

MINUTES OF MEETING – FEBRUARY 8, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 8th day of February, 2005, 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 12:01 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:38 PM and adjourned at 1:43 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:44 PM and adjourned at 2:00 PM.

The Commissioners Court reconvened the regular Voting Session at 2:00 PM.

The Commissioners Court retired to Executive Session at 3:43 PM.

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

The Commissioners Court adjourned the Voting Session at 4:21 PM.

CITIZENS COMMUNICATION

Clerk's Note: Judge Biscoe announced that there would be a citywide moment of prayer, scheduled for February 14, 2005, at 10am on the front steps of the Capitol building, for the victims of the Tsunami tragedy.

Members of the Court heard from: Hill Rylander, Manager, Travis County Farmers Market; Danny Wright, Danny's Barbeque and Catering; Garland Earls, Danny's Barbeque and Catering, and Duke Bischoff, former lessee at the Travis County Farmers Market. (9:45 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C6, and Items 1, 2.A, 3.A&B, 4, 5, 6, 7, 8.A-D, 9, 10, 12.A&B, 13, 14, 15, 16, 17, 18.A-C, 22, 23, 24, 25, 26, 29, 30, 32, 33.A-D, 35, and 38. (9:37 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 JANUARY 25, 2005.
- C4.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF FEBRUARY 22, 2005 TO RECEIVE COMMENTS REGARDING PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO BE KNOWN AS “LADERA TRAIL” OFF OLD BURNET ROAD NEAR JONESTOWN IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF MARCH 15, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT FOUR: RESUBDIVISION OF LOT 26, CAPITOL VIEW ESTATES (SHORT FORM PLAT – 6 LOTS – 4.516 ACRES – CAPITOL VIEW DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ)

ADMINISTRATIVE OPERATIONS ITEMS

1. 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 \$623,647.18 FOR THE PERIOD OF JANUARY 20 THROUGH JANUARY 27, 2005. (9:37 AM)

Clerk's Note: Item 1 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

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

A. ROUTINE PERSONNEL ACTIONS. (9:37 AM)

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

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

B. APPROVE REQUEST AND AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE EMPLOYEES AS LISTED. (9:37 AM)

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

JUSTICE AND PUBLIC SAFETY ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO UPGRADE VEHICLE REPLACEMENT FOR THE OFFICE OF EMERGENCY MANAGEMENT. (9:37 AM)

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

PURCHASING OFFICE ITEMS

5. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00130RG, ENNIS PAINT, INC., FOR TRAFFIC PAINT. (TNR) (COMMISSIONER GÓMEZ) (9:37 AM)

Clerk's Note: Item 5 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

6. APPROVE PURCHASE OF COMPUTERS FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES THROUGH DELL MARKETING. (ITS) (COMMISSIONER GÓMEZ) (9:37 AM)

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

7. APPROVE PURCHASE OF SIX CHEVY SUBURBANS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT NO. ILA98-858. (TNR) (COMMISSIONER GÓMEZ) (9:37 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 AWARD FOR SIGN MATERIALS, IFB NO. B050028RG, TO THE LOW BIDDERS:

- A. ALLIED TUBE - GROUP A, ITEMS 1, 2 AND 5;
- B. ROADRUNNER TRAFFIC SUPPLY - GROUP A, ITEMS 4 AND 7;
- C. VULCAN SIGNS - GROUP A, ITEMS 3 AND 6; AND
- D. LAIRD PLASTICS - GROUP B, ALL ITEMS. (TNR) (COMMISSIONER GÓMEZ) (9:37 AM)

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

9. APPROVE TERMINATION OF CONTRACT NO. 04T00232RG WITH GRAPHIC SOLUTIONS FOR SIGN MATERIALS. (TNR) (COMMISSIONER GÓMEZ) (9:37 AM)

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

10. APPROVE PURCHASE OF VEHICLES FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT NO. ILA98-858. (TNR) (COMMISSIONER GÓMEZ) (9:37 AM)

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

11. APPROVE QUANTUM MERUIT CLAIM FOR CITY OF AUSTIN FOR TRAVIS COUNTY'S SHARE OF EXPENSES RELATED TO THE PURCHASE OF NEXTGEN MEDICAL MANAGEMENT SYSTEM. (HHS & VS) (COMMISSIONER GÓMEZ) (9:40 AM)

Members of the Court heard from: Arlene Tillman, Director, Administrative Services, Travis County Health and Human Services (TCHHS); Cyd Grimes, Travis County Purchasing Agent; Susan Spataro, Travis County Auditor; and Mary Etta Gerhardt, Assistant County Attorney.

Discussion Only. No action taken.

Item 11 to be reposted on February 15, 2005.

