

MINUTES OF MEETING – JANUARY 18, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 18th day of January, 2005, the Commissioners' Court convened the regular Voting Session at 9:16 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 12:07 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:38 PM and adjourned at 1:38 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:38 PM and adjourned at 1:39 PM.

The Commissioners Court reconvened the regular Voting Session at 1:39 PM.

The Commissioners Court adjourned the Voting Session at 3:09 PM.

RESOLUTIONS & PROCLAMATIONS

- 2. APPROVE RESOLUTION RECOGNIZING ELBERT D. WALKER ON HIS RETIREMENT FROM THE TRAVIS COUNTY FACILITIES MANAGEMENT DEPARTMENT AFTER THIRTY YEARS OF SERVICE TO TRAVIS COUNTY. (JUDGE BISCOE) (9:18 AM)

Members of the Court heard from: Lloyd Evans, Division Director, Facilities Management; and Elbert Walker, Building Security Supervisor, Facilities Management.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the resolution in Item 2.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

- 3. APPROVE RESOLUTION RECOGNIZING ANNIE FAYE STEWART ON HER RETIREMENT FROM TRAVIS COUNTY COOPERATIVE EXTENSION AFTER THIRTY-FOUR YEARS OF SERVICE TO TRAVIS COUNTY. (JUDGE BISCOE) (9:26 AM)

Members of the Court heard from: Debra Watt, Travis County Cooperative Extension; and Annie Faye Stewart, Travis County Cooperative Extension.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the resolution in Item 3.

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

4. APPROVE PROCLAMATION RECOGNIZING THE MONTH OF JANUARY AS "MENTORING MONTH" IN TRAVIS COUNTY. (COMMISSIONER SONLEITNER) (9:59 AM) (10:27 AM)

Members of the Court heard from: Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Irene Guzman Krill, Austin Partners in Education; and Ms. Kathy Mahlin and Ms. Crystal Marchand's 3rd Grade students from Allan Elementary.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the proclamation in Item 4.

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

Clerk's Note: The Court further discussed Item 4 at 10:27 am, in order to take a Vote on the previous Motion and Second.

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

SPECIAL ITEM

5. AWARDS PRESENTATION TO TRAVIS COUNTY DEPARTMENTS FOR OUTSTANDING CONTRIBUTIONS TO THE COMBINED CHARITIES CAMPAIGN. (9:39 AM)

Clerk's Note: The Court presented awards to the Travis County Department for outstanding contributions to the Combined Charities Campaign.

Discussion Only. No formal action taken.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A DRAINAGE EASEMENT AS RECORDED AT VOL. 13260 PG. 0558, TRAVIS COUNTY DEED RECORDS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:35 AM)

Clerk's Note: Item 6 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 6 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: MARSHALL FORD OVERLOOK (SHORT FORM PLAT – 4 LOTS – 15.824 ACRES – FM 620 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:35 AM)

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

- 8.
 - A. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR GREENSHORES ON LAKE AUSTIN PHASE ONE, A SUBDIVISION IN PRECINCT THREE; (9:35 AM)
 - B. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST FOR A LICENSE AGREEMENT FOR THE GREENSHORES ON LAKE AUSTIN PHASE ONE. (COMMISSIONER DAUGHERTY)

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

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT ONE: HORNSBY GLEN SUBDIVISION PRELIMINARY PLAN (551 LOTS – 108.815 ACRES – FM 973 – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:35 AM)

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

11. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN MAGNOLIA RANCH ESTATES, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:35 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

12. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
 - A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE VICTIMS OF CRIME GRANT PROGRAM IN THE SHERIFF'S OFFICE. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05 AND FY 06. (9:35 AM)

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

13. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:35 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

14. 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 \$290,553.59 FOR THE PERIOD OF DECEMBER 31, 2004 THROUGH JANUARY 6, 2005. (9:35 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 PROPOSED PERSONNEL AMENDMENTS. (9:35 AM)

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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM STATE OF TEXAS TO BROADCAST THE HOUSE OF REPRESENTATIVES SESSIONS OF THE 79TH TEXAS LEGISLATURE ON TCTV ON THURSDAY OF EACH WEEK. (1:40 PM)

Members of the Court heard from: Steven Broberg, Director, Records Management and Communication Resources (RMCR); and Al Jackson, Manager, Travis County Television (TCTV).

