

MINUTES OF MEETING – FEBRUARY 22, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 22nd day of February, 2005, the Commissioners' Court convened the regular Voting Session at 9:20 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 12:22 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:52 PM and adjourned at 1:53 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:53 PM and adjourned at 2:06 PM.

The Commissioners Court reconvened the regular Voting Session at 2:06 PM.

The Commissioners Court retired to Executive Session at 3:02 PM.

The Commissioners Court reconvened the Voting Session at 5:04 PM.

The Commissioners Court adjourned the Voting Session at 5:12 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 5, 6 AND 7, BLOCK A, THE PRESERVE AT BARTON CREEK – SHORT FORM PLAT – 3 LOTS – 4.18 ACRES -- GRAZING DEER TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – VILLAGE OF BEE CAVE ETJ). (ACTION ITEM 22) (COMMISSIONER DAUGHERTY) (9:32 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 22 for a summary of the Court’s action.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public 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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public 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

4. RECEIVE COMMENTS REGARDING PROPOSED REGULATIONS OF TRAVIS COUNTY GOVERNING ANIMAL CONTROL AND RELATED MATTERS.
(ACTION ITEM 36) (9:37 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 36 for a summary of the Court’s action.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to open the public 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

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; Cindy Carroccio, Director, Austin Zoo; Pat Valls Trelles, Board Member, Animal Advisory Commission; Bill Aleshire, Attorney, Riggs and Aleshire; Kathy Olive, Board Member, Animal Advisory Commission; Melanie Marley, Board Member, Luckymutts Rescue; Jim Von Wolske, Travis County Resident; Chuck Miller, Travis County Resident; Britta Kresse, Travis County Resident; and Marne Reeder, Travis County Resident.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to close the public 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

RESOLUTIONS & PROCLAMATIONS

- 5. APPROVE RESOLUTION RECOGNIZING LAWRENCE VAULTS ON HIS RETIREMENT FROM THE TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES DEPARTMENT AFTER FIFTEEN YEARS OF SERVICE. (JUDGE BISCOE) (9:24 AM)

Members of the Court heard from: Caryl Colburn, Director, Travis County Counseling and Education Services (TCCES); Efrain Davila, Assistant Director, TCCES; and Lawrence Vaults, Classes Coordinator, TCCES.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution in Item 5.

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

- 6. RECEIVE REPORT FROM HEALTHY FAMILIES TRAVIS COUNTY REGARDING PROGRAM REVIEW CONDUCTED BY HEALTHY FAMILIES AMERICA/PREVENT CHILD ABUSE AMERICA. (9:29 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; and Princess Katana, Project Director, The Children’s Partnership.

Clerk’s Note: The Court received a brief presentation from Healthy Families of Travis County.

Discussion Only. No formal action taken.

CITIZENS COMMUNICATION

Members of the Court heard from: Henry Fisher, Travis County Resident. (11:12 AM)

Clerk’s Note: Commissioner Sonleitner noted the passing of a fellow County Commissioner, Jerry Mehevec, who was the former Precinct 4 Williamson County Commissioner.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C5, and Items 7, 8, 9, 10.A&B, 11.A&B, 12, 13, 14, 15, 17, 18, 19, 20, 25.B&C, 27, 28.A&B, 29.A, 30, 33, 34, 35, and 37. (9:21 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 AUTOMATIC BUDGET TRANSFERS.
- C4.** APPROVE SETTING A PUBLIC HEARING ON MARCH 8, 2005 TO RECEIVE COMMENTS REGARDING TEMPORARILY CLOSING ROSS ROAD APPROXIMATELY 0.8 MILE SOUTH OF PEARCE LANE IN PRECINCT FOUR FOR ROAD REALIGNMENT IN CONJUNCTION WITH CONSTRUCTION OF STONEY RIDGE PHASE B, SECTION 1 SUBDIVISION. (COMMISSIONER GÓMEZ)
- C5.** APPROVE SETTING A PUBLIC HEARING ON MARCH 15, 2005 TO RECEIVE COMMENTS REGARDING PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO BE KNOWN AS "MARINE VISTA CIRCLE" OFF FM 2769 NEAR VOLENTE, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

