

MINUTES OF MEETING – AUGUST 3, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 3rd day of August, 2004, the Commissioners' Court convened the regular Voting Session at 9:11 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 retired to Executive Session at 11:36 AM.

The Commissioners' Court reconvened the Voting Session at 12:07 PM.

The Commissioners' Court recessed the Voting Session at 12:07 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:41 PM and adjourned at 3:16 PM.

The Commissioners' Court reconvened the regular Voting Session at 3:17 PM.

The Commissioners' Court retired to Executive Session at 3:18 PM.

The Commissioners' Court reconvened the Voting Session at 4:16 PM.

The Commissioners' Court recessed the Voting Session at 4:17 PM.

The Commissioners' Court reconvened the Voting Session at 4:20 PM.

The Commissioners' Court adjourned the Voting Session at 4:20 PM.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HOSPITAL DISTRICT: (10:39 AM)
 - A. TRAVIS COUNTY PROGRAMS AND SERVICES TO TRANSFER TO THE HOSPITAL DISTRICT;
 - B. TRAVIS COUNTY FACILITIES TO TRANSFER TO THE HOSPITAL DISTRICT;
 - C. TRAVIS COUNTY FUNDS TO TRANSFER TO THE HOSPITAL DISTRICT;
 - D. ISSUES RELATED TO INDEPENDENT AUDIT REQUIRED BY HEALTH AND SAFETY CODE, SECTION 281.122;
 - E. A LIST OF OUTSTANDING ISSUES RECOMMENDED FOR CONSIDERATION BY THE BOARD OF MANAGERS; AND
 - F. OTHER MATTERS REGARDING THE IMPLEMENTATION OF THE DISTRICT.

Clerk’s Note: Items 2.A-F are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Interim Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Jim Collins, Executive Assistant County Attorney; Tom Nuckols, Assistant County Attorney; Cyd Grimes, Travis County Purchasing Agent; Susan Spataro, Travis County Auditor; Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to make the list of equipment and clinic information available to the Hospital District Board of Managers, and deliver the backup in Item 2.B.

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

Discussion Only. No action taken on Items 2.A, C, .D, E, and F.

Items 2.A-F to be reposted on August 10, 2004.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON POLICY AND BUDGET ISSUES RELATED TO THE RURAL MEDICAL ASSISTANCE PROGRAM (RMAP) FOR FY04. (10:14 AM)

Members of the Court heard from: Sherri Fleming, Interim Executive Manager, TCHHS&VS; Christian Smith, Executive Manager, PBO; and Leroy Nellis, Budget Manager, PBO.

Discussion Only. No action taken.

ADMINISTRATIVE OPERATIONS ITEMS

4. 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 \$504,839.10 FOR THE PERIOD OF JULY 16 THROUGH JULY 22, 2004. (9:13 AM)

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

PURCHASING OFFICE ITEMS

7. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. MA960322, EASY ACCESS INC., FOR TAX OFFICE COMPUTER SYSTEM. (ITS, TAX OFFICE) (COMMISSIONER GÓMEZ) (9:13 AM)

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

8. APPROVE MODIFICATION NO. 16 TO CONTRACT NO. MA980095, AGREEMENT FOR EXTENDED SERVICES, WITH TIBURON. (ITS) (COMMISSIONER GÓMEZ) (9:13 AM)

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

9. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS040037LB, RENEA HICKS, FOR LITIGATION SERVICES. (COUNTY ATTORNEY) (COMMISSIONER GÓMEZ) (9:13 AM)

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

10. APPROVE AWARD OF CONTRACT NO. PS040138ML FOR PROFESSIONAL PSYCHOLOGICAL SERVICES WITH CARL GACONO, PH.D. (DISTRICT AND CRIMINAL COURTS) (COMMISSIONER GÓMEZ) (9:13 AM)

Clerk's Note: Item 10 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

11. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 01T0178-OJ, RECORDABLES, INC., FOR THE RISK INFORMATION MANAGEMENT SYSTEM (RIMS). (HRMD) (COMMISSIONER GÓMEZ) (9:13 AM)

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

12. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T00276LD, MARCOR REMEDIATION, FOR ABATEMENT PROJECTS, TIME AND MATERIALS. (HHS) (COMMISSIONER GÓMEZ) (9:13 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 STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING ENGINEERING SERVICES FOR THE MEDICAL EXAMINER FACILITY ADDITION TO JOSE I. GUERRA, INC. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:13 AM)

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

14. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ELROY ROAD DESIGN PROJECT, RFQ NO. Q040028-JJ, TO KLOTZ ASSOCIATES, INC. (TNR) (COMMISSIONER GÓMEZ) (9:13 AM)

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

15. APPROVE CONTRACT AWARD FOR THE TRAVIS COUNTY EXPOSITION CENTER EQUESTRIAN ARENA FENCE, IFB NO. B040116-SI, TO THE LOW BIDDER, VOELKER WELDING & CONSTRUCTION, INC. (FACILITIES MANAGEMENT) (COMMISSIONER DAVIS) (9:13 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 16. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: SLAUGHTER CREEK ACRES, REPLAT OF LOT 6B, BLOCK E (SHORT FORM PLAT – 2 LOTS – 2.4792 ACRES – PENION DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEMS – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:13 AM)

Clerk’s Note: Item 16 is the action item for the public hearing on Agenda Item 1.