12. APPROVE CONTRACT AWARD FOR WATER DAMAGE REMEDIATION, MOLD DAMAGE REMEDIATION AND DECONTAMINATION SERVICES, IFB NO. B050018RV, TO THE QUALIFIED LOW BIDDERS:
- A. BLACKMON MOORING STEAMATIC – PRIMARY CONTRACTOR; AND
 - B. LYNX CONTRACTORS, INC. – SECONDARY CONTRACTOR.
(COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:37 AM)

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

13. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00171DR, AUSTIN CUSTOM SCREENS, FOR SOLAR/ALUMINUM SCREENS. (HHS) (COMMISSIONER GÓMEZ) (9:37 AM)

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

14. REJECT SOLE BID RECEIVED FOR IFB NO. B050040DR, DOORS AND INSULATION. (HHS) (COMMISSIONER GÓMEZ) (9:37 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 FOR TEMPORARY DEPUTY MEDICAL EXAMINER SERVICES WITH SUZANNA E. DANA, M.D. (MEDICAL EXAMINER) (COMMISSIONER GÓMEZ) (9:37 AM)

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

16. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00165DR, LABORDE ENTERPRISES INC. (CAPITAL CHEM CAN CO.), FOR RENTAL OF PORTABLE TOILETS. (TNR) (COMMISSIONER GÓMEZ) (9:37 AM)

Clerk's Note: Item 16 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

17. APPROVE PURCHASE OF THREE AMBULANCES FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT NO. IL98-858. (JUSTICE & PUBLIC SAFETY DIVISION) (COMMISSIONER GÓMEZ) (9:37 AM)

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

- 18. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO THE FOLLOWING CONTRACTS FOR HARDWARE STORE ITEMS:
 - A. CONTRACT NO. 02T00167MP, GRAINGER, INC;
 - B. CONTRACT NO. 02T00168MP, HOME DEPOT ON ST. JOHNS; AND
 - C. CONTRACT NO. 02T00169MP, LOWE’S HOME IMPROVEMENT. (TNR, HOUSING SERVICES, AND FM) (COMMISSIONER GÓMEZ) (9:37 AM)

Clerk's Note: Items 18.A-C added to Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

- 19. A. APPROVE EXEMPTION ORDER FOR THE THIRD PARTY ADMINISTRATOR FOR COUNTY’S SELF-FUNDED PROGRAMS FOR WORKERS COMPENSATION, LIABILITY AND PROPERTY LOSS AS PROFESSIONAL SERVICES; AND
- B. APPROVE NEGOTIATION OF CONTINUATION OF THIRD PARTY ADMINISTRATION CONTRACT WITH CURRENT PROVIDER, CMI BARRON RISK MANAGEMENT. (HRMD) (COMMISSIONER GÓMEZ) (3:00 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 19.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

- 20. A. APPROVE EXEMPTION ORDER FOR THIRD PARTY ADMINISTRATION (TPA) OF COUNTY'S SELF-FUNDED HEALTH PLAN AND ASSOCIATED SERVICES AS PROFESSIONAL SERVICES; AND
- B. AUTHORIZE NEGOTIATION WITH UNITED HEALTHCARE FOR CONTINUATION OF CONTRACT FOR TPA ADMINISTRATION OF COUNTY'S SELF-FUNDED HEALTH PLAN AND ASSOCIATED SERVICES. (HRMD) (COMMISSIONER GÓMEZ) (3:05 PM)

Clerk's Note: Items 20.A and B and 21.A and B are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 20.A and B and 21.A and B.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 20.A and B and 21.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

- 21. A. APPROVE EXEMPTION ORDER FOR THE MEDICAL AUDIT SERVICES AS PROFESSIONAL SERVICES; AND
- B. APPROVE NEGOTIATION OF CONTINUATION OF THE MEDICAL AUDIT SERVICES CONTRACT WITH CURRENT PROVIDER, FORTE MANAGED CARE, INC. (HRMD) (COMMISSIONER GÓMEZ) (3:05 PM)

Clerk's Note: Items 20.A and B and 21.A and B are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 20.A and B and 21.A and B. Please refer to Items 20.A and B for a summary of the Court's action.

