

MINUTES OF MEETING – NOVEMBER 30, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 30th day of November, 2004, the Commissioners' Court convened the regular Voting Session at 9:19 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 11:10 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 11:10 AM and adjourned at 11:34 AM.

The Commissioners Court reconvened the regular Voting Session at 11:34 AM.

The Commissioners Court retired to Executive Session at 11:34 AM.

The Commissioners Court reconvened the Voting Session at 12:26 PM.

The Commissioners Court adjourned the Voting Session at 12:27 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 12:27 PM and adjourned at 12:28 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Travis County Resident; Ron Loosey, Chairman, Austin Mayor's Committee for People with Disabilities; Rene Borders, Supervisor, Austin Independent School District Supported Employment Program; Linda Espy, Summer Youth Employment Program, Travis County Health and Human Services (TCHHS); Deborah Britton, Division Director, TCHHS; and Trek English, Travis County Resident. (9:23 AM)

Clerk's Note: Judge Biscoe noted that the deadline for the Combined Charities Campaign would be extended to December 10, 2004.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C8, and Items 2, 3, 4, 6, 7, 8, 9.A and B, 10, 11, 12, 13, 14, 15, 19.A-C, 20, 21, 25, 27, 28, and 29. (9:47 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF NOVEMBER 9, 2004.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR SPECIAL VOTING SESSION OF NOVEMBER 10, 2004.
- C5.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF NOVEMBER 10, 2004.
- C6.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF NOVEMBER 16, 2004.

CONSENT ITEMS CONTINUED

- C7. APPROVE AUTOMATIC BUDGET TRANSFERS.
- C8. CONSIDER AND TAKE APPROPRIATE ACTION TO RATIFY SETTLEMENT OF THE LIABILITY CLAIMS FOR DRIVER MARCO RODRIGUEZ AND PASSENGERS CECELIA CRUZ AND GUADALUPE RODRIGUEZ AND AUTHORIZE IMMEDIATE PAYMENT.

PURCHASING OFFICE ITEMS

- 2. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00096OJ, AMERISOURCE BERGEN CORPORATION, FOR PHARMACEUTICALS AND PHARMACEUTICAL SUPPLIES. (SHERIFF) (COMMISSIONER GÓMEZ) (9:47 AM)

Clerk's Note: Item 2 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 3. APPROVE TWELVE-MONTH EXTENSION AND INCORPORATE TRANSPORTING MENTAL HEALTH CONSUMERS (MODIFICATION NO. 1) TO CONTRACT NO. 04T00055OJ, TRANSCOR, FOR TRANSPORTATION AND EXTRADITION SERVICES. (SHERIFF) (COMMISSIONER GÓMEZ) (9:47 AM)

Clerk's Note: Item 3 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 4. APPROVE INTERLOCAL AGREEMENT NO. IL050114RE WITH THE CITY OF AUSTIN TO PROVIDE WEATHERIZATION SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (9:47 AM)

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

7. APPROVE CONTRACT NO. PS040260JW WITH MARY BETH METCALF TO PROVIDE PROFESSIONAL INSTRUCTOR SERVICES. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:47 AM)

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

8. APPROVE CONTRACT NO. PS050002JW WITH OLLIE J. SEAY, Ph.D. TO PROVIDE PSYCHOLOGICAL EVALUATIONS FOR JUVENILE OFFENDERS. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:47 AM)

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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING CONTRACTS: (9:47 AM)

- A. AMENDMENT NO. 1 TO CONTRACT NO. 085082, REGION 14 EDUCATION SERVICE CENTER, TO ALLOW APPROVAL OF SUBCONTRACT; AND

- B. CONTRACT NO. PS040279JW, SOUTHWEST KEY PROGRAM, INC., A TITLE IV COMMUNITY SERVICE GRANT PROGRAM CONTRACTOR. (JUVENILE PROBATION). (COMMISSIONER GÓMEZ)

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

10. AUTHORIZE MODIFICATION OF AGREEMENT WITH C. C. CARLTON INDUSTRIES, LTD. FOR EAST METRO PARK PHASE 1, PROJECT ONE, TO ALLOW FOR ALTERNATIVE RECIPIENT FOR PAYMENT. (COMMISSIONER DAVIS) (9:47 AM)

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

11. APPROVE CONTRACT, CONTRACT MODIFICATION AND MAKING OF CONTRACT FOR IFB NO. B050003RG, HOME REFRIGERATORS, TO THE LOW BIDDER, SEARS CONTRACT SALES. (HOUSING SERVICES) (COMMISSIONER GÓMEZ) (9:47 AM)

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

12. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00068RG, CAPPS RENT-A-CAR, INC., FOR RENTAL OF CARGO VANS. (COUNTY CLERK) (COMMISSIONER GÓMEZ) (9:47 AM)

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

13. APPROVE PURCHASE OF SIX CHEVY SUBURBANS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, ILA98-858. (TNR) (COMMISSIONER GÓMEZ) (9:47 AM)

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

14. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00038LD, HERRERA AND SONS JANITORIAL SERVICES, FOR JANITORIAL SERVICES AT NORTH RURAL COMMUNITY CENTER. (FM) (COMMISSIONER GÓMEZ) (9:47 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 FORKLIFTS, IFB NO. B050005JT, TO THE LOW BIDDER, ROWAN-CORNIL, DBA SUNBELT INDUSTRIAL TRUCKS. (TNR) (COMMISSIONER GÓMEZ) (9:47 AM)

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON COUNTY PARTICIPATION IN VARIOUS REGIONAL PLANNING PROCESSES. (9:54 AM)

Clerk's Note: Items 18 and 31 are associated with one another and were called for concurrent discussion.