Discussion Only. No action taken.

Item 16 to be reposted on January 25, 2005.

JUSTICE AND PUBLIC SAFETY ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER AMENDING THE TRAVIS COUNTY CODE ADDING CHAPTER 71 FIRE CODE, WHICH ADOPTS THE FOLLOWING: (10:13 AM)
- A. THE INTERNATIONAL FIRE CODE FOR TRAVIS COUNTY; AND
 - B. APPROPRIATE FEES FOR IMPLEMENTATION OF THE FIRE CODE.

Clerk's Note: Items 17.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Simon Broussard, Travis County Fire Marshall; Danny Hobby, Emergency Services Coordinator, Travis County Emergency Services; and Barbara Wilson, Assistant County Attorney.

Discussion Only. No action taken.

Items 17.A and B to be reposted on January 25, 2005.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE RESOLUTION CONTINUING THE ESTABLISHMENT OF AND AMENDING THE CHARTER OF THE RADIO USERS COMMITTEE. (9:35 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 REQUEST TO APPROVE RESOLUTION CONTINUING THE ESTABLISHMENT OF AND AMENDING THE CHARTER OF THE EMERGENCY & WIRELESS COMMUNICATIONS COORDINATING BOARD. (9:35 AM)

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

PURCHASING OFFICE ITEMS

20. APPROVE CONTRACT AWARD TO UPGRADE THE ROOF DRAINAGE SYSTEM AT THE AIRPORT BOULEVARD BUILDING, IFB NO. B050022SI, TO THE LOW BIDDER, HOT ROD MECHANICAL INC. (FACILITIES MANAGEMENT) (COMMISSIONER DAVIS) (9:35 AM)

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

21. APPROVE CONTRACT AWARD FOR TRAP ROCK (GRADE 5T), IFB NO. B050025JT, TO THE SOLE RESPONSIVE BIDDER, VULCAN CONSTRUCTION MATERIALS, L.P. (TNR) (COMMISSIONER GÓMEZ) (9:35 AM)

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

- 22. APPROVE RENEWAL OF CONTRACT NO. 02T00215OJ, MILLIMAN USA, INC., FOR ACTUARIAL SERVICES FOR THE TRAVIS COUNTY SELF-FUNDED EMPLOYEE HEALTH INSURANCE PLAN. (HUMAN RESOURCES) (COMMISSIONER GÓMEZ) (9:35 AM)

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

- 23. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO INTERLOCAL AGREEMENT NO. IL020053EF WITH THE DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES FOR COMMUNICATION ACCESS SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (9:35 AM)

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

- 24. APPROVE CONTRACT AWARD FOR PURCHASE OF CULVERT PIPE, IFB NO. B050026DR, TO THE LOW BIDDER, WILSON CULVERTS, INC. (TNR) (COMMISSIONER GÓMEZ) (9:35 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 RECOMMENDATION TO AWARD CONTRACT FOR PEACE OFFICER COMPENSATION STUDY, RFS NO. S050021ML, TO MGT OF AMERICA. (HUMAN RESOURCES) (2:49 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Patty Eacret, Director, Fiscal and Personnel, Travis County Sheriff's Office (TCSO); and Bill Derryberry, Budget Analyst, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the recommendation to go with MGT of America for the firm price of \$24,400.00, with the deliverable that we receive the study no later than May 10, 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

