

## **MINUTES – JUNE 11, 2002**

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

On Tuesday, the 11<sup>th</sup> day of June, 2002, the Commissioners' Court convened the regular Voting Session at 9:15 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Travis County 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 12:09 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation, called to order the Voting Session at 1:37 PM and adjourned at 1:45 PM.

The Commissioners' Court reconvened the Voting Session at 1:45 PM.

The Commissioners' Court retired to Executive Session at 5:26 PM.

The Commissioners' Court reconvened the Voting Session at 5:54 PM.

The Commissioners' Court adjourned the Voting Session at 5:55 PM.

**PUBLIC HEARINGS**

1. DISCUSS AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 823 AND 824, APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (ACTION ITEM #14) (9:25 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 14 for the Court's Motion and Vote.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to open the public hearing.

<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 Margaret Moore	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 Moore **and seconded by** Commissioner Gómez to close the public hearing.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. DISCUSS A TEMPORARY ROAD CLOSURE OF SHADY HOLLOW DRIVE DURING A WEDDING AND RECEPTION ON JUNE 15, 2002 IN PRECINCT THREE. (COMMISSIONER MOORE) (ACTION ITEM #15) (9:27 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 15 for the Court's Motion and Vote.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to open the public hearing.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Raymond Reed, TNR; and Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to close the public hearing.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

3. DISCUSS A TEMPORARY ROAD CLOSURE OF BRODIE LANE ON JULY 4, 2002 DURING THE SHADY HOLLOW HOMEOWNERS PARADE IN PRECINCT THREE. (COMMISSIONER MOORE) (ACTION ITEM #16) (9:36 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 16 for the Court's Motion and Vote.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to open the public hearing.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Bob Remlinger, Shady Hollow Resident; and Marie White, Shady Hollow Homeowners Association.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to close the public hearing.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**RESOLUTIONS & PROCLAMATIONS**

4. APPROVE A RESOLUTION PROCLAIMING JUNE 2002 AS SAFETY MONTH IN TRAVIS COUNTY. (9:46 AM)

**Members of the Court heard from:** Lee McCormick, Human Resources Management Department (HRMD).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 4.

**Motion carried:**

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

5. APPROVE RESOLUTION HONORING MS. KATY KAPPEL ON HER RETIREMENT FROM TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT, DOMESTIC RELATIONS DIVISION, FOR HER 17 YEARS AND 10 MONTHS OF EXEMPLARY SERVICE TO TRAVIS COUNTY CHILDREN AND FAMILIES. (9:17 AM)

**Members of the Court heard from:** Jeanne Meurer, Judge, 98<sup>th</sup> District Court; Katy Kappel, Juvenile Probation Department, Domestic Relations Division; Margaret Cooper, Judge, 353<sup>rd</sup> District Court.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve 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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; Bonnie Floyd, Assistant Purchasing Agent; Kenneth Snyder, Resident, Northridge Acres; Gus Peña, President, East Austin Concerned Hispanics; Donald Zapone, Executive Director, Austin Child Guidance Center; Charles Williams, Conservation Coordinator, TNR; and Irene Guzman-Krill, Keep Austin Beautiful. (9:19 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C4, and Items 9, 10, 14, 15, 16, 17.A, 20, 24.A, 25, 28, 29, and 35. (10:05 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 Margaret Moore	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 THE FOLLOWING MEETINGS:
  - A.** VOTING SESSION OF MAY 21, 2002; AND
  - B.** VOTING SESSION OF MAY 28, 2002.
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 16, 2002 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 29 OF THE RESUBDIVISION OF LOTS 27, 28 AND 29, BARTON CREEK LAKESIDE, PHASE ONE (SHORT FORM PLAT – 1 LOT – 1.008 ACRES – WATERFALL HILL PARKWAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA - NO ETJ. (COMMISSIONER MOORE)

**JUSTICE AND PUBLIC SAFETY DEPT. ITEMS**

6. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:15 AM)

**Clerk's Note:** Judge Biscoe announced that no action is necessary on Item 6 because the Burning Ban is left in place, and that burning outdoors in an uncovered situation, in the unincorporated areas of Travis County, violates the Travis County policy.

Item 6 to be reposted on June 18, 2002.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

7. CONSIDER COUNTY'S SOLID WASTE SITING ORDINANCE AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE AND COMMISSIONER DAVIS)  
(10:07 AM) (2:44 PM)

**Members of the Court heard from:** Tom Nuckols, Assistant County Attorney; Trek English, President, North East Action Group; John Joseph, attorney representing Waste Management; Mark McAfee, owner, Barr Mansion; Paul Gosselink, attorney representing BFI; Dan Pika, Chimney Hills Neighborhood Association; and Joyce Best, Travis County Resident.

**Motion by** Commissioner Davis to include and amend the definition of "business" in 62.001 to read "a permanent structure that is used primarily for a commercial or mercantile enterprise and that houses 2500 or more employees."

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to leave business out of the ordinance.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## ITEM 7 CONTINUED

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve the existing definition of neighborhood as currently defined and to leave section 62.001(i) “neighborhood” as “9 residents within 9 acres”.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The Court gave direction that there be no change related to how we define the measurement in 62.002(c), related to schools, day cares, places of worship, health care facilities, public parks, historic facilities, or individual residences. The distance shall be measured from the edge of the individual unit in which the waste is to be processed or disposed, to the outer boundary of the property.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to add to the definition of “place of worship” in section 62.001(k) to be “a facility that is owned by a religious institution and is used primarily as a place of worship”, and to add “an enclosed facility”.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Commissioner Gómez and seconded by Commissioner Sonleitner** to leave the wording “other than a Type IV facility” in section 62.001(j) as is.

**Substitute Motion by** Commissioner Davis to delete “other than Type IV” in section 62.001(j).

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

**Clerk's Note:** The Court took a Vote on the Standing Motion and Second at this time.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	no
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes



## ITEM 7 CONTINUED

**Motion by Commissioner Gómez and seconded by Commissioner Sonleitner** to add the language to the preamble, “Whereas, solid waste facilities and population growth go hand in hand, the Travis County Commissioners’ Court strongly encourages every citizen in Travis County to recycle every object or item in the waste stream to avoid over-burdening citizens who reside in those areas where solid waste facilities can be located, and to lessen over-dependence on landfills.”

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Commissioner Moore and seconded by Commissioner Gómez** to add the language “a minor change to the pattern or place of processing and disposal within the outer most perimeter of a facility’s footprint that does not increase the height or overall volumetric capacity of the facility” to the end of section 62.002(b)(6).

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	no
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Commissioner Davis and seconded by Commissioner Moore to change the 500 feet to 350 feet in section 62.003.**

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 7 CONTINUED**

**Clerk's Note:** The Court without objection requested to change the language in section 62.001(m) to add, "listed on the National Register of Historic Places", excluding cemeteries.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to change in section 62.004(a), 1000 feet for major facilities, and in section 62.005, 1500 feet for the new location landfills.

**A Substitute Motion was made by** Commissioner Davis and seconded by Judge Biscoe to leave section 62.004(a) at 1500 feet.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	no
Precinct 3, Commissioner Margaret Moore	no
Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to leave section 62.005 at 1500 feet as indicated.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## ITEM 7 CONTINUED

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to add the language that a newly located landfill to be 1 mile away from another landfill.

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by** Commissioner Davis to delete in section 62.007(b)(5), “Capital Area Planning Council Region” and substitute the “needs for Travis County”.

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

**Clerk's Note:** Judge Biscoe gave directions to Staff to develop language that states that the Travis County Commissioners' Court opposes the expansion of an existing landfill beyond a certain height and width unless the landfill has an operating agreement with Travis County.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to indicate the Court's intention to bring up the Flood Plain Ordinance again in the Travis County Code after the Court works on the Solid Waste Ordinance.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	no
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 7 CONTINUED**

**Motion by** Commissioner Davis to change in section 62.007(b)(7), from “Capital Area Planning Council Region” to “the State of Texas”.

**Clerk’s Note:** The Motion dies for lack of a Second.

**Motion by** Commissioner Moore **and seconded by** Commissioner Sonleitner to draft the language so that the compliance review is based on the TNRCC compliance history summaries, and anything that has come up in the intervening time period, for any facility in the State of Texas operated by the applicant.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 7 to be reposted on June 18, 2002.

