

## **MINUTES OF MEETING – SEPTEMBER 28, 2004**

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

On Tuesday, the 28<sup>th</sup> day of September, 2004, the Commissioners' Court convened the regular Voting Session at 9:14 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 recessed the Voting Session at 11:53 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:35 PM and adjourned at 1:39 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:39 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, and the Capital Health Facilities Development Corporation, convened the Voting Sessions at 1:43 PM and adjourned at 1:44 PM.

The Commissioners Court reconvened the regular Voting Session at 1:44 PM.

The Commissioners Court retired to Executive Session at 2:04 PM.

The Commissioners Court reconvened the Voting Session at 3:59 PM.

The Commissioners Court adjourned the Voting Session at 4:45 PM.







**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C5, and Items 3, 9, 13.A-C, 14, 17, 18, 21.A&B, 23, 24.A-D, 25.A-D, 26, 27, 28, 29, 30, 31, 33, 35, 36, 37, 38, 42, 43, 44, 45, 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57.A-C. (9:32 AM)

<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	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 AUTOMATIC BUDGET TRANSFERS.
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 2, 2004 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF A PORTION OF LOT 5, AMENDED PAPOOSE I (REVISED PLAT – 2 LOTS – 5.18 ACRES – PALEFACE RANCH ROAD – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY, LCRA JURISDICTION – OUTSIDE ALL ETJS). (DAUGHERTY)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 2, 2004 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 21 AND 22, ROUND MOUNTAIN (REVISED PLAT – 2 LOTS – 0.975 ACRES – CEDAR HURST LANE AT STONE RIDGE DRIVE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY, LCRA JURISDICTION – CITY OF LAKEWAY ETJ). (DAUGHERTY)

**PLANNING AND BUDGET DEPT. ITEMS**

- 5. CONSIDER AND TAKE APPROPRIATE ACTION ON REMAINING FY 05 BUDGET MARK-UP ITEMS. (9:37 AM)

Item 5 not needed.

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER SETTING THE TRAVIS COUNTY TAX RATE FOR FY 05. (9:38 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the order setting the maintenance and operations tax rate of .3850.

**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** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the order setting the debt service tax rate of .1022.

**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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER APPROVING THE TRAVIS COUNTY BUDGET FOR FY 05. (9:41 AM)

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

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to adopt the order approving the Travis County Budget with no motions to amend the budget.

**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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER SETTING ELECTED OFFICIALS SALARIES FOR FY05. (9:40 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the order setting Elected Officials Salaries for fiscal year 2005.

**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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN ORDER TO DESIGNATE THE REGULAR MEETING DAY OF COMMISSIONERS COURT OF TRAVIS COUNTY. (9:32 AM)

**Clerk's Note:** Judge Biscoe announced that Tuesday is the designated regular meeting day of the Travis County Commissioners Court.

**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 ON INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY HOSPITAL DISTRICT AND CITY OF AUSTIN ON BRACKENRIDGE HOSPITAL AND OTHER APPROPRIATE MEDICAL FACILITIES FOR THE PROVISION OF HEALTH CARE SERVICES. (9:52 AM)

**Members of the Court heard from:** Jim Collins, Executive Assistant County Attorney; Clarke Heidrick, Chair, Travis County Hospital District; Tom Young, Manager, Travis County Hospital District; Diana Warner, First Assistant County Auditor, Travis County Auditor’s Office; John Hille, Assistant County Attorney; and Christian Smith, Executive Manager, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the interlocal in Item 10.

**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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER SETTING THE TRAVIS COUNTY HOSPITAL DISTRICT TAX RATE FOR FY 05. (10:30 AM)

**Members of the Court heard from:** Barbara Wilson, Assistant County Attorney; Jim Collins, Executive Assistant Travis County Attorney; and Clarke Heidrick, Chair, Travis County Hospital District.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the order setting the Travis County Hospital District tax rate at .0779 for fiscal year 2005.

**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



- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER APPROVING THE TRAVIS COUNTY HOSPITAL DISTRICT BUDGET FOR FY 05. (10:32 AM)

**Clerk’s Note:** Item 12 is the action item for the public hearing on Agenda Item 2.

**Members of the Court heard from:** Clarke Heidrick, Chair, Travis County Hospital District.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to adopt an order approving the Travis County Hospital District budget for fiscal year 2005.