PURCHASING OFFICE ITEMS

7. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 04T00174JT, SCALE FREE COMPANY, FOR WATER TREATMENT SERVICES. (FAC. MGMT.) (COMMISSIONER GÓMEZ) (9:21 AM)

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

8. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 03T00156OJ, CDC CARPETS, FOR FLOOR COVERING SERVICES - TIME AND MATERIALS. (FAC. MGMT.) (COMMISSIONER GÓMEZ) (9:21 AM)

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

9. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00157OJ, GOMEZ FLOOR COVERING, INC., FOR FLOOR COVERING SERVICES - TIME AND MATERIALS. (FAC. MGMT.) (COMMISSIONER GÓMEZ) (9:21 AM)

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

10. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR SAFETY SUPPLIES AND EQUIPMENT: (9:21 AM)

A. NO. 04T00185OJ, AIRGAS SAFETY; AND

B. NO. 04T00186OJ, ALAMO IRON WORKS. (TNR) (COMMISSIONER GÓMEZ)

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

11. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR HIV SERVICES: (9:21 AM)

A. CONTRACT NO. PS040265RE, AIDS SERVICES OF AUSTIN; AND

B. CONTRACT NO. PSO50046RE, WRIGHT HOUSE WELLNESS CENTER. (HHS &VS) (COMMISSIONER GÓMEZ)

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

12. APPROVE MODIFICATION NO. 5 TO INTERLOCAL AGREEMENT NO. IL010029EF WITH TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR CHILD PROTECTIVE SERVICES STAFF. (HHS & VS) (COMMISSIONER GÓMEZ) (9:21 AM)

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

13. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00125SP, CSU LLC, FOR RENTAL OF OCE DIGITAL COPIERS. (RMCR) (COMMISSIONER GÓMEZ) (9:21 AM)

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

14. APPROVE CONTRACT AWARD FOR OUTBOARD MOTORS, IFB NO. B050042LD, TO THE LOW BIDDER, MARINELAND OF WACO. (SHERIFF) (COMMISSIONER GÓMEZ) (9:21 AM)

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

15. REJECT BID RECEIVED FOR IFB NO. B050045RG, GAS CHROMATOGRAPH/MASS SPECTROMETER, AND REBID. (MEDICAL EXAMINER) (COMMISSIONER GÓMEZ) (9:21 AM)

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

16. APPROVE CONTRACT AWARD FOR TASER SYSTEMS AND ACCESSORIES, IFB NO. B050033LD, TO THE LOW BIDDER, GT DISTRIBUTORS. (SHERIFF) (COMMISSIONER GÓMEZ) (2:22 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Mike Hemby, Travis County Sheriff’s Office (TCSO); and Sergeant Kovar, TCSO.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 16.

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

17. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS990064LB, EVINS PERSONNEL CONSULTANTS, FOR TEMPORARY PROFESSIONAL NURSING MEDICAL SERVICES. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:21 AM)

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

18. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 04K0193AJJ, WHEELER COATINGS ASPHALT, INC., 2004 TYPE C HMAC PROGRAM. (TNR) (COMMISSIONER DAUGHERTY) (9:21 AM)

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

19. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. 01T0068OJ, CMI BARRON RISK MANAGEMENT, FOR THE THIRD PARTY ADMINISTRATION FOR COUNTY’S SELF FUNDED PROGRAMS FOR WORKERS COMPENSATION, LIABILITY AND PROPERTY LOSS. (HRMD) (COMMISSIONER GÓMEZ) (9:21 AM)

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

- 20. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 01T0069OJ, FORTE MANAGED CARE, INC., FOR THE MEDICAL AUDIT SERVICES. (HRMD) (COMMISSIONER GÓMEZ) (9:21 AM)

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

- 21. APPROVE AGREEMENT NO. IL050132RE WITH THE CITY OF AUSTIN FOR AFTER SCHOOL SERVICES BY AUSTIN EASTSIDE STORY. (HHS & VS) (COMMISSIONER GÓMEZ) (2:29 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 21.

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

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 5, 6 AND 7, BLOCK A, THE PRESERVE AT BARTON CREEK (SHORT FORM PLAT – 3 LOTS – 4.18 ACRES – GRAZING DEER TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – VILLAGE OF BEE CAVE ETJ). (COMMISSIONER DAUGHERTY) (2:30 PM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 1.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 22.

