

MINUTES OF MEETING – JULY 13, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13th day of July, 2004, the Commissioners' Court convened the regular Voting Session at 9:18 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 and Deputy Robert Resnick.

The Commissioners' Court retired to Executive Session at 9:32 AM.

The Commissioners' Court reconvened the Voting Session at 10:08 AM.

The Commissioners' Court recessed the Voting Session at 11:39 AM.

The Commissioners' Court reconvened the Voting Session at 12:41 PM.

The Commissioners' Court recessed the Voting Session at 1:55 PM.

The Commissioners' Court reconvened the Voting Session at 2:02 PM.

The Commissioners' Court recessed the Voting Session at 4:03 PM.

The Commissioners' Court reconvened the Voting Session at 4:11 PM.

The Commissioners' Court recessed the Voting Session at 4:40 PM.

The Commissioners' Court reconvened the Voting Session at 4:50 PM.

The Commissioners' Court adjourned the Voting Session at 5:46 PM.

5. APPROVE SIX-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T0155RG, DELL MARKETING, FOR COMPUTER HARDWARE. (ITS) (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 MODIFICATION NO. 6 (WORK ORDER NO. 6) TO INTERLOCAL AGREEMENT WITH AUSTIN ENERGY, NO. IL000106JG FOR ENERGY SERVICES. (FAC. MGMT.) (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. APPROVE PURCHASE OF TWO CHEVROLET SUBURBANS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, NO. ILA98858, APPROVED BY COMMISSIONERS COURT ON JANUARY 27, 1998. (TNR) (COMMISSIONER GÓMEZ) (9:21 AM)

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

8. APPROVE 24-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 02T00295OJ, SBC GLOBAL SERVICES, INC., FOR TELECOMMUNICATIONS AND LONG DISTANCE SERVICES. (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 THREE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 02T00257RV, LAKE LBJ MARINELAND, FOR BOAT, BOAT MOTOR AND MARINE COMPONENT MAINTENANCE REPAIRS, TIME AND MATERIALS. (TNR, SHERIFF'S OFFICE) (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 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00004OJ, FALCON INSURANCE AGENCY, FOR AVIATION INSURANCE COVERAGE. (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 RENEWAL OF INTERLOCAL COOPERATION AGREEMENT NO. IL990109OJ, CITY OF AUSTIN/DOWNTOWN AUSTIN ALLIANCE, TO PROVIDE SERVICES AND IMPROVEMENTS FOR THE AUSTIN DOWNTOWN PUBLIC IMPROVEMENT DISTRICT. (COMMISSIONER SONLEITNER) (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. REJECT BIDS RECEIVED FOR IFB B040103-RG, FOR GROUPS F, H, I AND J, SIGN MATERIALS. (TNR) (COMMISSIONER GÓMEZ) (9:21 AM)

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

13. APPROVE CONTRACT AWARD FOR THE HWY 290 E. LANDFILL DRAINAGE IMPROVEMENTS PROJECT, IFB NO. B040086JJ, TO THE LOW BIDDER, SCS FIELD SERVICES. (TNR) (COMMISSIONER DAVIS) (9:21 AM)

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

14. APPROVE ORDER EXEMPTING THE PURCHASE OF WATER DAMAGE REMEDIATION SERVICES FROM BLACKMON MOORING STEAMATIC AND APPROVE CONTRACT. (RISK MANAGEMENT) (COMMISSIONER DAVIS) (9:21 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

15. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PROPOSED STREET NAME CHANGE FOR A PORTION OF FM 2769 TO “ANDERSON MILL ROAD” IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY) (9:21 AM)

Clerk’s Note: Item 15 is the action item for the public hearing on Agenda Item 1.

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 APPROVAL OF PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO “RIVIERA ESTATES DRIVE” IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY) (9:21 AM)

Clerk’s Note: Item 16 is the action item for the public hearing on Agenda Item 2.

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 ON 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 UNDER LCRA JURISDICTION – OUTSIDE ALL MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:32 AM) (10:08 AM)

Clerk's Note: Judge Biscoe announced that Item 17 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Carol Joseph, Assistant Director, TNR; Tom Nuckols, Assistant County Attorney; Lee Heckman, TNR; Bob Crittendon, Lower Colorado River Authority (LCRA) Staff Member; Dan Cutrer, Attorney, Representing Applicant; Mercedes McCloughan, Applicant; Mary Francis, Lick Creek Subdivision Resident; Dominic Lasorsa, Lick Creek Subdivision Resident; Sandra Nash, Professional Land Planner, Lick Creek Subdivision Resident; Cybil Autry, Lick Creek Subdivision Resident; Shawn Nash, Lick Creek Subdivision Resident; Nicky McKenzie, Lick Creek Subdivision Resident; and Cindy Phillips, Lick Creek Subdivision Resident

Discussion only. No action taken.

