

MINUTES OF MEETING – AUGUST 31, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 31st day of August, 2004, the Commissioners' Court convened the regular Voting Session at 9:15 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 11:59 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 1:40 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:40 PM and adjourned at 1:55 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened the Voting Session at 1:55 PM and adjourned at 1:57 PM.

The Commissioners Court reconvened the regular Voting Session at 1:57 PM.

The Commissioners Court retired to Executive Session at 5:23 PM.

The Commissioners Court reconvened the Voting Session at 6:03 PM.

The Commissioners Court adjourned the Voting Session at 6:07 PM.

SPECIAL ITEMS

5. RECOGNIZE THE WINNERS OF THE 4TH ANNUAL COMBINED CHARITIES CO-ED SOFTBALL TOURNAMENT. (9:23 AM)

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

Clerk's Note: Certificates and trophies were presented to the volunteers and winners of the 4th Annual Combined Charities Co-Ed Softball Tournament.

Discussion Only. No action formal taken.

6. ANNOUNCE BEGINNING OF THE TRAVIS COUNTY COMBINED CHARITIES DRIVE FOR CALENDAR YEAR 2004. (9:29 AM)

Members of the Court heard from: Diane Fanning, Texas Shares.

Clerk's Note: The Court discussed appointing the Executive Managers as the coordinators of the Combined Charities Drive.

Discussion Only. No action taken.

Item 6 to reposted on September 7, 2004.

CITIZENS COMMUNICATION

Clerk's Note: No speakers addressed the Court. (9:34 AM)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOT 6, MARKET AT WELLS BRANCH, SECTION 2 (SHORT FORM PLAT – 2 LOTS – 6.293 – WELLS BRANCH PARKWAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (9:34 AM)

Clerk's Note: Item 7 is the action item for the public hearing on Agenda Item 1.

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 REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 6, LA HACIENDA ESTATES (REVISED PLAT – 3 LOTS – 6.9022 ACRES – ROCKY RIDGE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITIES – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:34 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 2.

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 REGARDING REQUEST TO TEMPORARILY CLOSE JOHNSON ROAD APPROXIMATELY 0.6 MILE WEST OF BOIS d'ARC ROAD TO REPAIR DAMAGED CULVERTS IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:34 AM)

Clerk's Note: Item 9 is the action item for the public hearing on Agenda Item 3.

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

- 10.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CANDIDATE PROJECT FOR 2005 BUILD GREATER AUSTIN PROGRAM FROM CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (9:34 AM)

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

Clerk's Note: Judge Biscoe noted that the candidate project would be Gattis School Road.

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

- 11.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN DESTINY HILLS SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:34 AM)

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

- 12.** APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN STONEY RIDGE PHASE 5A, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:34 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

- 13.** CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:34 AM)

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

**14. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:34 AM)**

- A. GRANT APPLICATION TO THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR A COLD CASES PROGRAM IN THE SHERIFF'S OFFICE. A NEW GRANT THAT PROVIDES FUNDS FOR DNA TESTING;**
- B. CONTRACT WITH SAFEPLACE TO USE CITY OF AUSTIN GRANT FUNDS FOR PROFESSIONAL SERVICES. THE GRANT IS TO CONTINUE THE CURRENT PROGRAM THROUGH DECEMBER 2004;**
- C. REQUEST TO AUTHORIZE HEALTH AND HUMAN SERVICES DEPARTMENT TO CONTINUE THE CHILDREN'S PARTNERSHIP GRANT PROGRAM THROUGH THE END OF OCTOBER 2004. THIS ALLOWS CONTINUATION OF THE PROGRAM UNTIL A FULLY EXECUTED CONTRACT CAN BE COMPLETED;**
- D. REQUEST TO AUTHORIZE HEALTH AND HUMAN SERVICES DEPARTMENT TO CONTINUE THE AMERICORPS GRANT PROGRAM THROUGH THE END OF OCTOBER 2004. THIS ALLOWS CONTINUATION OF THE PROGRAM UNTIL A FULLY EXECUTED CONTRACT CAN BE COMPLETED; AND**
- E. REQUEST TO AUTHORIZE CRIMINAL COURTS TO CONTINUE THE DRUG COURT GRANT PROGRAM THROUGH THE END OF OCTOBER 2004. THIS ALLOWS CONTINUATION OF THE PROGRAM UNTIL A FULLY EXECUTED CONTRACT CAN BE COMPLETED.**