22. APPROVE ORDER EXEMPTING THE PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATORS FROM PHILLIPS MEDICAL SYSTEMS FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(2) OF THE COUNTY PURCHASING ACT. (HRMD) (COMMISSIONER GÓMEZ) (9:37 AM)

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

23. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. 02K00030JJ, CAPITAL EXCAVATION CO., INC., BLAKE MANOR ROAD RECONSTRUCTION PROJECT. (TNR) (COMMISSIONER DAVIS) (9:37 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

24. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: GREENSHORES ON LAKE AUSTIN, PHASE THREE (LONG FORM PLAT – 38 LOTS – 31.162 ACRES – PEARCE ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY OAK SHORES WATER COMPANY (MUD) – CITY AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:37 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 A PRELIMINARY PLAN IN PRECINCT THREE: PALOMINO RANCH SUBDIVISION PRELIMINARY PLAN (9 LOTS – 109.25 ACRES – NAMELESS ROAD – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:37 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 A PLAT FOR RECORDING IN PRECINCT THREE: BARTON CREEK, SECTION H, PHASE 2 (LONG FORM PLAT – 58 LOTS – 71.017 ACRES – CALERA DRIVE – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 3 AND 4 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:37 AM)

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

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROPOSED SURFACE TREATMENT ROADWAYS, BLADE AND OIL ROADWAYS, RECONSTRUCTION/REHABILITATION ROADWAYS AND DRAINAGE PROGRAM FOR FISCAL YEAR 2005. (3:06 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Don Wheeler, Division Director, Road Maintenance and Fleet Services, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 27.

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 THE TNR PAVEMENT MANAGEMENT STRATEGY. (3:09 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Carol Joseph, Assistant Director, TNR.

Clerk's Note: The Court discussed the Transportation and Natural Resources Pavement Management Strategy. Staff recommended Alternative Four which calls for maintaining the current goal of roadway maintenance of 70% Fair to Good for all precincts and increasing to 75% Fair to Good for all arterials and collector roadways in all precincts. Staff also recommended bringing all Travis County owned parking areas and Travis County owned park roadways onto the accepted County road system for ongoing maintenance, and begin development of a Travis County Master Drainage Plan.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Staff's recommendation of Alternative Four in Item 28, with the intent that this Item come back with follow-up budget information.

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON THE USE OF \$30,000.00 ORIGINALLY BUDGETED FOR TRAFFIC SIGNAL FIBER OPTIC UPGRADES TO PAY FOR LIGHT EMITTING DIODE (LED) LENSES ON 11 TRAFFIC SIGNALS AND INSTALLATION OF BACKPLATES WITH ADDITIONAL SIGNHEADS ON FOUR TRAFFIC SIGNALS. (9:37 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 A UTILITY AGREEMENT WITH MANVILLE WATER SUPPLY CORPORATION FOR THE BLAKE MANOR ROAD REALIGNMENT PROJECT. (9:37 AM)

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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES INVOLVING REQUESTED USE OF BASEBALL FIELDS AT NORTHEAST METROPOLITAN PARK BY TWO AREA NONPROFIT YOUTH BASEBALL LEAGUES. (COMMISSIONER SONLEITNER) (9:21 AM)

Item 31 pulled from the Agenda.

PLANNING AND BUDGET DEPT. ITEMS

32. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:37 AM)

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

33. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
- A. GRANT APPLICATION TO THE SOUTHWEST BORDER PROSECUTION INITIATIVE FOR THE SUPPORT OF PROSECUTION AND DETENTION OF FEDERALLY REFERRED CRIMINAL CASES. THIS GRANT APPLICATION IS TO PROVIDE REIMBURSEMENT OF \$42,000 OF EXPENDITURES;
 - B. GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY/TEXAS DEPARTMENT OF PUBLIC SAFETY FOR A PRE-DISASTER MITIGATION PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. A NEW GRANT PROGRAM TO PURCHASE 12 PROPERTIES IN THE FLOODPLAIN OF TRAVIS COUNTY WITH COUNTY MATCH REQUIRED;
 - C. GRANT CONTRACT AMENDMENT WITH TEXAS STATE UNIVERSITY FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT-DISCRETIONARY FUNDS GRANT PROGRAM IN JUVENILE PROBATION. THE GRANT INCREASES THE AWARD AMOUNT BY \$11,250; AND
 - D. GRANT CONTRACT AMENDMENT TO INTERLOCAL AGREEMENT WITH THE U.S. FISH & WILDLIFE SERVICE THROUGH TEXAS PARKS AND WILDLIFE DEPARTMENT (TPWD) FOR GRANT FUNDS TO ACQUIRE LAND FOR THE BALCONES CANYONLANDS PRESERVE. THE GRANT INCREASES THE CURRENT PROGRAM AND PROVIDES FOR \$3.375 MILLION IN ADDITIONAL FEDERAL FUNDS WITH UP TO \$1.125 MILLION DOLLAR COUNTY MATCH REQUIRED. (9:37 AM)

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

- 36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT AN ORDINANCE REQUIRING OWNERS TO RESTRAIN CERTAIN PETS IN UNINCORPORATED AREAS OF TRAVIS COUNTY, AND RELATED MATTERS. (9:54 AM) (3:43 PM) (4:20 PM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS); Dorinda Pulliam, Director, Town Lake Animal Shelter, City of Austin; Judy Grigsby, Travis County Resident; Jim Von Wolske, Travis County Resident; Melanie Marley, Travis County Resident; and Pat Valls Trelles, Board Member, Animal Advisory Commission.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the following proposed schedule: February 15, 2005-e-mail another revised draft of the ordinance to interested residents; February 22, 2005-schedule a public hearing to receive comments on the revised draft; March 8, 2005-post the ordinance for final action by the Commissioners Court; and between now and March 8, 2005-give thought to the public education program and whether or not we will have a grace period for enforcement after final adoption.