**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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 13. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:32 AM)

- A. GRANT APPLICATION TO THE TASK FORCE ON INDIGENT DEFENSE FOR AN INDIGENT DEFENSE GRANTS PROGRAM IN THE CRIMINAL COURTS. THE APPLICATION IS TO CONTINUE THE PROGRAM FOR FY 05;
- B. GRANT CONTRACT WITH THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) FOR THE CHILDREN’S PARTNERSHIP PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE CONTRACT CONTINUES THE EXISTING PROGRAM FOR FY 05; AND
- C. GRANT CONTRACT AMENDMENT WITH THE OFFICE OF THE ATTORNEY GENERAL TO THE STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICE GRANT PROGRAM IN ITS DEPARTMENT. THE CONTRACT AMENDMENT MODIFIES THE GRANT TERM TILL AUGUST 31, 2005 AND PROVIDES ADDITIONAL FUNDING FOR THE ADDITIONAL PERIOD.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:32 AM)

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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR AN ECONOMIC INCENTIVES AGREEMENT FOR ADVANCE TECHNOLOGY DEVELOPMENT FACILITY, INC., A FOR-PROFIT SUBSIDIARY OF SEMATECH INC., A NON-PROFIT CORPORATION ENGAGED IN HIGH TECHNOLOGY RESEARCH. (9:14 AM)

Item 15 postponed until October 5, 2004.

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT. (10:34 AM)

**Members of the Court heard from:** John Hille, Assistant County Attorney.

**Clerk's Note:** The Court briefly discussed additional issues and support services that may need to be negotiated with the Travis County Hospital District.

Discussion Only. No action taken.

Item 16 to be reposted on October 12, 2004.

### ADMINISTRATIVE OPERATIONS ITEMS

17. DECLARE A SURPLUS IN THE RISK MANAGEMENT FUND, AND TAKE APPROPRIATE ACTION. (9:32 AM)

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

- 18. 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 \$358,507.00 FOR THE PERIOD OF SEPTEMBER 10 THROUGH SEPTEMBER 16, 2004. (9:32 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 POLICIES AND RECOMMENDATIONS RESULTING FROM THE COUNTY INFORMATION TECHNOLOGY POSITIONS ANALYSIS REPORT. (10:37 PM)

**Members of the Court heard from:** Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); and Alicia Perez, Executive Manager, Administrative Operations.

**Clerk's Note:** The Court discussed the following recommendations: A) approve the transfer of the following IT positions for selected departments reporting to Commissioners Court to ITS; B) modify the current ITS review of Data Processing Equipment policy as defined in the Travis County Purchasing Policy to require a written impact assessment from ITS concerning the network security, standards, and compatibility as described in attachment "A", prior to Court approval; C) require that all County departments use the Help Desk Tracking system to report and record all IT work assignments; D) authorize the HRMD and ITS departments to use the recommendations of the IT Position Analysis Report to apply the court approved job analysis methodology; E) authorize the HRMD and ITS departments to use the Gartner IT Market Compensation Study as one of the salary survey sources to determine the appropriate compensation levels of IT positions countywide; and F) approve the participation of Travis County in the Gartner IT Market Compensation Survey.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve Staff recommendations A-F as listed in the memo.

**An Addition to the previous Motion was made by** Judge Biscoe to delete the words "recommendation and" on paragraph 1, page 3 of the memo from Staff, so that Staff's recommendation reads, "will be only by the agreement of the elected or appointed official."

<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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

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

A. ROUTINE PERSONNEL ACTIONS – EMERGENCY SERVICES CLASSIFICATION CHANGES. JOB TITLES, PAY GRADE, FLSA DESIGNATIONS FOR FIRE MARSHAL, ASSISTANT FIRE MARSHAL AND FIRE MARSHAL ASSISTANT DEPUTY III; (10:53 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 20.A, the routine personnel amendments.

<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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

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

B. NON-ROUTINE PERSONNEL ACTIONS – PROMOTION – INFORMATION & TELECOMMUNICATIONS SYSTEMS; (10:53 AM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 20.B, personnel amendments.

