

MINUTES OF MEETING – APRIL 22, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 22nd day of April, 2003, the Commissioners' Court convened the regular Voting Session at 9: 15 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 12:10 PM.

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

The Commissioners' Court retired to Executive Session at 3:24 PM.

The Commissioners' Court reconvened the Voting Session at 4:07 PM.

The Commissioners' Court adjourned the Voting Session at 4:12 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 4:12 PM and adjourned at 4:13 PM

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation called to order the Voting Session at 4:13 PM and adjourned at 4:13 PM.

PUBLIC HEARINGS

- 1. CONDUCT PUBLIC HEARING ON PROPOSED ELECTION PRECINCT REALIGNMENTS. (ACTION ITEM #37) (9:19 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 37 for the Court’s Motion and Vote.

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: Dolores Lopez, Voter Registration Division; Ken Rigsby, Circle C Homeowners’ Association; David Young, Travis County Resident; Christi Adams, Attorney, Bickerstaff and Heath, Representing the Village of Bee Cave; Pat Senate, Lake Pointe Homeowners’ Association Board.

Motion by Judge Biscoe **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

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Northridge Acres Resident; Scott Johnson, Project Manager, Central Texas Electric Lawnmower Program; and Cindy Schleper, Travis County Resident. (9:54 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C4 and Items 3, 4, 5, 6, 10.B, C, and D, 12, 14, 15, 20.A and B, 21, 22, 23, 24, 25, 27, 28, 29, 32, and 35. (9:48 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 APRIL 8, 2003.
- C4.** APPROVE SETTING A PUBLIC HEARING DATE OF MAY 13, 2003 TO APPROVE THE VACATION OF A PORTION OF RIGHT-OF-WAY OF NORMANDY RIDGE LANE AND FOWLER DRIVE IN LAKE POINTE PHASE 2, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY)
- C5.** APPROVE SETTING A PUBLIC HEARING ON MAY 20, 2003 TO DISCUSS AND A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 9 AND 9A OF FLAT CREEK RESUBDIVISION (SHORT FORM PLAT – 2 LOTS – 1.049 ACRES – LAKESIDE DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:51 AM)

Item C5 postponed until April 29, 2003.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 2. DISCUSS DRAFT MITIGATION PLAN AND PLAN FOR PUBLIC COMMENT, AND TAKE APPROPRIATE ACTION. (10:07 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to release this draft for public comment, post on the Travis County website, send to libraries, to add to the Transportation and Natural Resources Department (TNR) database; and that it will be out there for three weeks.

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 A PLAT FOR RECORDING IN PRECINCT THREE: THE HIGH ROAD SUBDIVISION (SHORT FORM PLAT – 1 LOT – 2.782 ACRES – THE HIGH ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (9:48 AM)

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

- 4. DISCUSS REQUEST FROM CITY OF LEANDER TO HAVE THE TEXAS DEPARTMENT OF TRANSPORTATION RELEASE JURISDICTION AND MAINTENANCE OF FM 2243 TO THE CITY, INCLUDING A 3/10TH MILE SEGMENT WITHIN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. (9:48 AM)

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

5. APPROVE A CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: PARKSIDE AT SLAUGHTER CREEK, SECTION 1 (LONG FORM PLAT – 33 LOTS – 14.946 ACRES – BRANDT ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (9:48 AM)

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

6. APPROVE A CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: PARKSIDE AT SLAUGHTER CREEK, SECTION 2 (LONG FORM PLAT – 64 LOTS – 12.539 ACRES – BRANDT ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER GOMEZ) (9:48 AM)

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

7. AMEND INTERLOCAL FOR REGIONAL MOBILITY AND TRANSPORTATION PROJECTS WITH CAPITAL METRO, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (9:15 AM)

Item 7 postponed until April 29, 2003.

8. CONSIDER OUTSTANDING POLICY ISSUES, INCLUDING SUBDIVISION REGULATION, REGARDING AMENDMENTS TO CHAPTER 82, TRAVIS COUNTY CODE, TO RESOLVE INCONSISTENCIES WITH CITY OF AUSTIN CODE AS REQUIRED BY HB 1445, AND TAKE APPROPRIATE ACTION.
(9:50 AM) (2:34 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Patrick Murphy, Environmental Officer, City of Austin Watershed Protection and Development Review Department; Hank Smith, Stakeholder, Chair, Government Relations Commission, Homebuilders' Association; and David Lloyd, City of Austin Attorney.

Clerk's Note: The Commissioners' Court indicated that, without taking formal action to approve the draft documents, the Court desired to inform the City of Austin that the Court has looked at what they sent over. The Court pulled these out for further review, and based on Staff's representation, that County staff got with City staff and the stakeholders, and for the time being, this is the best document we can come up with. Basically, we are supportive. We are not approving the document, but we are supportive, and basically, want them to be supportive too; after which, we put together a final document and approve it. That way, we get a chance to see it all in one document.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 8.

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

9. APPROVE THE USE OF CAPITAL IMPROVEMENT BOND FUNDS TO PURCHASE COMPUTER HARDWARE FOR TNR ENGINEERING DIVISION TO DESIGN 2001 BOND PROJECTS. (10:15 AM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 9, the use of the bonds for this particular purpose.

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

PLANNING AND BUDGET DEPT. ITEMS

10. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:

A. APPROVE GRANT APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR STEP #3 KENNEDY RIDGE WATER GRANT. THE GRANT PROVIDES FUNDS FOR ADDITIONAL CAPACITY AND FIRE FLOW PROTECTION TO THE EXISTING SYSTEM. (10:16 AM)

Members of the Court heard from: Jessica Rio, Budget Analyst, Planning and Budget Office (PBO).

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the grant in Item 10.A.

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

10. B. APPROVE GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR A NATIONAL SCHOOL LUNCH /BREAKFAST GRANT PROGRAM IN JUVENILE PROBATION. THE GRANT CONTINUES THE PROGRAM FOR FY 04. (9:48 AM)

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

10. C. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM IN JUVENILE PROBATION. THE GRANT CONTINUES THE EXISTING PROGRAM. (9:48 AM)

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

ITEM 10 CONTINUED

10. D. APPROVE GRANT CONTRACT WITH THE AMERICAN HEART ASSOCIATION FOR THE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS IN THE SHERIFF'S PATROL CARS. THE GRANT REQUIRES A CASH MATCH, WHICH IS MET THROUGH SHERIFF'S LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS. (9:48 AM)

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

11. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:17 AM)

No action necessary on Item 11.

12. CONSIDER FY 03 BUDGET RULES REGARDING BUDGET ADJUSTMENTS FOR GRANT FUNDS AND TAKE APPROPRIATE ACTION. (9:48 AM)

Clerk's Note: Judge Biscoe noted that Item 12 is for grant adjustments to be treated as automatic adjustments.

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

ADMINISTRATIVE OPERATIONS ITEMS

13. DISCUSS, APPROVE OR TAKE ANY APPROPRIATE ACTION REGARDING THE FOLLOWING:

A. ISSUANCE OF BID DOCUMENTS FOR PHASE 1, THE SITE WORK, AT PRECINCT THREE OFFICE BUILDINGS; AND (10:22 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to issue the bid documents.

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

13. B. THE SCHEMATIC DESIGN FOR PHASE 2, THE BUILDINGS, AT THE PRECINCT THREE OFFICE BUILDINGS. (9:17 AM)

Item 13.B postponed until April 29, 2003.

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 \$420,550.80 FOR THE PERIOD OF APRIL 4, 2003 THROUGH APRIL 10, 2003. (9:48 AM)

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

15. APPROVE PERSONNEL AMENDMENTS. (9:48 AM)

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

- 16. CONSIDER OPTION TO LICENSE AGREEMENT WITH HMA ENTERPRISES, INC. DBA THE AUSTIN ROCKERS FOR USE OF THE TRAVIS COUNTY EXPOSITION CENTER FOR INDOOR FOOTBALL, AND TAKE APPROPRIATE ACTION. (10:25 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Scott Davis, Director, Travis County Exposition Center; Roger El Khoury, Director, Facilities Management; and Tenley Aldredge, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the license agreement in Item 16.