7.     **A. CONSIDER OPERATING LICENSE AGREEMENT FOR TEXAS DISPOSAL SYSTEMS, INC., AND TAKE APPROPRIATE ACTION. (5:09 PM)**

Item 7.A to be reposted on June 18, 2002.

8.     **DISCUSS TRAVIS COUNTY DEVELOPMENT PERMIT #01-1140 RELATING TO THE CONSTRUCTION OF A WAREHOUSE AT 4404 BRANDT ROAD, AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) (1:46 PM)**

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

**Clerk’s Note:** The Transportation and Natural Resources Department announced that they rescinded the permit for this development.

Discussion Only.

9. APPROVE AFFIDAVIT CERTIFYING THAT CONSTRUCTION OF GRANT-FUNDED AMENITIES AT SOUTHEAST METROPOLITAN PARK HAS BEEN COMPLETED. (COMMISSIONER GOMEZ) (10:05 AM)

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

10. CONSIDER REQUESTING THE CITY OF ELGIN TO ANNEX FOR FULL-PURPOSE A PORTION OF COUNTY LINE ROAD OF APPROXIMATELY 5000 FEET OF RIGHT-OF-WAY FROM THE ELGIN I.S.D. TRACT TO U.S. 290, PRECINCT ONE. (COMMISSIONER DAVIS) (10:05 AM)

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

11. DISCUSS "PARKS 2000" UPDATE AND TAKE APPROPRIATE ACTION. (COMMISSIONER MOORE) (1:50 PM)

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

**Motion by** Commissioner Moore **and seconded by** Commissioner Sonleitner to approve the Parks 2000 update, the proposed Resolution, and to communicate the Parks 2000 update to the State of Texas.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

12. DISCUSS ALTERNATIVE PROCESS FOR COMPLETING ALL ROAD MAINTENANCE FY'02 WORK PLAN PROJECTS WITHIN THE FY'02 FISCAL YEAR. (1:59 PM)

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

**Motion by** Commissioner Moore **and seconded by** Commissioner Sonleitner to approve Item 12.

**Motion carried:**

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

13. CONSIDER ROAD CONSTRUCTION AGREEMENT WITH TWIN CREEK HOLDING, LTD TO DESIGN AND CONSTRUCT ANDERSON MILL ROAD, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER AND COMMISSIONER MOORE) (9:17 AM)

Item 13 postponed until June 18, 2002.

14. APPROVE AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 823 AND 824, APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER MOORE) (10:05 AM)

**Clerk's Note:** Item 14 is the action item for the public hearing on Agenda Item 1.

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

15. APPROVE A TEMPORARY ROAD CLOSURE OF SHADY HOLLOW DRIVE DURING A WEDDING AND RECEPTION ON JUNE 15, 2002 IN PRECINCT THREE. (COMMISSIONER MOORE) (10:05 AM)

**Clerk's Note:** Item 15 is the action item for the public hearing on Agenda Item 2.

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

16. APPROVE A TEMPORARY ROAD CLOSURE OF BRODIE LANE ON JULY 4, 2002 DURING THE SHADY HOLLOW HOMEOWNERS PARADE IN PRECINCT THREE. (COMMISSIONER MOORE) (10:05 AM)

**Clerk's Note:** Item 16 is the action item for the public hearing on Agenda Item 3.

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

### PLANNING AND BUDGET DEPT. ITEMS

17. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
- A. APPROVE GRANT APPLICATION WITH THE SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) FOR DRUG TREATMENT FUNDS IN THE DRUG COURT PROGRAM IN JUVENILE COURT. A NEW GRANT PROGRAM TO EXPAND THE SERVICES OF THE JUVENILE COURT DRUG COURT PROGRAM. (10:05 AM)

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

18. CONSIDER LAPSE OF FUNDING FOR A VEHICLE IN CONSTABLE PRECINCT 5 OFFICE AND CREATE FUNDING FOR VEHICLE IN CONSTABLE PRECINCT 2, AND TAKE APPROPRIATE ACTION. (9:16 AM)

Item 18 pulled from the Agenda.