<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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

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

**C. NON-ROUTINE PERSONNEL ACTIONS – TEMPORARY PAY INCREASES – HEALTH AND HUMAN SERVICES. (10:54 AM)**

**Members of the Court heard from:** Linda Smith, Director, Human Resources Management Department (HRMD); Sherri Fleming, Interim Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Valerie Spinelli, Budget Analyst, PBO; and Nancy Goodman Gil, Human Resources Manager, Travis County Health and Human Services (TCHHS).

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the permanent pay adjustments listed in the personnel amendments and to deny the temporary pay requests.

**Motion carried:**

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

**21. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (9:32 AM)**

**A. REVIEW AND APPROVE TUITION REFUNDS FOR EMPLOYEES WHO HAVE COMPLETED CLASSES IN ACCORDANCE WITH TUITION REIMBURSEMENT POLICY SECTION 10.021; AND**

**B. APPROVE REQUISITION AND AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE EMPLOYEES AS LISTED.**

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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON MODIFICATION NO. 5 TO OPTION TO LICENSE WITH CAPITAL HOCKEY VENTURES, LTD., D/B/A AUSTIN ICE BATS FOR HOCKEY GAMES AT THE TRAVIS COUNTY EXPOSITION CENTER. (11:07 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Jeff Buch, President, Capital Hockey Ventures; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve moving forward with drafting the amendments to the contract.

**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

**PURCHASING OFFICE ITEMS**

23. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 02T002150J, MILLIMAN USA, INC., FOR ACTUARIAL SERVICES FOR THE TRAVIS COUNTY SELF-FUNDED PLAN. (HRMD) (GÓMEZ) (9:32 AM)

**Clerk's Note:** Item 23 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

24. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 02T00005OJ, UNITED HEALTHCARE INSURANCE COMPANY, FOR THE FOLLOWING: (9:32 AM)
- A. ADMINISTRATIVE SERVICES AGREEMENT;
  - B. COBRA ADMINISTRATIVE SERVICES AGREEMENT;
  - C. CUSTOMER REPORTING SYSTEM INTERNET ACCESS AGREEMENT;
  - D. STOP LOSS INSURANCE AGREEMENT FOR TRAVIS COUNTY EMPLOYEES, RETIREES AND DEPENDENTS. (HRMD) (GÓMEZ)

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:32 AM)
- A. APPLICATION TO UNUM LIFE INSURANCE COMPANY FOR OPTIONAL GROUP BENEFITS FOR TRAVIS COUNTY EMPLOYEES, INCLUDING OPTIONAL EMPLOYEE LIFE INSURANCE, ACCIDENTAL DEATH AND DISMEMBERMENT, DEPENDENT LIFE INSURANCE AND RETIREE LIFE INSURANCE;
  - B. APPLICATION TO UNUM LIFE INSURANCE COMPANY FOR OPTIONAL GROUP BENEFITS FOR TRAVIS COUNTY EMPLOYEES, INCLUDING LONG TERM DISABILITY AND SHORT TERM DISABILITY;
  - C. TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 02T00038OJ, UNUM LIFE INSURANCE COMPANY, FOR BASIC LIFE INSURANCE AND ACCIDENTAL DEATH AND DISMEMBERMENT FOR TRAVIS COUNTY EMPLOYEES; AND
  - D. CONTRACT WITH UNUM LIFE INSURANCE COMPANY FOR OPTIONAL EMPLOYEE PAID GROUP BENEFITS FOR TRAVIS COUNTY EMPLOYEES, INCLUDING EMPLOYEE LIFE INSURANCE, ACCIDENTAL DEATH AND DISMEMBERMENT, DEPENDENT LIFE INSURANCE, RETIREE LIFE INSURANCE, LONG TERM DISABILITY AND SHORT TERM DISABILITY. (HRMD) (GÓMEZ)

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

26. APPROVE PURCHASE OF FORD TRUCKS OFF STATE CONTRACT FROM PHILPOTT MOTORS. (TNR) (GÓMEZ) (9:32 AM)

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

27. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO INTERLOCAL AGREEMENT NO. IL010029EF WITH TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR STAFF CONTRIBUTION TO SUPPORT CHILD PROTECTIVE SERVICES. (HHSD) (GÓMEZ) (9:32 AM)

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

28. APPROVE PURCHASE OF TWO (2) CREW/CAB TRUCKS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, NO. ILA98858. (TNR) (GÓMEZ) (9:32 AM)