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

15. DISCUSS AND TAKE APPROPRIATE ACTION ON OPPORTUNITIES FOR ADDITIONAL RESOURCES AND CERTAIN OBLIGATIONS AS PART OF THE FY05 BUDGET, INCLUDING:

A. AUDITOR’S FOURTH REVENUE ESTIMATE; (11:12 AM)

Members of the Court heard from: Blain Keith, Chief Assistant County Auditor, Travis County Auditor’s Office; Christian Smith, Executive Manager, Planning and Budget Office (PBO); Carolyn Damron, Travis County Auditor’s Office; and Leroy Nellis, Budget Manager, PBO.

Clerk’s Note: The Court received a presentation on the fourth revenue estimate.

Discussion Only. No action taken.

15. DISCUSS AND TAKE APPROPRIATE ACTION ON OPPORTUNITIES FOR ADDITIONAL RESOURCES AND CERTAIN OBLIGATIONS AS PART OF THE FY05 BUDGET, INCLUDING:

B. PROPOSAL TO PURCHASE TWO NEW HELICOPTERS; (11:22 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Emergency Services; Barbara Wilson, Assistant County Attorney; Casey Ping, Program Manager, Starflight; Willie Culberson, Aviation Director, Starflight; Cyd Grimes, Travis County Purchasing Agent; Alan Miller, Budget Analyst, PBO; and Christian Smith, Executive Manager, PBO.

Discussion Only. No action taken.

15. DISCUSS AND TAKE APPROPRIATE ACTION ON OPPORTUNITIES FOR ADDITIONAL RESOURCES AND CERTAIN OBLIGATIONS AS PART OF THE FY05 BUDGET, INCLUDING:

C. RESOURCES OUTSIDE THE CONTROL OF THE COMMISSIONERS COURT; (11:56 AM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

Discussion Only. No action taken.

ITEM 15 CONTINUED

15. DISCUSS AND TAKE APPROPRIATE ACTION ON OPPORTUNITIES FOR ADDITIONAL RESOURCES AND CERTAIN OBLIGATIONS AS PART OF THE FY05 BUDGET, INCLUDING:

D. REDIRECTION OF EXISTING RESOURCES WITHIN TRANSPORTATION AND NATURAL RESOURCES; (1:58 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Christian Smith, Executive Manager, PBO; Jessica Rio, Budget Analyst, PBO; and Cynthia McDonald, Financial Services Manager, TNR.

Discussion Only. No action taken.

15. DISCUSS AND TAKE APPROPRIATE ACTION ON OPPORTUNITIES FOR ADDITIONAL RESOURCES AND CERTAIN OBLIGATIONS AS PART OF THE FY05 BUDGET, INCLUDING:

E. IMPLEMENTATION OF FULLY AUTOMATED COURTS TRACKING SYSTEM (FACTS); (2:28 PM)

Members of the Court heard from: Alan Miller, Budget Analyst, PBO; and Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS).

Discussion Only. No action taken.

15. DISCUSS AND TAKE APPROPRIATE ACTION ON OPPORTUNITIES FOR ADDITIONAL RESOURCES AND CERTAIN OBLIGATIONS AS PART OF THE FY05 BUDGET, INCLUDING:

F. JAIL OVERCROWDING; (2:32 PM)

Members of the Court heard from: Margo Frasier, Travis County Sheriff; David Balagia, Major, Travis County Sheriff's Office (TCSO); and Christian Smith, Executive Manager, PBO.

Discussion Only. No action taken.

ITEM 15 CONTINUED

15. DISCUSS AND TAKE APPROPRIATE ACTION ON OPPORTUNITIES FOR ADDITIONAL RESOURCES AND CERTAIN OBLIGATIONS AS PART OF THE FY05 BUDGET, INCLUDING:

G. OTHER OPPORTUNITIES AND OBLIGATIONS THAT MAY HAVE AN IMPACT ON THE FY05 BUDGET PROCESS. (2:42 PM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO; and Susan Spataro, Travis County Auditor.

Discussion Only. No action taken.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION RELATED TO BUDGET SHORTAGE WITH THE FEDERALLY QUALIFIED HEALTH CENTER (FQHC) PROGRAM FOR FY 04. (9:39 AM)

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

Discussion Only. No action taken.