**19. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:06 PM)**

**Members of the Court heard from:** Diana Ramirez, Senior Analyst, Planning and Budget Office (PBO).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve budget amendments and transfers D1-D6 and T1-T7.

**Motion carried:**

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

### **ADMINISTRATIVE OPERATIONS ITEMS**

**20. 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 \$236,469.92 FOR THE PERIOD OF MAY 24, 2002 THROUGH MAY 30, 2002. (10:05 AM)**

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

**21. DISCUSS STATUS OF THE HOUSING SERVICES WEATHERIZATION WAREHOUSE/OFFICE PROJECT, AND TAKE APPROPRIATE ACTION. (10:04 AM)**

Item 21 postponed until June 18, 2002



- 22.** DISCUSS LICENSE AGREEMENT WITH HEAT WAVE OF TEXAS FOR USE OF TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE) (9:16 AM) (5:26 PM)

**Clerk's Note:** Judge Biscoe announced that Item 22 would be considered in Executive Session, pursuant to Gov't Code Ann 551.071, Consultation with Attorney.

Item 22 to be reposted on June 18, 2002.

- 23.** DISCUSS AMENDMENT TO OPTION TO LICENSE AGREEMENT WITH K & J ICE, LTD. (AUSTIN ICE BATS) FOR USE OF TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE) (2:15 PM) (5:26 PM) (5:54 PM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; and John Hille, Assistant County Attorney.

**Clerk's Note:** Judge Biscoe announced that Item 23 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 direct the County Attorney's Office to prepare an appropriate Amendment Number 4 to deal with the issues as laid out in the memo from Alicia Perez, Executive Manager, Administrative Operations, which we discussed in open Court, and the 3 items that the County Attorney discussed with the Commissioners' Court in Executive Session.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 23 to be reposted on June 18, 2002.

24. REVIEW AND APPROVE THE FOLLOWING PROPERTY CLAIM RECOMMENDATIONS: (10:05 AM)

A. T.C.S.O. UNIT 9831 - SETTLE

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

25. APPROVE PERSONNEL AMENDMENTS. (10:05 AM)

**Clerk's Note:** Item 25 added to Consent Items. Please refer to Consent Items for the Court's Motion and Vote.

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

26. CONSIDER RECOMMENDATION OF THE AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO INCREASE THE PERMIT FEES FOR COUNTY RETAIL FOOD ESTABLISHMENTS BY IMPLEMENTING A VARIABLE FEE SCALE AND TAKE APPROPRIATE ACTION. (2:09 PM)

**Members of the Court heard from:** Arlene Tillman, Director, Administrative Services, Travis County Health and Human Services (TCHHS); and Johnny Dorsey, Financial Manager, Austin-Travis County Health and Human Services (A-TCHHS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Moore to approve Item 26, effective October 1, 2002.

<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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

27. CONSIDER CO-SPONSORSHIP OF JUMP-ON-IT SUMMER PROGRAM, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS AND JUDGE BISCOE) (2:11 PM)

**Members of the Court heard from:** Arlene Tillman, Director, Administrative Services, TCHHS.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe 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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

## PURCHASING OFFICE ITEMS

28. APPROVE CHANGE ORDER NO. 3 TO CONTRACT 02K00101-DM WITH D.R. KIDD COMPANY, INC. FOR ROOF REPAIRS AT THE TRAVIS COUNTY ADMINISTRATION BUILDING. (FM) (COMMISSIONER GOMEZ) (10:05 AM)

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

29. APPROVE ASSIGNMENT OF CONTRACT 00T0268-LD (MODIFICATION NO. 4) FROM LEIF JOHNSON FORD TRUCK CITY TO LEIF JOHNSON FORD. (TNR) (COMMISSIONER GOMEZ) (10:05 AM)

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

30. A. APPROVE PURCHASE OF SURFCONTROL SUPERScout SOFTWARE, OFF STATE CATALOG (QISV), FROM SET SOLUTIONS, INC. (I.T.S.) (9:16 AM)
- B. APPROVE SOFTWARE LICENSE AGREEMENT FOR SUPERScout SOFTWARE BY SURFCONTROL. (I.T.S.)

Items 30.A and B postponed until June 18, 2002.