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

29. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00023RG, TIRE DISTRIBUTION SYSTEMS, FOR FLAT TIRE & TUBE REPAIR AND REPLACEMENT. (TNR) (GÓMEZ) (9:32 AM)

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

30. APPROVE CONTRACT AWARD FOR GROUNDS MAINTENANCE, IFB NO. B040120RG, TO THE SECOND LOW BIDDER, VISTA SCAPE. (JUVENILE PROBATION) (GÓMEZ) (9:32 AM)

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



- 31. APPROVE THREE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 03T00024RG, BEETLES PEST CONTROL, FOR PEST CONTROL SERVICES. (FACILITIES/SHERIFF) (GÓMEZ) (9:32 AM)

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

- 32. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT 04T00039RG, CELESTIAL SERVICES, FOR TRANSPORT OF CADAVERS. (MEDICAL EXAMINER) (GÓMEZ) (9:15 AM)

Item 32 pulled from the Agenda.

- 33. APPROVE CONTRACT AWARD FOR PRECINCT FOUR OFFICE BUILDING DUCT HEATERS INSTALLATION, IFB NO. B040127MB, TO THE LOW BIDDER, WATTINGER COMPANY, INC. (FACILITIES MANAGEMENT). (GÓMEZ) (9:32 AM)

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

- 34. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS000331LB FOR REVISED SCHEDULE OF RATES FOR COURT REPORTING SERVICES WITH A BETTER COURT REPORTING SERVICE, INC. (COUNTY ATTORNEY) (GÓMEZ) (11:42 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to approve 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 MODIFICATION NO. 7 TO CONTRACT MA960322, EASY ACCESS INC., FOR TAX OFFICE COMPUTER SYSTEM. (ITS, TAX OFFICE, COUNTY CLERK) (GÓMEZ) (9:32 AM)

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

36. APPROVE MODIFICATION NO. 3 TO CONTRACT CM040145LC, VISTA SOLUTIONS GROUP, FOR THE DOCUMENT IMAGING SYSTEM FOR THE COUNTY CLERK AND DISTRICT CLERK. (ITS/DISTRICT CLERK/COUNTY CLERK) (GÓMEZ) (9:32 AM)

**Clerk's Note:** Item 36 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

37. APPROVE CONTRACT AWARD FOR THE NORTHEAST METRO PARK HIKE AND BIKE TRAIL PROJECT, IFB #B040044JJ, TO THE LOW BIDDER, MUNIZ CONCRETE AND CONTRACTING, INC. (TNR) (GÓMEZ) (9:32 AM)

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

38. APPROVE CONTRACT NO. PS040282JW, ROBERT R. KAMM AND CHRISTOPHER S. SHIELDS, P.C., FOR PROFESSIONAL LEGISLATIVE ADVOCACY SERVICES. (COMMISSIONERS COURT) (9:32 AM)

**Clerk's Note:** Item 38 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

**39.** DISCLOSE RELATIONSHIP WITH KEY CONTRACTING PERSON (SPOUSE) AND APPROVE ORDER WAIVING THE REQUIREMENTS OF DISCRETIONARY CONTRACTS PURSUANT TO SECTION 32.004(F) OF THE TRAVIS COUNTY ETHICS POLICY FOR THE PURPOSE OF APPROVING CONTRACTS DURING 2004 BETWEEN TRAVIS COUNTY AND DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN. (DAVIS) (9:36 AM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to disclose the relationship with a key contracting person and approve the order waiving the requirements of the Travis County Ethics policy.

**Motion carried:** County Judge Samuel T. Biscoe                                        yes  
                                  Precinct 1, Commissioner Ron Davis                                        abstain  
                                  Precinct 2, Commissioner Karen Sonleitner                                        yes  
                                  Precinct 3, Commissioner Gerald Daugherty                                        yes  
                                  Precinct 4, Commissioner Margaret J. Gómez                                        yes

**40.** APPROVE TERMINATION OF CONTRACT NO. 03T00118LD WITH GULF STATES ASPHALT FOR EMULSIFIED ASPHALT. (TNR) (COMMISSIONER GÓMEZ) (2:04 PM) (4:04 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 40 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 Davis to terminate contract No. 03T00118LD, with Gulf States Asphalt.