Item 16 to be reposted on September 7, 2004.

- 17. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION FROM AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO AMEND TRAVIS COUNTY POLICIES, PROCEDURES AND REGULATIONS MANUAL, CHAPTER 61 TO INCLUDE THE REGULATION OF PERMITTING OF PUBLIC SWIMMING POOLS, IMPLEMENT A FEE TABLE FOR PERMITTING AND REVIEW OF PLANS FOR CONSTRUCTION.
(9:43 AM)

Members of the Court heard from: Sherri Fleming, Interim Executive Manager, (TCHHS&VS); David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS); and Dennis Rudder, City of Austin.

Clerk’s Note: Judge Biscoe noted that an Item would be posted in next week’s Agenda, September 7, 2004, announcing a public hearing to be held on September 14, 2004 and posted for action at that time.

Discussion Only. No action taken.

Item 17 to be reposted on September 14, 2004.

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT.
(9:56 AM)

Members of the Court heard from: Sherri Fleming, Interim Executive Manager, TCHHS&VS; Jim Collins, Executive Assistant County Attorney; John Hille, Assistant County Attorney; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the “lines of communication memo”, which recommends methods and a schedule for communicating with the Hospital District Board of Managers.

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

Item 18 to be reposted on September 7, 2004.

ADMINISTRATIVE OPERATIONS ITEMS

- 19. 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 \$212,125.55 FOR THE PERIOD OF AUGUST 13 THROUGH AUGUST 19, 2004. (9:34 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 THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS:

A. ROUTINE PERSONNEL ACTIONS; (9:34 AM)

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

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS:

B. REQUEST FOR TEMPORARY PAY FOR PURCHASING OFFICE EMPLOYEES. (5:18 PM) (5:23 PM) (6:04 PM)

Members of the Court heard from: Luanne Shull, Compensation Manager, HRMD; Susan Spataro, Travis County Auditor; and John Hille, Assistant County Attorney.

Clerk's Note: Judge Biscoe announced that Item 20.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to defer this Item to the Purchasing Board, to ratify what has occurred.

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	abstain

21. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 05 COMPENSATION FOR EMPLOYEES:

A. RANK AND FILE EMPLOYEES (HRMD); (3:02 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Joe Gieselman, Executive Manager, TNR; Cynthia McDonald, Financial Services Manager, TNR; Norman McRee, Financial Analyst, HRMD; Margo Frasier, Travis County Sheriff; Greg Powell, AFSCME Local 1624; Luanne Shull, Compensation Manager, HRMD; John Hille, Assistant County Attorney; David Escamilla, Travis County Attorney; and Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the 5.75 % to each department for compensation; and that we require an across the board 4% COLA cost of living adjustment.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion is intended to cover 5.75% for rank and file, of which, 4% should be a cost of living, or market adjustment, across the board.

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

Motion by Judge Biscoe and seconded by Commissioner Gómez that the Travis County minimum wage be set at \$10.00 an hour, and that managers be asked to use their 1.75% flexibility money to bring each and every employee up to at least that amount.

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

ITEM 21.A CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to not add the compensation amounts to the base salary for redlined employees.

Clerk's Note: The Court did not take a Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Commissioner Davis **and seconded by** Judge Biscoe to add the 4% cost of living adjustment, and the 1.75% discretionary departmental flexibility, for a total of 5.75%, to be added to the base salary of the redlined employees of Travis County.

Motion failed:

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

Clerk's Note: The Court discussed the original Motion at this time, which was not to add the increase to the base salary for redlined employees, but to continue the three-year practice of a lump sum payment.

A Addition to the previous Motion was made by Commissioner Sonleitner that we instruct the Human Resources Department, over Fiscal Year 2005, to spend time, energy, etc., related to the red line, and for there to be strategies, in terms of getting that number down to something lower than what it was in Fiscal Year 2005.

Motion carried:

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

ITEM 21.A CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez to encourage and authorize the departments to use what is left of their 5.75% to cover as best they can, performance-based pay, green-circled employees, and career ladders.

Clerk's Note: The Court did not take a Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Commissioner Sonleitner that the Court fund the green-circled employees to the minimum, separate and apart from the 4%, which then, if that passes, leaves the 1.75% for performance-based pay.