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT AN ORDINANCE REQUIRING OWNERS TO RESTRAIN CERTAIN PETS IN UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:32 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Dorinda Pulliam, Director, Town Lake Animal Shelter, City of Austin; Mary Etta Gerhardt, Assistant County Attorney; Bobby White, Travis County Resident; Jack Bishop, Travis County Resident; Jim Von Wolske, Travis County Resident; Margaret Zigger, Travis County Resident; Cathy Olive, Travis County Representative, Animal Advisory Commission; and Germaine Swenson, Travis County Resident.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that the committee move with the endorsement of the Commissioners Court that they are headed in the correct direction; that a good comprehensive draft, that addresses and incorporates, be locked down, with the draft out by February 1, 2005; and with action by the Commissioners Court on February 8, 2005; and the sincere thanks to Dorinda Pulliam and David Lurie from the City of Austin.

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 28 to be reposted on February 8, 2005.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENTS OF COMMISSIONERS COURT MEMBERS TO VARIOUS BOARDS, COMMISSIONS AND COMMITTEES. (3:04 PM)

Discussion Only. No action taken.

Item 29 to be reposted on January 25, 2005.

30. CONSIDER STATUS AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY PARTICIPATION IN AUSTIN – TRAVIS COUNTY DISPARITY STUDY. (2:10 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Sylvia Lopez, HUB Coordinator, Travis County Purchasing Department; and John Hille, Assistant County Attorney.

Discussion Only. No action taken.

Item 30 to be reposted on January 25, 2005.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON NOTICE OF INTENT FROM THE EXECUTIVE DIRECTOR OF THE TEXAS COMMISSIONER ON ENVIRONMENTAL QUALITY TO ISSUE A PERMIT TO MAGNA-FLOW INTERNATIONAL, INC. FOR THE LAND APPLICATION OF SLUDGE AT A SITE NEAR THE INTERSECTION OF TAYLOR LANE AND FM 969 IN PRECINCT ONE. (COMMISSIONER DAVIS) (1:56 PM)

Members of the Court heard from: John Kuhl, Environmental Officer, TNR; and Germaine Swenson, Park Springs Neighborhood Association.

Clerk's Note: The Court discussed acting on Options 2 and 3 as listed in the memo from Staff.

Option 2: Request reconsideration of Executive Director's decision.

Option 3: Request contested case hearing and affected party status.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to go forward with Options 2 and 3 of this particular request; that is to basically request reconsideration of the decision made by the Executive Director of the Texas Commission on Environmental Quality (TCEQ), and insure that we request a case hearing.

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

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COMMISSIONERS COURT APPROVAL OF REVISED CRIMINAL COURTS INTERPRETER COMPENSATION SCHEDULE. (9:35 AM)

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF THE TRAVIS COUNTY CITIZENS BOND ADVISORY COMMITTEE. (3:06 PM)

Discussion Only. No action taken.

Item 33 to be reposted on January 25, 2005.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE 79TH TEXAS LEGISLATIVE SESSION, INCLUDING: (2:34 PM)

A. ISSUES AND BILLS OF INTEREST TO TRAVIS COUNTY; AND

B. PROCESS THROUGH WHICH TRAVIS COUNTY WILL DECIDE WHAT ACTION TO TAKE ON VARIOUS BILLS, INCLUDING THE MANNER IN WHICH ELECTED AND APPOINTED COUNTY OFFICIALS SHOULD OBTAIN COURT APPROVAL TO USE LEGISLATIVE CONSULTANTS THROUGH THE LEGISLATIVE PROCESS.

Clerk's Note: Items 34.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant.

Clerk's Note: The Court discussed the proposed County Hotel Occupancy Tax. The proposed change would adopt a 2% countywide hotel tax in Travis County. The Court without objection removed this legislative issue from the Travis County Legislative Agenda.

Clerk's Note: The Court without objection directed Judge Biscoe to send an email to Travis County Elected Officials informing them about the process for bringing legislative issues to the Travis County Commissioners Court.

Discussion Only. No formal action taken.