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

Clerk’s Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

No further action necessary on Item 36.

Item 36 to be reposted on February 15, 2005.

- 37. CONSIDER STATUS AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY PARTICIPATION IN DISPARITY STUDY FOR CENTRAL TEXAS AREA. (2:08 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Jeff Travillion, Director, Small and Minority Business Resources, City of Austin; Sylvia Lopez, HUB Coordinator; David Escamilla, Travis County Attorney; and Carol Hadnot, Member, Travis County Construction Trade Enhancement Advisory Committee.

Discussion Only. No action taken.

Item 37 to be reposted on February 22, 2005.

- 38. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT TRACY BURKHALTER, NEW HOUSING AUTHORITY BOARD MEMBER, TO THE STRATEGIC HOUSING FINANCE CORPORATION. (9:37 AM)

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

- 39. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A MEMORANDUM OF UNDERSTANDING REGARDING LANDFILL OPERATION STANDARDS IN NORTHEAST TRAVIS COUNTY. (9:20 AM)

Item 39 postponed until February 22, 2005.

- 40. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF THE TRAVIS COUNTY CITIZENS BOND ADVISORY COMMITTEE. (3:41 PM)

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to appoint Diane Akers, Dr. Charles Akins, Jim Davis, Glen Coleman, Rod Reyna, Heidi Ross, David Hartman, Leonard Huber, Steve Martin, Richard Moya, Sal Valdez, Jon Hockenyos, Lynn Nabors, Eleanor Penridge, and Perry Lorenz to the Travis County Citizens Bond Advisory Committee.

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

41. A. AUTHORIZE THE COUNTY STAFF, FINANCIAL ADVISOR AND BOND COUNSEL TO PROCEED WITH PREPARATION OF NECESSARY REQUIREMENTS TO REFINANCE VARIOUS COUNTY DEBT OBLIGATIONS; AND

B. DESIGNATE APPROPRIATE UNDERWRITERS. (2:01 PM)

Clerk’s Note: Items 41.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Ladd Pattillo, Travis County Financial Advisor; and Gary Kimball, First Southwest Company.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize proceeding with the preparation of necessary requirements to refinance various county debt obligations and designate First Southwest Company, First Albany Capital, Estrada Hinojosa, and Morgan Keegan as appropriate underwriters.

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

TO BE TAKEN UP AT 11:00 A.M.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 79TH TEXAS LEGISLATURE. (A LIST MAY BE OBTAINED FROM ANY MEMBER OF THE TRAVIS COUNTY COMMISSIONERS COURT.) (11:37 AM)

Clerk’s Note: The Court discussed the proposed legislation creating a Criminal District Court in Travis County, House Bill 968 (HB968): Relating to the creation of an additional judicial district in Travis County.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the letter endorsing the creation of a new district court and that it be sent to the Travis County legislative delegation.

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 42 CONTINUED

Clerk's Note: The Court discussed House Bill 470 (HB470) and its companion bill Senate Bill 194 (SB194): Relating to local delivery of aging, disability, behavioral health, and mental retardation services.

Members of the Court heard from: Blanca Leahy, Research and Planning, TCHHS; and David Evans, Director, Austin-Travis County Mental Health Mental Retardation.

Discussion Only. No formal action taken.

Clerk's Note: The Court received an update on the priority bills from the Travis County Legislative Agenda.

Members of the Court heard from: Bob Kamm, Legislative Consultant; and Susan Spataro, Travis County Auditor.

Discussion Only. No formal action taken.

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.

- 43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND/OR TAKE APPROPRIATE ACTION IN SETTLEMENT OFFER REGARDING TERRI D. FLEMMINGS (FLEMMINGS, TERRI D.; PEREZ; SUBROGATION). ¹ (3:43 PM)**

Item 43 postponed until February 15, 2005.

- 44. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY ON THE STATUS OF THE MANAGEMENT AGREEMENT FOR THE TRAVIS COUNTY FARMER’S MARKET AND AGRICULTURAL EXHIBIT CENTER, AND TAKE APPROPRIATE ACTION. ¹ (3:43 PM) (4:20 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.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that an appropriate letter be drafted from the County Attorney’s Office laying out and touching upon the issues that the Court discussed related to the management contract, especially with the attention related to the process on the lease, and consequences of not having a lease in place.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:21 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS’ COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge