULL SERVICE;
  - C. NO. 03T00260RV, WSM ENTERPRISES, INC. DBA SQUEEKY CLEAN NORTH - GROUP B: SELF SERVICE; AND
  - D. NO. 03T00261RV, RPM ENTERPRISES, INC. DBA SQUEEKY CLEAN SOUTH - GROUP B: SELF SERVICE. (TNR) (COMMISSIONER GÓMEZ)

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

14. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR EMERGENCY RESPONSE AND REMEDIATION SERVICES: (9:08 AM)
- A. NO. 03T00247RV, EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES - PRIMARY CONTRACTOR; AND
  - B. NO. 03T00248RV, GARNER ENVIRONMENTAL SERVICES - SECONDARY CONTRACTOR. (COUNTYWIDE) (COMMISSIONER GÓMEZ)

**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. APPROVE EXEMPTION ORDER AND CONTRACT AWARD TO DELOITTE & TOUCHE FOR ANNUAL INDEPENDENT EXTERNAL AUDIT SERVICES FOR TRAVIS COUNTY AND COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT. (AUDITOR'S OFFICE) (COMMISSIONER GÓMEZ) (9:08 AM)

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



16. APPROVE PURCHASE OF TWO INMATE TRANSPORT BUSES FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), IL030067OJ. (TNR) (COMMISSIONER GÓMEZ) (9:08 AM)

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

17. APPROVE CONTRACT AWARD FOR PATROL BOATS, IFB NO. B040107LD, TO THE LOW BIDDER, TRITON BOATS. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:08 AM)

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

18. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. PS960146LB, MEDICAL STAFFING NETWORK, INC. FOR PROVISION OF PROFESSIONAL TEMPORARY MEDICAL SERVICES. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:08 AM)

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

19. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. LA980178JW, AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR THE LEASE OF FACILITY SPACE AND UTILITIES AT THE AUSTIN LEARNING CENTER (ALC) FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:08 AM)

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

20. APPROVE EXEMPTION ORDER FOR THE PROCUREMENT OF MATERIALS AND CONSTRUCTION SERVICES FOR THE KENNEDY RIDGE WATER SUPPLY PROJECT PURSUANT TO COUNTY PURCHASING ACT, TEX. LOC. GOVT. CODE ANN. SEC. 262.024 (A)(2). (TNR) (COMMISSIONER DAVIS) (9:08 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 THE RE-PAINTING OF BARTON CREEK BLVD. BRIDGE, IFB NO. B040084RV, TO THE LOW BIDDER, HOWARD PAINTING COMPANY. (TNR) (COMMISSIONER DAUGHERTY) (9:08 AM)

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

- 22. APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL STRUCTURAL AND MEP ENGINEERING SERVICES FROM JOSE GUERRA, INC., FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (COMMISSIONER GÓMEZ) (9:08 AM)

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

- 23. APPROVE EXEMPTION ORDER AND CONTRACT AWARD FOR THE PURCHASE OF HOMELAND SECURITY EQUIPMENT FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.042 (a)(2) OF THE PURCHASING ACT. (OEM) (COMMISSIONER GÓMEZ) (11:51 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 23.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

24. APPROVE CONTRACT NO. PS040197RE WITH TEXAS MIGRANT COUNCIL TO PROVIDE CHILD CARE SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (11:52 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the contract in Item 24.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

25. RATIFY APPROVAL OF A PLAT FOR RECORDING IN PRECINCT TWO: KING'S VILLAGE, RESUBDIVISION OF LOT 46 (SHORT FORM PLAT – 2 LOTS – 2.98 ACRES – HOWARD LANE – NO FISCAL REQUIRED – SEWAGE SERVICE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN LIMITED PURPOSE). (COMMISSIONER SONLEITNER) (9:08 AM)

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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT FOR MAGNOLIA RANCH ESTATES IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:08 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 ON SERVICE CONTRACT BETWEEN THE HORNSBY BEND UTILITY COMPANY AND THE KENNEDY RIDGE WATER SUPPLY CORPORATION TO FACILITATE THE COMPLETION OF TWO WATER GRANTS FROM THE OFFICE OF RURAL COMMUNITY AFFAIRS. (COMMISSIONER DAVIS) (9:06 AM)

Item 27 postponed until June 29, 2004.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN TO TRANSFER FULL RESPONSIBILITY AND FUNDING FOR THE THORNBERRY ROAD LOW WATER CROSSING CIP PROJECT. (COMMISSIONER GÓMEZ) (11:59 AM)

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the interlocal agreement in Item 28.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ALTERNATIVE FISCAL AGREEMENT FOR SKY FOREST, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:08 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 THE FOLLOWING REQUESTS REGARDING SWEETWATER RANCH, A SUBDIVISION IN PRECINCT THREE: (9:44 AM)

A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, SWEETWATER AUSTIN, LLP, WILLIAM GUNN, PARTNER;

B. A PRELIMINARY PLAN: SWEETWATER RANCH, SECTION ONE PRELIMINARY PLAN (568 LOTS – 271.0 ACRES – HWY 71 – NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY LAZY NINE MUD – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)

**Clerk’s Note:** Items 30.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR; Anna Bowlin, Program Manager, Planning and Engineering Services, TNR; Bill Gunn, Developer; Rick Wheeler, Development Engineer, Malone & Wheeler Engineering; Paul Summby, SWCA Environmental Consultants; Tom Nuckols, Assistant County Attorney; Trey Anglely, Travis County Resident; John Salazar, Travis County Resident; Christie Muse, Travis County Resident; Dickie Streety; Travis County Resident; Pepper Morris, Travis County Resident; John Hatchet, Travis County Resident; Colin Clark, Save Our Springs; Alex Wood, Travis County Resident; and Larry Aiken, Travis County Resident.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to repost this Item next week, June 29, 2004, with the intent that the Court will act on the Item at that time.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	absent
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

Items 30.A and B to be reposted on June 29, 2004.