Withdrawal of the previous Substitute Motion was made by Commissioner Sonleitner.

Clerk's Note: The Court discussed the standing Motion at this time.

A Restatement of the previous Motion was made by Judge Biscoe that the Motion was to cover performance-based pay, green-circled employees, market salary surveys, and any other compensation-related issues.

Withdrawal of the previous Motion was made by Judge Biscoe.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 05 COMPENSATION FOR EMPLOYEES:

B. PEACE OFFICERS PAY SCALE (PBO): (4:10 PM)

- 1. LAW ENFORCEMENT OFFICERS;
- 2. CORRECTIONS OFFICERS;
- 3. SUPERVISORS IN CORRECTIONS; AND
- 4. PEACE OFFICERS OUTSIDE THE SHERIFF’S OFFICE.

Members of the Court heard from: Ronnie Earle, District Attorney; Rosemary Lehmberg, First Assistant District Attorney, Travis County District Attorney’s Office; Luanne Shull, Compensation Manager, HRMD; Margo Frasier, Travis County Sheriff; Christian Smith, Executive Manager, PBO; David Escamilla, Travis County Attorney; Bill Derryberry, Senior Budget Analyst, PBO; Michael Lang, Deputy Constable, Precinct 5 Office; and Alan Redd, Senior Deputy Constable, Precinct 5 Office.

Discussion only. No action taken.

Item 21.B to be reposted on September 7, 2004.

22. DISCUSS AND TAKE APPROPRIATE ACTION ON REQUEST FROM TRAVIS COUNTY HOSPITAL DISTRICT FOR COUNTY MEDIA SERVICES SUPPORT OF BOARD OF MANAGERS MONTHLY MEETINGS. (5:03 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Staff’s recommendation to allow flex time for media staff to cover the Hospital District Board of Managers monthly meetings.

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

ITEM 26 CONTINUED

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE JAIL OPERATIONS STUDY:**

B. PHYSICAL PLANT REDEVELOPMENT CONCEPTS; (10:40 AM)

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, CJP; Margo Frasier, Travis County Sheriff; and Belinda Powell, Capital Planning Coordinator, PBO.

Clerk’s Note: The Court discussed several physical plant redevelopment concepts and directed Staff to spend 2 weeks working on option C2.

Discussion Only. No action taken.

Item 26.B to be reposted on September 14, 2004.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE JAIL OPERATIONS STUDY:**

C. NEXT STEPS FOR IMPLEMENTATION OF STUDY RECOMMENDATIONS. (11:08 AM)

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, CJP; Margo Frasier, Travis County Sheriff; and Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the outline of implementation steps by Staff.

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

Item 26.C to be reposted on September 14, 2004.

PURCHASING OFFICE ITEMS

27. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. MA030233SP, LEXISNEXIS, FOR ONLINE LEGAL RESEARCH SUBSCRIPTION SERVICES. (COMMISSIONER GÓMEZ) (9:34 AM)

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

28. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 02T00276RG, TEXAS MARKING PRODUCTS, INC., FOR RUBBER STAMPS. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:34 AM)

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

29. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 04K0193AJJ, WHEELER COATINGS ASPHALT, INC., 2004 TYPE C HMAC PROGRAM. (TNR) (COMMISSIONER GÓMEZ) (9:34 AM)

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

30. APPROVE PURCHASE OF NOVELL SOFTWARE LICENSING AND MAINTENANCE SUPPORT FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) THROUGH SHI GOVERNMENT SOLUTIONS. (ITS) (COMMISSIONER GÓMEZ) (9:34 AM)

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

31. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:34 AM)

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

- 32.** APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. MA030240SP, AUSTIN TYPEWRITER & COMPUTER, FOR SCANNER MAINTENANCE. (ITS) (COMMISSIONER GÓMEZ) (9:34 AM)

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

- 33.** DECLARE AIR PACKS AND BREATHING APPARATUS AS SURPLUS PROPERTY AND APPROVE SALE TO EMERGENCY SERVICES DISTRICT #4 OF TRAVIS COUNTY, TEXAS. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:34 AM)

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

- 34.** APPROVE CONTRACT FOR PROVISION OF COMPUTER SOFTWARE PROGRAMMING AND SUPPORT SERVICES WITH CHARLES SIEPERT, JR. (DISTRICT CLERK) (COMMISSIONER GÓMEZ) (5:07 PM)

Members of the Court heard from: Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office; John Hille, Assistant County Attorney; and Joe Harlow, Chief Technology Officer, ITS.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the contract in Item 34.