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 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) (9:38 AM)

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 Sonleitner to approve Item 17.

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

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: SARAH’S CREEK COMMERCIAL SECTION ONE (SHORT FORM PLAT – 1 LOT – 1.604 ACRES – SARAH’S CREEK DRIVE AT FM 1825 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (9:13 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 PLAT IN PRECINCT ONE: BRIARCREEK SECTION FOUR (FINAL PLAT – 213 LOTS – 109.251 ACRES – BLAKE MANOR ROAD – FISCAL POSTED WITH THE CITY OF AUSTIN - SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:13 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

- 20.** CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:13 AM)

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

21. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:13 AM)
- A. A GRANT CONTRACT WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR A DIRECT CARE AGREEMENT WITH JUVENILE PROBATION. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05;
 - B. A GRANT CONTRACT WITH THE DEPARTMENT OF HOMELAND SECURITY/TEXAS ENGINEERING EXTENSION SERVICE FOR A LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM IN EMERGENCY SERVICES DEPARTMENT. GRANT PROVIDES FUNDS FOR LAW ENFORCEMENT EQUIPMENT;
 - C. A GRANT CONTRACT WITH THE DEPARTMENT OF HOMELAND SECURITY/TEXAS ENGINEERING EXTENSION SERVICE FOR A HOMELAND SECURITY EQUIPMENT GRANT IN EMERGENCY SERVICES DEPARTMENT. A GRANT PROGRAM THAT PROVIDES \$318,295 TO PURCHASE EQUIPMENT TO ENHANCE EMERGENCY PREPAREDNESS;
 - D. A GRANT CONTRACT WITH THE AUTO THEFT PREVENTION AUTHORITY FOR A SHERIFF'S COMBINED AUTO THEFT TASK FORCE (SCAATF) PROGRAM. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05; AND
 - E. A GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE FOR A LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE GRANT PROVIDES FUNDING TO PURCHASE MOBILE DATA TERMINALS FOR THE SHERIFF'S PATROL VEHICLES.

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

OTHER ITEMS

22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:13 AM)

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

- 23. A. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS020181LB WITH CORRECTIONS SOFTWARE CORPORATION (CSC) FOR RENEWAL OF THE FINANCIAL MODULE FOR THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD); AND (9:42 AM)
- B. RECEIVE STATUS REPORT ON CSCD COLLECTIONS, ESPECIALLY AMOUNT(S) DUE TRAVIS COUNTY.

Clerk’s Note: Items 23.A and B are associated with one another and were called for concurrent discussion.

Clerk’s Note: The Court received a status report on Community Supervision and Corrections Department (CSCD) Collections.

Members of the Court heard from: Donna Farris, Community Supervision and Corrections Department (CSCD); Leroy Nellis, Budget Manager, PBO; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor’s Office; Jim Rust, Director, CSCD; and Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the 12 month extension in Item 23.A.

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

- 24. RECEIVE FY '03 AUDIT REPORTS FOR EMERGENCY SERVICES DISTRICTS #1 AND #9. (9:13 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 THE APPOINTMENT OF ADDITIONAL DIRECTORS TO THE BOARD OF DIRECTORS OF THE STRATEGIC HOUSING FINANCE CORPORATION OF TRAVIS COUNTY. (9:12 AM)

Item 25 postponed until August 17, 2004.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON PROCESS TO FILL POSITION OF EXECUTIVE MANAGER OF HEALTH AND HUMAN SERVICES AND VETERANS SERVICES. (10:07 AM)

Members of the Court heard from: Linda Moore Smith, Director, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Clerk's Note: Judge Biscoe recommended that the subcommittee of Commissioner Sonleitner and Commissioner Gómez be involved in drafting a recommended schedule and short-listing the applicants to a range of 8 to 12.

Discussion Only. No action taken.

Item 26 to be reposted on August 10, 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.

- 27.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF LEAVE FOR A JUVENILE PROBATION DEPARTMENT EMPLOYEE (DEPT 45, SLOT 470). ³ (11:36 AM) (3:17 PM)

Clerk's Note: Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to grant an additional 5 days, which will get this employee through July 23, 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 28.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING SETTLEMENT NEGOTIATIONS ON CLAIM RECEIVED FROM KEYSTONE CONSTRUCTION, INC. FOR WORK AT NORTHEAST METRO PARK, AND TAKE APPROPRIATE ACTION. ¹ (11:36 AM) (4:20 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 28.

Item 28 to be reposted on August 10, 2004.

29. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON FERGUSON AND TUSCANY WAY EXTENSION PROJECT. (COMMISSIONER DAVIS) ¹ (11:36 AM) (3:18 PM) (4:17 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 29.

30. 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 (11:36 AM) (3:18 PM)

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 30.

Item 30 pulled from the Agenda.

31. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON IMPLEMENTATION OF TRAVIS COUNTY HOSPITAL DISTRICT. ¹ (11:36 AM) (3:18 PM) (4:16 PM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 31.