31. RECEIVE UPDATE 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. (12:00 PM)

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR; and Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the proposed changes to Chapter 30 of the Travis County Code, get it sent over to the City of Austin, and see what we find out, and then go from there.

**Motion carried:** County Judge Samuel T. Biscoe absent  
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 31 to be reposted on June 29, 2004.

### OTHER ITEMS

32. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:08 AM)

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

33. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF MAY 2004. (9:08 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 FOR COMMISSIONERS COURT TO SET A PARCEL RATE FOR TAX YEAR 2004. (2:12 PM)

**Members of the Court heard from:** Dusty Knight, Chief Deputy, Tax Office; and Jim Collins, Executive Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to set the parcel rate at \$.99.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT FOR TRAVIS COUNTY TO PERFORM ADMINISTRATIVE, ACCOUNTING AND CLERICAL SERVICES FOR THE TRAVIS COUNTY CORPORATIONS FROM OCTOBER 1, 2004 TO SEPTEMBER 30, 2006. (9:08 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 PLACE A PUBLIC RECOGNITION PLAQUE IN HONOR OF HEMAN SWEATT VS. PAINTER LAWSUIT IN THE 126<sup>TH</sup> JUDICIAL DISTRICT COURT IN THE OLD HISTORIC COURTHOUSE. (9:34 AM)

**Members of the Court heard from:** Eric Shepperd, Assistant County Attorney; and Malcolm Greenstein, Attorney.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the project.

**Clerk's Note:** The Commissioners' Court requested that the actual language of the plaque be brought back to the Court for official sign-off on the project.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

- 37. CONSIDER ISSUES RAISED BY BOB BARSTOW IN THE COUNTY'S MANAGEMENT OF BOB WENTZ PARK IN RELATION TO WINDY POINT PARK, INC. EASEMENT. (9:06 AM)

Item 37 postponed until June 29, 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.

- 38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN OTIS DANIELS (DANIELS; FRASIER; PERSONAL INJURY). <sup>1</sup>  
(2:19 PM) (2:59 PM)

**Clerk's Note:** Commissioner Sonleitner announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to reject the offer to settle this case in the amount of \$3,500.00, and offer no counter.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

- 39. CONSIDER AND TAKE APPROPRIATE ACTION ON OPPORTUNITY TO PURCHASE REAL ESTATE IN CENTRAL AUSTIN. <sup>2</sup> (2:12 PM)

Item 39 postponed until June 29, 2004.



40. CONSIDER AND TAKE APPROPRIATE ACTION ON OPPORTUNITY TO PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. <sup>2</sup> (9:06 AM)

Item 40 postponed until June 29, 2004.

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF LEAVE WITH PAY FOR JUVENILE PROBATION DEPARTMENT EMPLOYEE. <sup>1</sup> (2:19 PM) (2:59 PM)

**Clerk’s Note:** Commissioner Sonleitner announced that Item 41 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to add an additional five days of leave with pay, and the calculation of those five days ends on June 21, 2004.

**Motion carried:** County Judge Samuel T. Biscoe absent  
 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 CONCERNING ACQUISITION OF PARCEL #7, 7TE, WILLIAM VOGEL DOWER AND CAROLYN L. DOWER, PROJECT #01B01-01-3CA, ANDERSON MILL ROAD, AND TAKE APPROPRIATE ACTION (GIESELMAN; CONDEMNATION). (REQUESTED BY THE COUNTY ATTORNEY) <sup>1 and 2</sup> (2:19 PM) (3:00 PM)

**Clerk’s Note:** Commissioner Sonleitner 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.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to authorize condemnation proceedings to begin on parcel #7 and parcel #7TE, as listed on the Agenda.

**Motion carried:** County Judge Samuel T. Biscoe absent  
 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

43. APPROVE OR REJECT PROPOSED FARMERS' MARKET RENEWAL LEASE AGREEMENT WITH LES FEMMES CULINAIRES LC. <sup>1 and 2</sup> (2:19 PM)  
(3:00 PM)

**Clerk's Note:** Commissioner Sonleitner 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.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that the lease agreement be authorized with Les Femmes Culinaires LC, subject to the lease being given one final initial in the place where it lacks one final initial.

**Motion carried:** County Judge Samuel T. Biscoe absent  
 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

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING CLAIM AGAINST HARLEY DAVIDSON, INC., AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(2:19 PM) (3:01 PM)

**Clerk's Note:** Commissioner Sonleitner announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that the County Attorney's Office be authorized to write and send the appropriate demand letters involved in this case

**Motion carried:** County Judge Samuel T. Biscoe absent  
 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

45. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON IMPLEMENTATION OF TRAVIS COUNTY HOSPITAL DISTRICT. <sup>1</sup> (2:19 PM)  
(3:01 PM)

**Clerk's Note:** Commissioner Sonleitner announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 45 not needed.

46. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON FERGUSON AND TUSCANY WAY EXTENSION PROJECT. <sup>1 and 2</sup> (2:19 PM)  
(3:01 PM)

**Clerk's Note:** Commissioner Sonleitner announced that Item 46 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.

Item 46 not needed.