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	abstain
Precinct 4, Commissioner Margaret J. Gómez	yes

- 17. CONSIDER THE VALUE OF THE REAL PROPERTY AND BUILDING LOCATED AT 1101 NUECES AND TAKE APPROPRIATE ACTION. (MAY ALSO BE DISCUSSED IN EXECUTIVE SESSION, Note 2, Gov't Code Ann 551.072, Real Property.) (9:17 AM)

Item 17 postponed until April 29, 2003.

HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS

- 18. CONSIDER DESIGNATION OF ADOLFO VALADEZ, M.D., M.P.H., AS LOCAL HEALTH AUTHORITY ALTERNATE FOR AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT, EFFECTIVE APRIL 22, 2003, AND TAKE APPROPRIATE ACTION. (9:51 AM)

Members of the Court heard from: David Lurie, Director, Austin-Travis County Health and Human Services (ATCHHS); and Adolfo Valadez, M.D., M.P.H., Health Authority Alternate Designee.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the designation of Dr. Valadez as the alternate for the Health Authority.

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

- 19. CONSIDER FY 03 BUDGET FOR HEALTH AND HUMAN SERVICES DEPARTMENT, INCREASING DEMANDS IN HEALTH CARE AND BASIC NEEDS, AND TAKE APPROPRIATE ACTION. (10:51 AM)

Members of the Court heard from: Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCCHHS&VS); Mary Etta Gerhardt, Assistant County Attorney; and Sherrie Moore, Health and Human Services Department (HHSD).

Clerk's Note: The Commissioners' Court directed Staff to put together a draft policy, and to show the implementation of steps on the items mentioned, and to bring this Item back May 6, 2003, at which time the Court will also discuss the money Item, which is part B of the discussion.

Discussion only. No action taken.

Item 19 to be reposted on May 6, 2003.

PURCHASING OFFICE ITEMS

20. APPROVE CONTRACT AWARDS FOR RENTAL OF VEHICLES, IFB NO. B030089-RG, TO: (SHERIFF'S OFFICE) (9:48 AM)

- A.** CAPPS RENTAL CAR - ITEM 1; AND
- B.** LONGHORN CAR RENTAL - ITEM 2.

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

21. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO.6) TO CONTRACT NO. 98T0207-LD, IRON MOUNTAIN, INC., FOR OFFSITE RECORDS STORAGE. (RECORDS MANAGEMENT) (9:48 AM)

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

22. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 01T0163-RV, Z-NON ELECTRIC INC., FOR ELECTRICAL TIME AND MATERIAL SERVICES. (COUNTYWIDE) (9:48 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 13 TO CONTRACT MA980095, AGREEMENT FOR EXTENDED SERVICES, WITH TIBURON. (ITS) (9:48 AM)

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

24. APPROVE AWARD OF CONTRACT NO. PS30030LB TO AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR PROFESSIONAL PSYCHOLOGICAL/PSYCHIATRIC SERVICES. (DISTRICT AND CRIMINAL COURTS ADMINISTRATIVE) (9:48 AM)

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

- 25. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. IL980084TS, CITY OF AUSTIN FOR ANIMAL SHELTER SERVICES. (HHSD) (9:48 AM)

Clerk’s Note: Item 25 added to Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

- 26. RESCIND ACTION TAKEN ON ITEM NUMBER 36, COMMISSIONERS COURT VOTING SESSION APRIL 1, 2003, CONSIDER INTERLOCAL AGREEMENT (NO. IL030152LB) BETWEEN TRAVIS COUNTY AND THE TEXAS CONFERENCE OF URBAN COUNTIES, INC., TO EXPLORE THE DESIRABILITY AND FEASIBILITY OF JOINTLY PROCURING AN INTEGRATED JUSTICE SYSTEM, AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) (10:19 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to rescind the action taken on Item 36, April 1, 2003, and approve the new interlocal with the Texas Conference of Urban Counties, Inc.

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

- 27. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. MA030068LC, PURCHASE AND MAINTENANCE OF THE IMAGING SYSTEM WITH HART INTERCIVIC, INC. (COUNTY CLERK) (9:48 AM)

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

- 28. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 02T00219MP, RESOURCE BUILDING MATERIALS, INC., FOR STORM AND MOBILE HOME REPLACEMENT WINDOWS. (HOUSING SERVICES) (9:48 AM)

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

- 29. APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ENGINEERING SERVICES FOR DOMESTIC HOT WATER HEAT MAINTENANCE CABLE ASSESSMENT FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A) (4) OF THE COUNTY PURCHASING ACT. (SHERIFF'S OFFICE) (9:48 AM)

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

- 30. APPROVE CONTRACT AWARD FOR HEAVY EQUIPMENT RENTAL, IFB NO. B030108-RV. (FM, TNR) (10:21 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 30.