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR STEINER RANCH, A SUBDIVISION IN PRECINCT THREE:

A. A FIFTH AMENDMENT TO THE STEINER RANCH MASTER ROADWAY PHASING AGREEMENT; (2:31 PM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 25.A.

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR STEINER RANCH, A SUBDIVISION IN PRECINCT THREE:

B. STEINER RANCH PHASE 1, SECTION 7, PRELIMINARY PLAN (268 LOTS – 215.96 ACRES – QUINLAN PARK ROAD – NO FISCAL POSTING IS REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17- CITY OF AUSTIN ETJ); (9:21 AM)

Clerk's Note: Item 25.B 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 ITEMS FOR STEINER RANCH, A SUBDIVISION IN PRECINCT THREE:

C. STEINER RANCH PHASE 1, SECTION 7B, FINAL PLAT (LONG FORM PLAT – 75 LOTS – 85.52 ACRES – QUINLAN PARK ROAD – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:21 AM)

Clerk's Note: Item 25.C 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: STEINER RANCH PHASE ONE, SECTION 8E (LONG FORM PLAT – 14 LOTS – 7.12 ACRES – QUINLAN PARK ROAD – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (2:34 PM)

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 26.

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

27. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: RLAND COMMERCIAL, FINAL PLAT (SHORT FORM PLAT – 5 LOTS – 12.814 ACRES – STATE HWY 71 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:21 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 THE FOLLOWING: (9:21 AM)
- A. ACCEPTANCE OF DEDICATION OF IMPROVED STREET AND DRAINAGE FACILITIES FOR QUINLAN PARK ROAD FROM RM 620 TO SOUTHERN BOUNDARY OF STEINER RANCH PHASE 1 SECTION 9, PHASES 1, 2, 3 AND PART OF PHASE 4, STEINER RANCH MASTER PHASING AGREEMENT; AND
 - B. AMENDMENT TO STEINER RANCH LICENSE AGREEMENT FOR PHASE 3 AND PART OF PHASE 4 LANDSCAPE IMPROVEMENTS. (COMMISSIONER DAUGHERTY)

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

32. CONSIDER AND TAKE APPROPRIATE ACTION TO AUTHORIZE SLOT NUMBER 153, A MEDICAL SOCIAL WORKER, TO BE A FULL-TIME REGULAR COUNTY EMPLOYEE WITH THE JOB TITLE OF SOCIAL WORKER, EFFECTIVE OCTOBER 1, 2004. (9:21 AM)

Item 32 pulled from the Agenda.

ADMINISTRATIVE OPERATIONS ITEMS

33. 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 \$447,349.08 FOR THE PERIOD OF FEBRUARY 4 THROUGH FEBRUARY 10, 2005. (9:21 AM)

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:21 AM)

Clerk's Note: Item 34 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

OTHER ITEMS

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:21 AM)

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

36. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED REGULATIONS OF TRAVIS COUNTY GOVERNING ANIMAL CONTROL AND RELATED MATTERS. (11:05 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to extend the public comment period until Friday, February 25, 2005, at 5pm, and to indicate the Court's intention to have this matter back on the Agenda March 8, 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

Item 36 to be reposted on March 8, 2005.

37. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JANUARY 2005. (9:21 AM)

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

38. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSALS FOR TRAVIS COUNTY TO INCREASE CONTRACT OPPORTUNITIES WITH TRAVIS COUNTY FOR HISTORICALLY UNDERUTILIZED BUSINESSES.
(2:35 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Jerome Guerrero, HUB Program Specialist, Purchasing; Betty Chapa, Program Specialist, Purchasing; Sylvia Lopez, HUB Coordinator, Purchasing; and John Hille, Assistant County Attorney.

Clerk's Note: The Court discussed the proposal presented by the Purchasing Department to use the \$100,000.00 funding previously budgeted to: 1) assist the City of Austin in holding focus groups and public hearings to gather anecdotal testimony and experiences in discrimination; 2) invest in software to simplify the tracking of payment data; and 3) contract with the law firm of Colette Holt & Associates to assist in narrowly tailoring our program.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the proposal in Item 38.