**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

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

**TAKE UP AT 1:45 P.M.**

- 41.** CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR EXCEPTION TO FRONTAGE STANDARDS AND A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 10, LICK CREEK RANCH SUBDIVISION PHASE I (REVISED PLAT – 5 LOTS – 13.34 ACRES – OUTBACK TRAIL – NO FISCAL REQUIRED– SEWAGE SERVICE TO BE PROVIDED BY ONSITE WASTEWATER FACILITY (LCRA JURISDICTION) – OUTSIDE ALL MUNICIPAL ETJ). (DAUGHERTY) (1:45 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Jim Whitliff, Representing the applicant.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject Item 41, the request for a variance and approval of the plat, for the reason that it fails to meet the access and lot frontage requirements of Section 82.202(d) of the Travis County Subdivision regulations.

**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

- 42.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN RANCH AT DEER CREEK PHASE 3 SECTION 2, A SUBDIVISION IN PRECINCT THREE. (DAUGHERTY) (9:32 AM)

**Clerk's Note:** Item 42 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 43.** APPROVE THE MEMORANDUM OF AGREEMENT BETWEEN TRAVIS COUNTY, THE TEXAS ASSOCIATION OF COMMUNITY ACTION AGENCIES, INC., HUDSON'S MEAT MARKET, INC. AND CARITAS OF AUSTIN RELATING TO PARTICIPATION IN THE HUNTERS FOR THE HUNGRY PROGRAM 2004-2005 SEASON. (DAUGHERTY) (9:32 AM)

**Clerk's Note:** Item 43 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

44. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: THE BOAT SHOP DEVELOPMENT (SHORT-FORM PLAT – 1 LOT – 1.095 ACRES – HUDSON BEND ROAD AT WATUMBA ROAD – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY, TRAVIS COUNTY ONSITE SEPTIC FACILITIES JURISDICTION – CITY OF AUSTIN ETJ). (DAUGHERTY) (9:32 AM)

**Clerk's Note:** Item 44 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

### OTHER ITEMS

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

**Clerk's Note:** Item 45 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

46. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COMPREHENSIVE STUDY ON COMPENSATION FOR VARIOUS CATEGORIES OF PEACE OFFICERS. (11:44 AM)

**Members of the Court heard from:** Linda Smith, Director, HRMD.

Discussion Only. No action taken.

Item 46 to be reposted on October 12, 2004.

47. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RECONSIDER THE CREATION OF THE STRATEGIC HOUSING FINANCE CORPORATION OF TRAVIS COUNTY WHOSE PURPOSE IS THE IMPLEMENTATION OF A SINGLE-FAMILY LEASE-PURCHASE PROGRAM AND OTHER RELATED MATTERS. (DAVIS) (4:07 PM)

**Members of the Court heard from:** Wiley Hopkins, Chief Operating Officer, Housing Authority of Travis County; Cliff Blount, Attorney for the Travis County Corporations; Guy Burgoon, George K. Baum and Company; and Harvey Davis, Manager, Travis County Corporations.

**Motion by** Commissioner Davis to reconsider the creation of the Strategic Housing Finance Corporation.

**Clerk's Note:** The Motion died for lack of a Second.

Discussion Only. No action taken.

48. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF AMENDMENT NUMBER ONE TO INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE VILLAGE OF THE HILLS FOR LAW ENFORCEMENT SERVICES. (9:32 AM)

**Clerk's Note:** Item 48 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

49. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRINT 230,000 COPIES OF TAXPAYER NEWS FOR MAILING WITH THE 2004 TAX BILLS. (9:32 AM)

**Clerk's Note:** Item 49 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

50. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR CONTRACT MODIFICATION AND EXTENSION OF CONTRACT NO. 696-PD-0-1-L-L0306 BETWEEN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND TRAVIS COUNTY FOR THE HOUSING OF PAROLEES FOR THE 2004-2005 CONTRACT TERM. (9:32 AM)

**Clerk's Note:** Item 50 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

51. CONSIDER AND TAKE APPROPRIATE ACTION ON ACCEPTANCE OF A DONATION OF \$10,000 FROM THE DOWNTOWN AUSTIN ALLIANCE. (9:32 AM)

**Clerk's Note:** Item 51 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

52. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND CYPRESS RANCH WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1. (9:32 AM)

**Clerk's Note:** Item 52 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

53. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND LAKESIDE WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2C. (9:32 AM)

**Clerk's Note:** Item 53 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

54. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND WEST TRAVIS COUNTY MUD DISTRICT NO. 6. (9:32 AM)