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

- 31. DISCUSS AND TAKE APPROPRIATE ACTION TO AUTHORIZE THE PURCHASING AGENT TO APPROVE PURCHASE ORDERS IN EXCESS OF \$25,000.00 ISSUED AGAINST CONTRACTS FOR CONSTRUCTION AND GEOTECHNICAL TESTING SERVICES. (TNR) (9:18 AM)

Item 31 postponed until April 29, 2003.

OTHER ITEMS

- 32. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF MARCH 2003. (COUNTY AUDITOR) (9:48 AM)

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

TAKE UP AT 1:40 P.M.

- 33. RECEIVE STATUS REPORT ON ALL TRAVIS COUNTY EMERGENCY SERVICES DISTRICTS. (COMMISSIONER DAUGHERTY) (1:39 PM)

Members of the Court heard from: Mike Howe, Treasurer, Emergency Services District 2 (ESD 2), Pflugerville; Terry Browder, President, ESD 6, Hudson Bend; Carol Lewis, ESD 4, Fire Control; Steve Collier, President, ESD 5, Manchaca; Ken Campbell, Commissioner, ESD 10, CE-Bar; Fire Chief Ron Mollenburg, ESD 2, Pflugerville; and David Krause, ESD 12, Manor.

Discussion only. No action was taken.

- 34. CONSIDER APPOINTMENT OF TWO MEMBERS OF THE COMMISSIONERS COURT TO SERVE ON THE SELECTION COMMITTEE, FOR JAIL OPERATIONS REVIEW, AND TAKE APPROPRIATE ACTION. (10:49 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner that the Justice and Public Safety Subcommittee serve as the two members of the Commissioners' Court on this review. That would be Commissioner Gómez and Judge Biscoe.

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

- 35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:48 AM)

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

TAKE UP AT 11:00 A.M.

36. A. DISCUSS LEGISLATIVE ISSUES, INCLUDING PROPOSED BILLS, AND TAKE APPROPRIATE ACTION. (11:25 AM)

B. CONSIDER OTHER BILLS, IF ANY, IN RESPONSE TO ACTION TAKEN BY THE LEGISLATURE, AND TAKE APPROPRIATE ACTION.

Clerk's Note: Items 36.A and B are associated with one another and were called for concurrent discussion.

SB1161 (Sponsor – Senator Barrientos) Relating to authorizing counties and municipalities to provide services through the internet.

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant.

Discussion only. No action was taken.

HB2459 (Sponsor – Representative Krusee) Relating to the powers and duties of a Regional Mobility Authority, including the powers of eminent domain and the power to issue bonds.

Members of the Court heard from: Tom Nuckols, Assistant County Attorney.

Discussion only. No action was taken.

HB1204/SB544 (Sponsors – Representative Baxter and Senator Wentworth) Relating to the authority of municipalities of counties to regulate subdivision in a municipality's extraterritorial jurisdiction.

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant; Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Discussion only. No action was taken.

ITEM 36 CONTINUED

HB1365 (Sponsor – Representative Bonnen) Relating to the Texas Emission Reduction Plan.

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant.

Discussion only. No action was taken.

HB1898/SB1017 (Sponsors – Representative Nixon and Senator Wentworth) Relating to the ability of a county to sue and be sued.

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant; Bob Kamm, Travis County Legislative Consultant; and April Bacon, Travis County Auditor’s Office.

Discussion only. No action was taken.

HB2031/SB953 (Sponsors – Representative Puente and Senator Madla) Relating to the regulation of stormwater management by certain counties.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Scheleen Walker, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to ask to be included in the bracket in the legislation, and pursue some additional language that explicitly gives Travis County the authority to get the kind of fee we are looking for.

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 CONTINUED

HJR 91 (Sponsor – Representative Lewis) Proposing a constitutional amendment allowing a state mandate imposed on a county to have effect only if the state provides for the payment to the county of the cost of the mandate.