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

TO BE TAKEN UP AT 10:00 A.M.

- 39. CONSIDER AND TAKE APPROPRIATE ACTION ON WHETHER TO NEGOTIATE PERFORMANCE CONTRACTS REGARDING LANDFILL OPERATION STANDARDS IN NORTHEAST TRAVIS COUNTY. (11:17 AM) (2:12 PM)

Members of the Court heard from: Robin Schneider, Texas Campaign for the Environment; Trek English, Travis County Resident; Joyce Thoresen, Walnut Place Neighborhood Association; Jeanette Klotz, Travis County Resident; Joyce Best, Northeast Austin Resident; Melanie McAfee, Travis County Resident; and Mark McAfee, Travis County Resident.

Clerk’s Note: The Court further discussed Item 39 at 2:12 PM.

Discussion Only. No formal action taken.

Item 39 to be reposted on March 1, 2005.

- 40. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ORDER FOR THE MISSION ECONOMIC DEVELOPMENT CORPORATION TO FINANCE CERTAIN WATER AND WASTEWATER UTILITY IMPROVEMENTS FOR THE SOUTHWEST WATER COMPANY PROJECT IN TRAVIS COUNTY. (2:06 PM)

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations; Richard O’Donnell, Southwest Water Company; and Glenn Opel, Attorney, Vinson & Elkins.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the request, and authorize the County Judge to sign the order authorizing the bond financing after receipt of a certificate showing that the public hearings have been conducted.

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

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

- 41.** 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.) (2:50 PM)

Clerk's Note: Commissioner Sonleitner introduced to the Court the legislative proposal from Williamson County regarding the Toll Fee Collection issue and its potential impact on the Justice of the Peace Court System.

Discussion Only. No formal action taken.

Clerk's Note: Judge Biscoe introduced to the Court the Fuel Tax legislative issue, tying it to inflation or some other trigger; as well as the Mobility Fund and the uses of the fund.

Discussion Only. No formal action taken.

Item 41 to be reposted on March 1, 2005.

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.

- 42. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. LAWRENCE HIGGINS, JR. (ROBIN M. FERNEAU RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:05 PM)

Clerk's Note: Judge Biscoe announced that Item 42 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Robin M. Ferneau, who has paid Travis County the sum of \$16,956.04 in cash.

Motion carried:

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

- 43. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. JOSHUA WEST, JR. AND NORMA W. HARDEMAN (EMERSON VANCE RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:05 PM)

Clerk’s Note: Judge Biscoe announced that Item 43 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 that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Emerson Vance, who has paid Travis County the sum of \$29,000.11 in cash.

Motion carried:

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

- 44. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. ROBERT W. GRIMES (ALFREDO MALDONADO RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:05 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 Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Alfredo Maldonado, who has paid Travis County the sum of \$40,739.10 in cash.

Motion carried:

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

45. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. THE HOLLOW, INC. (EMERSON VANCE RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:06 PM)

Clerk’s Note: Judge Biscoe announced that Item 45 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Emerson Vance, who has paid for 3 tracts of land: Tract number 1 - \$6,032.07; tract number 20 - \$7,954.86; and tract number 3 - \$5,392.74, all of these paid in cash.

Motion carried:

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

46. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. AUSTIN LAND COMPANY (TIMOTHY E. BOYCE RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:07 PM)

Clerk’s Note: Judge Biscoe announced that Item 46 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Timothy E. Boyce, who has paid Travis County \$3,429.20 in cash.

Motion carried:

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

47. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. STEVEN D. HOWELL AND KATHLEEN J. HOWELL (PEGGY LAIRD RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:07 PM)

Clerk’s Note: Judge Biscoe announced that Item 47 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Peggy Laird, who has paid Travis County \$5,719.83 in cash.

Motion carried:

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

48. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. STEVEN E. MCBEE, JR. AND KATHERINE E. CLARKE (BRENT WARNER RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:07 PM)

Clerk’s Note: Judge Biscoe announced that Item 48 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Brent Warner, who has paid Travis County \$5,540.90 in cash.