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

- 35.** APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 03T002880J, APPRISS, INC., FOR THE TEXAS VINE SERVICES AGREEMENT. (SHERIFF'S OFFICE, ITS) (COMMISSIONER GÓMEZ) (9:34 AM)

Clerk's Note: Item 35 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

OTHER ITEMS

- 36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE COUNTY CLERK’S FY05 PLANS FOR THE FOLLOWING: (9:48 AM)
 - A. FUND 028 – COUNTY CLERK’S RECORDS MANAGEMENT AND PRESERVATION; AND
 - B. FUND 057 – COUNTY CLERK’S RECORDS ARCHIVE.

Clerk’s Note: Item 36 is the action item for the public hearing on Agenda Item 4.

Clerk’s Note: Items 36.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Diana Ramirez, PBO; Susan Bell, Chief Deputy, Travis County Clerk’s Office; Steven Broberg, Director, Records Management and Communication Resources (RMCR); and Dana DeBeauvoir, Travis County Clerk.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the County Clerk’s Fiscal Year 2005 plans for Items 36.A and 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

- 37. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:34 AM)

Clerk’s Note: Item 37 added to Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

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.

40. A. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DETERMINE VALUE OF 4.39 ACRE TRACT OF COUNTY LAND AT 4001 STATE HIGHWAY 620 FOR PURPOSES OF CALCULATING ANNUAL RENT FOR THE SOLID WASTE TRANSFER STATION LOCATED ON THE TRACT;

B. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING UNPAID BACK RENT. (COMMISSIONER DAUGHERTY) ^{1&2} (5:23 PM) (6:05 PM)

Clerk's Note: Judge Biscoe announced that Items 40.A and B 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.

Discussion only. No action taken.

Items 40.A and B to be reposted on September 14, 2004.

41. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON FERGUSON AND TUSCANY WAY EXTENSION PROJECT. (COMMISSIONER DAVIS) ¹ (5:23 PM) (6:05 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Judge Biscoe noted that between now and September 7, 2004, County Staff will communicate with the Walnut Place neighborhood residents to update them on options the Court is looking at, and the County Attorney's Office will make a final effort to communicate with Mr. Nalle and his attorney to try to get that matter resolved.

Item 41 to be reposted on September 7, 2004.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER RECEIVED IN JODI MARSHALL V. TRAVIS COUNTY ET AL (MARSHALL, TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY DEFENDANT). ¹ (5:23 PM)

Item 42 postponed until September 7, 2004.

- 43. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING SETTLEMENT NEGOTIATIONS IN RICHARD MCCAIN V. TRAVIS COUNTY. ¹ (5:23 PM)

Item 43 postponed until September 7, 2004.

- 44. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON IMPLEMENTATION OF TRAVIS COUNTY HOSPITAL DISTRICT. ¹ (5:23 PM) (6:06 PM)

Clerk’s Note: Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Clerk’s Note: Judge Biscoe noted that last week, the Commissioners’ Court had looked at a draft letter concerning the Travis County Hospital District.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that, after making the change regarding the interlocal agreement with Travis County for tax collection, that the County Judge be authorized to sign this letter and send it to the Travis County Hospital District, on behalf of the Commissioners’ Court.

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

- 45.** DISCUSS AND TAKE APPROPRIATE ACTION ON PENDING REDUCTION IN FORCE AFFECTING THREE EMPLOYEES IN ADMINISTRATIVE OPERATIONS. ³ (5:23 PM) (6:06 PM)

Clerk's Note: Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion only. No action required.

- 46.** RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON PROPERTY USE ADJACENT TO 4001 MCKINNEY FALLS PARKWAY. (COMMISSIONER GÓMEZ) ¹ (5:23 PM)

Item 46 postponed until September 7, 2004.

ADDED ITEMS

- A1.** REAPPOINT RICHARD HOPKINS TO THE AUSTIN TRAVIS COUNTY MENTAL RETARDATION CENTER BOARD EFFECTIVE IMMEDIATELY; TERM TO EXPIRE SEPTEMBER 30, 2006. (COMMISSIONER DAVIS) (5:14 PM)

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item A1.

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