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

Discussion only. No action taken.

PLANNING AND BUDGET DEPT. ITEMS

19. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:47 AM)
- A. GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR AN ACCESS AND VISITATION PROGRAM IN JUVENILE PROBATION DEPARTMENT. THE APPLICATION IS TO CONTINUE THE EXISTING PROGRAM FOR FY 05;
 - B. CONTRACT WITH SAFEPLACE TO USE CITY OF AUSTIN GRANT FUNDS FOR PROFESSIONAL SERVICES. THE GRANT IS TO CONTINUE THE CURRENT PROGRAM THROUGH SEPTEMBER 2006; AND
 - C. GRANT CONTRACT WITH THE FEDERAL EMERGENCY MANAGEMENT APPLICATION FOR THE FOOD AND SHELTER GRANT PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05.

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:47 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

21. 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 \$396,867.19 FOR THE PERIOD OF NOVEMBER 12 THROUGH NOVEMBER 18, 2004. (9:47 AM)

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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS. (9:50 AM)

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 22.

Motion carried:

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

JUSTICE AND PUBLIC SAFETY ITEMS

23. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR USE AND MANAGEMENT OF STAR FLIGHT. (10:42 AM)

Clerk's Note: Items 23 and 24 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services; Caryl Colburn, Director, Travis County Counseling and Education Services (TCCES); Barbara Wilson, Assistant County Attorney; and Barbara Cille, Executive Assistant, Travis County Commissioner Precinct 3 Office.

Discussion only. No action taken.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES. (10:42 AM)

Clerk's Note: Items 23 and 24 are associated with one another and were called for concurrent discussion. Please refer to Item 23 for a summary of the Court's action.

OTHER ITEMS

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:47 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 REQUESTS FROM CITY OF AUSTIN FOR WAIVER OF 60-DAY NOTICE OF PUBLIC HEARING REGARDING ESTABLISHMENT OF REINVESTMENT ZONE AT FORMER ROBERT MUELLER MUNICIPAL AIRPORT SITE, DESIGNATION OF A COUNTY REPRESENTATIVE FOR INVESTMENT ZONE FINANCIAL PLANNING, AND RELATED MATTERS. (10:40 AM)

Discussion Only. No action taken.

Item 26 to be reposted on December 7, 2004.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REAPPOINT GENEVIEVE HEARON TO SERVE AS A PRECINCT THREE APPOINTEE TO THE BOARD OF TRUSTEES OF THE AUSTIN TRAVIS COUNTY MHMR, TERM EFFECTIVE IMMEDIATELY THROUGH SEPTEMBER 2006. (COMMISSIONER DAUGHERTY) (9:47 AM)

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT ANN MARSHALL TO SERVE AS A PRECINCT THREE APPOINTEE AS TREASURER TO THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVELY IMMEDIATELY THROUGH DECEMBER 2005. (COMMISSIONER DAUGHERTY) (9:47 AM)

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT NANCY HAMILTON TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2006. (COMMISSIONER DAUGHERTY) (9:47 AM)

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT JANE MANASTER TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2006. (COMMISSIONER DAUGHERTY) (9:20 AM)

Item 30 postponed until December 7, 2004.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON STRATEGIC PLANNING INITIATIVE FOR FY 05. (9:54 AM) (11:34 AM)

Clerk's Note: Items 18 and 31 are associated with one another and were called for concurrent discussion. Please refer to Item 18 for a summary of the Court's action.

Clerk's Note: The Court further discussed Item 31 at 11:34 AM.

Discussion Only. No action taken.

Item 31 to be reposted on December 7, 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.

- 32.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING OFFER OF SPECIAL WARRANTY DEED FOR 6.3104 ACRES IN FEE SIMPLE FROM THE TEXAS SYSTEM OF NATURAL LABORATORIES TO BECOME PART OF THE BALCONES CANYONLAND PRESERVE, IN EXCHANGE FOR A SPECIAL LICENSE AGREEMENT FOR RESEARCH. ^{1&2} (COMMISSIONER DAUGHERTY) (11:34 AM) (12:26 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to receive the offer of the special warranty deed, and give or agree to the special license agreement for research; and authorize the County Judge to sign 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

- 33.** RECEIVE LEGAL ADVICE ON COUNTY RULEMAKING AUTHORITY ON MATTERS REGARDING SUBDIVISION REGULATIONS UNDER SB 873 AND OTHER STATUTES, AND TAKE APPROPRIATE ACTION. ¹ (11:34 AM) (12:26 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 33.