Motion carried:

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

49. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LEANDER ISD, ET AL V. BRYAN JACKSON (BLAISE AND LILIANE FAXIGUE RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:07 PM)

Clerk’s Note: Judge Biscoe announced that Item 49 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Blaise and Liliane Faxigue, who have paid Travis County \$15,000.00 in cash.

Motion carried:

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

50. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LEANDER ISD, ET AL V. ROY C. AND BARBARA J. BOYD (BRENT A. MCDONALD RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:08 PM)

Clerk’s Note: Judge Biscoe announced that Item 50 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Brent A. McDonald, who has paid Travis County \$21,000.00 in cash.

Motion carried:

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

- 51. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LEANDER ISD, ET AL V. EDWIN GUS SCHEIDER (BRIAN T. MURPHY RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:08 PM)

Clerk’s Note: Judge Biscoe announced that Item 51 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 Gómez that we authorize the County Judge to sign, on behalf of Travis County, the tax resale deed to Brian T. Murphy, who has paid Travis County the sum of \$15,000.00 in cash.

Motion carried:

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

- 52. APPROVE OR REJECT PROPOSED FARMERS’ MARKET LEASE AGREEMENT WITH DANNY WRIGHT AND GARLAND EARLES, D/B/A DANNY’S BARBEQUE & CATERING. ^{1&2} (3:02 PM) (5:09 PM)

Clerk’s Note: Judge Biscoe announced that Item 52 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 Sonleitner and seconded by Commissioner Davis to approve the proposed lease that has been presented to Travis County.

Motion carried:

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

- 53. 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 (3:02 PM)

Item 53 postponed until March 1, 2005.

54. RECEIVE LEGAL ADVICE ON COUNTY RULEMAKING AUTHORITY ON MATTERS REGARDING SUBDIVISION REGULATIONS UNDER SB 873 AND OTHER STATUTES, AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:09 PM)

Clerk's Note: Judge Biscoe announced that Item 54 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Clerk's Note: Judge Biscoe announced that the Court gave Staff directions to prepare documents for the Court's review, consideration, and possible action next week.

Item 54 to be reposted on March 1, 2005.

55. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DETERMINE VALUE OF 4.39-ACRE TRACT OF COUNTY LAND AT 4001 STATE HIGHWAY 620 FOR THE PURPOSE OF CALCULATING ANNUAL RENT FOR THE SOLID WASTE TRANSFER STATION LOCATED ON THE TRACT. ^{1&2} (3:02 PM) (5:10 PM)

Clerk's Note: Judge Biscoe announced that Item 55 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 formal action taken.

Clerk's Note: Judge Biscoe announced that this Item would be on the Court's Agenda next week with revised agenda language to allow the Court to take appropriate action.

Item 55 to be reposted on March 1, 2005.

56. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE INDEPENDENT PROCESS AND MANAGEMENT REVIEW OF TRAVIS COUNTY MEDICAL EXAMINER’S OFFICE. ^{1&3} (3:02 PM) (5:10 PM)

Clerk’s Note: Judge Biscoe announced that Item 56 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez to take the steps necessary to implement an independent process and protocol review in the Medical Examiner’s Office; that we designate Danny Hobby, Emergency Services Coordinator, Department of Emergency Services, to head that for the Commissioners Court and ask that he collaborate with Dr. Bayardo, Medical Examiner, and other Staff members at the office to get the job done; and to ask that the Purchasing Department work with Danny Hobby, Emergency Services Coordinator, and Dr. Bayardo, Medical Examiner, to determine what amount of money is necessary so they can let the Court know, and next week we can have an appropriate budget transfer to cover the cost.

Motion carried:

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

57. RECEIVE LEGAL ADVICE ON WHETHER A TRAVIS COUNTY LEGISLATIVE CONSULTANT’S WORK ON CERTAIN OTHER LEGISLATION WOULD CONSTITUTE A CONFLICT OF INTEREST WITH WORK FOR TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. ¹ (3:02 PM) (5:11 PM)

Clerk’s Note: Judge Biscoe announced that Item 57 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 Davis to place all responsibility for land use development issues with our legislative advocate Bob Kamm, pursuant to our lobby contract, and that Chris Shields be relieved of any such responsibilities on behalf of the County, which would eliminate the appearance of a conflict by specifically excluding it from his work area.

Motion carried:

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