**Clerk's Note:** Item 54 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

55. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT MARY JO RODRIGUEZ TO SERVE AS A PRECINCT FOUR APPOINTEE TO THE CHILD PROTECTIVE SERVICES BOARD. (GÓMEZ) (9:32 AM)

**Clerk's Note:** Item 55 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

56. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT TO CONDUCT JOINT ELECTIONS BETWEEN TRAVIS COUNTY AND CITY OF LAGO VISTA AND CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY FOR THE NOVEMBER 2, 2004 ELECTION. (9:32 AM)

**Clerk's Note:** Item 56 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

57. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING APPOINTMENTS FOR THE NOVEMBER 2, 2004 JOINT GENERAL AND SPECIAL ELECTIONS: (9:32 AM)
- A. A PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE, MANAGER, ASSISTANT MANAGER, AND TABULATION SUPERVISOR FOR THE CENTRAL COUNTY STATION;
  - B. PRESIDING JUDGES FOR RECEIVING SUBSTATIONS; AND
  - C. A PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE, AND MEMBERS TO THE EARLY VOTING BALLOT BOARD.

**Clerk's Note:** Items 57.A-C 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.

- 61. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF LEAVE FOR A JUVENILE PROBATION DEPARTMENT EMPLOYEE SLOT 17. <sup>3</sup> (2:04 PM) (3:59 PM)

**Clerk's Note:** Judge Biscoe announced that Item 61 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize additional leave with pay for 9 days beginning September 22, 2004 through October 1, 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

- 62. CONSIDER OFFERS TO SELL AND TAKE APPROPRIATE ACTION REGARDING DRAINAGE EASEMENT NEEDED BY TRAVIS COUNTY FOR INSTALLATION OF STORMWATER FACILITIES AS PART OF THE ANDERSON MILL ROAD IMPROVEMENT PROJECT (CIP # 01-B01-01-3CA) IN PRECINCT THREE. (DAUGHERTY) <sup>1&2</sup> (2:04 PM) (4:00 PM)

**Clerk's Note:** Judge Biscoe announced that Item 62 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.

Item 62 to be reposted on October 5, 2004.

63. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE LEASE BETWEEN HARRY WHITTINGTON, D/B/A TRAVIS PROPERTIES AND TRAVIS COUNTY FOR OFFICE SPACE LOCATED AT 205 – 209 WEST 9<sup>TH</sup>. <sup>2</sup> (2:04 PM) (4:00 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 63 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve termination of the current lease; approve a lease agreement for Counseling and Education Services (CES) lease space, and that amount of space will be a short-term lease, which will expire December 31, 2004 (the other terms will remain unchanged); and approve a lease agreement for various departments. All of this lease space is located at 205-209 W. 9<sup>th</sup> St. We terminate the current lease, and end up with a very short lease, and another master lease, all of which will terminate September 30, 2006. We further authorize the County Judge to sign the prepared leases 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

64. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE OPPORTUNITY TO PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. <sup>2</sup> (9:16 AM)

Item 64 postponed until October 5, 2004.

65. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON IMPLEMENTATION OF TRAVIS COUNTY HOSPITAL DISTRICT. <sup>1</sup> (2:04 PM) (4:01 PM)

No action necessary on Item 65.

Item 65 postponed until October 5, 2004.

- 66. RECEIVE BRIEFING ON SECURITY PLANNING FOR THE NOVEMBER ELECTION. <sup>4</sup> (2:04 PM) (4:01 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 66 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.076, Security.

Discussion Only. No action taken.

Item 66 to be reposted on October 5, 2004.

- 67. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING SETTLEMENT NEGOTIATIONS IN RICHARD MCCAIN V. TRAVIS COUNTY. <sup>1</sup> (2:04 PM) (4:02 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 67 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Diana Ramirez, Budget Analyst, PBO.

Discussion Only. No action taken.

Item 67 to be reposted on October 5, 2004.

- 68. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM KEYSTONE CONSTRUCTION, INC. <sup>1</sup> (2:04 PM) (4:03 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 68 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 Staff draft an appropriate letter response for the Commissioners Court; and to authorize the County Judge to sign the letter and get it to the person that sent the letter to the County Judge as soon as possible, but no later than noon, Friday, October 01, 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