### OTHER ITEMS

31. CONSIDER ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND AUSTIN INDEPENDENT SCHOOL DISTRICT, AND TAKE APPROPRIATE ACTION. (5:11 PM)

**Members of the Court heard from:** Tamara Armstrong, Assistant County Attorney.

**Motion by** Commissioner Moore **and seconded by** Commissioner Gómez to approve Item 31.

**Motion carried:**

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

32. DISCUSS NEED TO SELECT A PERSON TO SERVE AS CHAIRPERSON OF TRAVIS COUNTY COMBINED CHARITIES CAMPAIGN, AND TAKE APPROPRIATE ACTION. (5:11 PM)

**Clerk's Note:** Judge Biscoe, without objection, stated that he would work on this Item.

Discussion Only.

33. A. DISCUSS DUTIES AND RESPONSIBILITIES AND POSTING OF POSITION OF EXECUTIVE MANAGER FOR JUSTICE AND PUBLIC SAFETY, AND TAKE APPROPRIATE ACTION. (5:13 PM)

B. **ADDED ITEM:** DISCUSS AND TAKE APPROPRIATE ACTION ON REVIEW OF EXECUTIVE MANAGER MARKET SALARY SURVEY BY ELECTED OFFICIALS CITIZENS SALARY ADVISORY COMMITTEE. (COMMISSIONER SONLEITNER)

**Members of the Court heard from:** Dinah Dinwiddie, Executive Manager, Justice and Public Safety (JPS); and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Moore to approve the revised job description, to add the line “salary commensurate with qualifications”; that it be posted as a pay grade 26; that the job be posted for 45 days; and that in terms of Item 33.B, that HR bring all of the Executive Managers’ salaries forward as part of the regular packet, with all other job reclassifications and recommendations, to Court on July 2, 2002.

**Motion carried:**

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

34. APPROVE RESOLUTION APPROVING OF ISSUANCE OF TRAVIS COUNTY HOUSING FINANCE CORPORATION MULTIFAMILY HOUSING REVENUE BONDS (THE WORTHINGTON AT WELLS BRANCH APARTMENTS) SERIES 2002A, TAXABLE SERIES 2002A-T, AND SUBORDINATE SERIES 2002B BY TRAVIS COUNTY HOUSING FINANCE CORPORATION AND PUBLIC HEARING RELATED THERETO, AND TAKE APPROPRIATE ACTION. (1:45 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez 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 Margaret Moore	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 35.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:05 AM)

**Clerk's Note:** Item 35 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

- 36.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; NO. 02-50378; IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT (USDC CIVIL ACTION NO.A-00-CA-021-SS). <sup>1</sup> (5:10 PM)

Item 36 postponed until June 18, 2002.

- 37.** DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE LEASE PROPOSAL BETWEEN 1825 FORTVIEW, INC. AND TRAVIS COUNTY, TEXAS, FOR THE LEASE AT 1622 RIVERSIDE DRIVE FOR TRAVIS COUNTY EMPLOYEES. <sup>2</sup> (9:17 AM)

Item 37 pulled from the Agenda.

- 38.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN OTIS DANIELS (FRASIER; PERSONAL INJURY). <sup>1</sup> (5:26 PM)

Item 38 postponed until June 18, 2002.

- 39.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION AND/OR CONSIDER SETTLEMENT IN CLAIM FILED BY NADINE GONZALES. (MARTINEZ; FRASIER; CIVIL RIGHTS) <sup>1</sup> (1:46 PM)

Item 39 postponed until June 18, 2002.

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN STEPHEN C. KUHNS V. TRAVIS COUNTY ET AL.<sup>1</sup> (5:26 PM) (5:54 PM)

**Clerk's Note:** Judge Biscoe announced that Item 40 would be considered in Executive Session.

No action required on Item 40.

- 41.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR CRIMINAL DISTRICT COURT EMPLOYEE. <sup>1 & 3</sup> (9:17 AM)

Item 41 pulled from the Agenda.

## ADJOURNMENT

**Motion by Commissioner Sonleitner and seconded by Commissioner Davis to adjourn the Voting Session. (5:55 PM)**

<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 Margaret Moore	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

**Date of Approval**

**Samuel T. Biscoe, Travis County Judge**