Item 17 to be reposted in one month.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: CYPRESS CANYON SUBDIVISION, SECTION ONE-A (LONG FORM PLAT – 61 LOTS – 13.618 ACRES – LOVETT LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID NO. 1D – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:21 AM)

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: CYPRESS CANYON SUBDIVISION, SECTION ONE-B (LONG FORM PLAT – 53 LOTS – 10.025 ACRES – LOVETT LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID NO. 1D – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:21 AM)

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: RANCH AT DEER CREEK, PHASE THREE, SECTION FOUR (LONG FORM PLAT – 79 LOTS – 20.137 ACRES – LOVETT LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID NO. 1D – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:21 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 ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEKS COUNTRY CLUB, SECTION 6B (LONG FORM PLAT – 38 LOTS – 14.188 ACRES – TWIN CREEKS COUNTRY CLUB DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID NO. 1 – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:21 AM)

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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: MANOR STORAGE (SHORT FORM PLAT – 2 LOTS – 10.0 ACRES – US 290 – NO FISCAL POSTING REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEMS – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (9:21 AM)

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT TWO: MEADOWS OF BLACKHAWK, PHASE 7A-1 (LONG FORM PLAT – 7 LOTS – 2.52 ACRES – ROWE LANE – FISCAL POSTED WITH TRAVIS COUNTY AND CITY OF PFLUGERVILLE – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WATER DEVELOPMENT DISTRICT NO. 1 – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:21 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 AND A PLAT FOR RECORDING IN PRECINCT TWO: THE PARK AT BLACKHAWK II, PHASE 1 (LONG FORM PLAT – 75 LOTS – 29.11 ACRES – ROWE LANE – FISCAL POSTED WITH TRAVIS COUNTY AND CITY OF PFLUGERVILLE – SEWAGE SERVICE TO BE PROVIDED BY KELLY LANE UTILITY COMPANY – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:21 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

- 30.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:21 AM)
- A.** A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR THE 2004 LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM IN THE SHERIFF'S OFFICE. APPLICATION IS TO CONTINUE THE CURRENT GRANT FOR FY 2005;
 - B.** A GRANT APPLICATION TO THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICES FOR A RETIRED SENIOR VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES. THE GRANT CONTINUES THE PROGRAM FOR FY 05;
 - C.** A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT DISCRETIONARY FUNDS PROGRAM IN JUVENILE PROBATION. THE GRANT APPLICATION IS TO REQUEST A SIX-MONTH CONTINUATION OF THE CURRENT GRANT PROGRAM;
 - D.** A GRANT APPLICATION TO THE CAPITAL AREA PLANNING COUNCIL (CAPCO) FOR A CAPCO FY 05 ENFORCEMENT GRANT PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. GRANT PROVIDES FUNDS TO ASSIST WITH SOLID WASTE ENFORCEMENT;
 - E.** A GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A VICTIMS OF CRIME ACT (VOCA) PROGRAM IN THE SHERIFF'S OFFICE. THE CONTRACT CONTINUES THE EXISTING PROGRAM FOR FY 04/FY 05; AND

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

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (5:45 PM)**

Item 31 postponed until July 20, 2004.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HOSPITAL DISTRICT:**

- A. CONDUCT INTERVIEWS OF CERTAIN APPLICANTS FOR MEMBERSHIP ON THE BOARD OF MANAGERS; (12:41 PM) (2:02 PM) (4:11 PM) (4:50 PM)**

Clerk's Note: The Commissioners' Court conducted interviews with the following applicants for membership on the Hospital District Board of Managers: Ben Sifuentes, Susan Milam, Tom Young, Susan Pascoe, Clark Heidrick, Donald Patrick, Carl Richie, Ray Branson, Joseph Lynn Nabers, Frank Rodriguez, and Kathy Rider.

Discussion only. No action taken.

- 32. B. OTHER MATTERS REGARDING THE IMPLEMENTATION OF THE DISTRICT. (5:45 PM)**

Item 32.B not needed.

ADMINISTRATIVE OPERATIONS ITEMS

- 33. 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 \$411,038.25 FOR THE PERIOD OF JUNE 25 THROUGH JULY 1, 2004. (9:21 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 PROPOSED PERSONNEL AMENDMENTS. (9:21 AM)

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

OTHER ITEMS

- 35.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:21 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 SET PARAMETERS FOR EFFECTIVE TAX RATE CALCULATIONS FOR TAX YEAR 2004. (5:45 PM)

Item 36 postponed until July 20, 2004.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JODI MARSHALL V. TRAVIS COUNTY, ET AL. (MARSHALL, TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY DEFENDANT). ^{1&3} (9:32 AM) (10:08 AM)

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

No discussion on Item 38.

Item 38 to be reposted on July 20, 2004.

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING REQUEST FOR EXTENSION OF ADMINISTRATIVE LEAVE FOR JUVENILE BOARD EMPLOYEE. ¹ (9:32 AM) (10:08 AM)

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 July 20, 2004.

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING REQUEST FOR EXTENSION OF ADMINISTRATIVE LEAVE FOR A EMERGENCY SERVICES EMPLOYEE. ^{1&4} (9:18 AM)

Item 40 pulled from the Agenda.