Members of the Court heard from: Scheleen Walker, TNR.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to support House Joint Resolution 91.

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

HB2212/SB1569 (Sponsors – Representative Mowery and Senator Madla) Relating to the continuation of legal land use in newly incorporated areas.

Members of the Court heard from: Scheleen Walker, TNR.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to oppose House Bill 2212 and Senate Bill 1569.

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	absent

HB2703/SB813 (Sponsor – Representative Bailey and Senator Averitt) Relating to admissibility of evidence from unaccredited crime laboratories.
SB1607 (Sponsor – Senator Ellis) Relating to regulation of state crime laboratories.

Members of the Court heard from: Rod McCutcheon, Chief Toxicologist, Travis County Medical Examiner’s Office.

Discussion only. No action was taken.

- 37. CONSIDER PROPOSED ELECTION PRECINCT REALIGNMENTS, AND TAKE APPROPRIATE ACTION. (9:48 AM)

Clerk’s Note: Item 37 is the action item for the public hearing on Agenda Item 1.

Item 37 postponed until April 29, 2003.

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

- 38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION WITH REGARD TO CLAIM OF DR. MARK KARAKOURTIS, M.D. FOR PAYMENT FOR SURGICAL CARE RENDERED TO INMATES OF THE TRAVIS COUNTY JAIL. ¹ (3:24 PM) (4:07 PM)

Clerk’s Note: Judge Biscoe announced that Item 38 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 reject the claim, and authorize the County Judge to notify the doctor on the County’s behalf.

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

- 39. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. E.L. BUICE (TRACEY A. SUIRE RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (3:24 PM) (4:08 PM)

Clerk’s Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney, and Gov’t. Code Ann. 551.071, Real Property.

Item 39 postponed until May 6, 2003.

- 40. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION, AND/OR CONSIDER SETTLEMENT OFFER IN FREDERICK PLUET, (DECEASED) V. MARGO FRASIER, ET. AL. (PLUET; FRASIER; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF) ¹ (3:24 PM)

Item 40 postponed until April 29, 2003.

- 41. CONSIDER RECOMMENDATIONS FOR ASSIGNING DUTIES TO A MANAGER(S) AND OFFICIALS FROM DUTIES NOW HANDLED BY THE EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY, AND TAKE APPROPRIATE ACTION. ³ (3:24 PM) (4:08 PM)

Clerk’s Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez to indicate the Court’s general approval, and agreement with, the reorganization plan provided us by the managers of the Justice and Public Safety functional area; with the two coordinators, one being Mr. Hobby, and the other one being whoever is hired to replace Kati Broderick, Manager, Research and Planning, JPS; and that we authorize Judge Biscoe, for the Justice and Public Safety Subcommittee, to negotiate salaries with Mr. Hobby, and look at the other part of it, and put the plan in final form, showing savings generated; and try to report back to the Court; and give ourselves a couple of weeks to do that.

A Clarification of the previous Motion was made by Judge Biscoe that when the Court approves the plan, we can come back with whatever steps we think we need to take. Right now, though, if we showed general support for this particular concept, go out and try to figure out how to implement it, come back with a final implementation plan, we are there; and part of that will be for the additional actions we need to take. Part of this is placing people in different places and moving people around, also.

A Clarification of the previous Motion was made by Commissioner Sonleitner that this will all be done after the Court’s assessment of people’s skills as managers, and how now, we want to feel comfortable with moving ahead.

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 41 to be reposted on May 6, 2003.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY, DISCUSS PROPOSED SETTLEMENT AND TAKE APPROPRIATE ACTION REGARDING CLAIM OF TRAVIS COUNTY VS. J.C. EVANS CONSTRUCTION CO., INC. ¹ (3:24 PM)

Item 42 postponed until April 29, 2003.

- 43. RECEIVE FINAL DISPOSITION ON THE TEXAS COMMISSION ON HUMAN RIGHTS, CHARGE OF DISCRIMINATION, DARBY V. TRAVIS COUNTY. ³ (3:24 PM) (4:12 PM)

Clerk’s Note: Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.074, Personnel Matters, and Gov’t. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No action was taken.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (4:12 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