

MINUTES OF MEETING – APRIL 29, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29th day of April, 2003, the Commissioners' Court convened the regular Voting Session at 9:17 AM in the Commissioners' Courtroom, 1st Floor of the Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court recessed the Voting Session at 12:07 PM.

The Commissioners' Court reconvened the Voting Session at 1:42 PM.

The Commissioners' Court retired to Executive Session at 4:16 PM.

The Commissioners' Court reconvened the Voting Session at 6:40 PM.

The Commissioners' Court adjourned the Voting Session at 6:46 PM.

PUBLIC HEARINGS

1. CONDUCT PUBLIC HEARING TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: CORRECTION PLAT MEADOWS OF CAMBRIDGE HEIGHTS PHASE ONE (REVISED PLAT – 187 LOTS – 46.518 ACRES – VICTORIA STATION BOULEVARD – NO – FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDEMERE UTILITY COMPANY – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (ACTION ITEM #A1) (9:19 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item A1 for the Court's Motion and Vote.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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: Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

Motion by Commissioner Sonleitner **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

2. APPROVE PROCLAMATION DECLARING MAY 1, 2003 AS "LAW DAY" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:20 AM)

Members of the Court heard from: Laura Bellegie Sharp, President Elect, Travis County Bar Association.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proclamation in Item 2.

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

- 3. APPROVE A RESOLUTION DESIGNATING MAY 4 – 10, 2003 AS “NATIONAL CORRECTIONAL OFFICER” WEEK. (9:25 AM)**

Members of the Court heard from: Margo Frasier, Travis County Sheriff; David Balagia, Major, Travis County Sheriff's Office (TCSO); Emily Trevino, Major, TCSO; and Bucky Eacret, Lieutenant, TCSO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the resolution in Item 3.

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

4. APPROVE PROCLAMATION DESIGNATING THE MONTH OF MAY 2003 AS HISPANIC CULTURAL AWARENESS MONTH IN TRAVIS COUNTY, AND RECOGNIZING THE SEVENTEENTH ANNUAL “CINCO DE MAYO” CELEBRATION IN TRAVIS COUNTY AND THE 6TH ANNUAL COMBINED CITY/COUNTY CINCO DE MAYO CELEBRATION. (COMMISSIONER GOMEZ) (9:28 AM)

Members of the Court heard from: Joe Vela, Executive Assistant, Travis County Commissioner Precinct 4 Office; Carlos Lopez, Chief Deputy, Travis County Constable Precinct 5 Office; Virginia Aleman, Human Resources Management Department (HRMD); Curtis Daniels, Facilities Management; Laura Taylor, Travis County District Clerk’s Office; Bertha De La Cruz, Travis County Clerk’s Office; Vera Rodriguez, TNR; Lucy Martinez, TCSO; Sylvia Mendoza, Juvenile Probation Department; and Stacey Hampton, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the proclamation in 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 Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

5. APPROVE RESOLUTION SUPPORTING A MORATORIUM ON EXECUTIONS IN TEXAS. (JUDGE BISCOE) (9:35 AM)

Members of the Court heard from: Brian Gregg, Senior Partner, Fulbright and Jaworski; Andrea Kyle, Texas Defender Service; Allison Dieter, Texas Moratorium Network; Susie Painter, Christian Life Commission, Baptist General Convention of Texas; Dave Atwood, Texas Moratorium Advocate; and Hector Ortiz, William C. Velasquez Institute.

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	abstain
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Jimmy Castro, Travis County Resident; Chief Don Smith, Travis County Fire Control, Travis County Emergency Services District (ESD) #4; Chief Reynolds, Travis County ESD #4; and the Travis County Fire Academy Class #3: Bianka Mason, Paul Reynolds, Marco Martinez, Michael Moreno, Julian Alonzo, Mark Mendez, Greg Hernandez, Luis Campos, Summer Moore, and Albert Villa. (10:11 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C4 and Items 6, 7, 10, 11, 12, 13, 16, 20.A and B, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 41, and A1. (10:24 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 SETTING A PUBLIC HEARING ON MAY 27, 2003, TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 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)
- C4.** APPROVE SETTING A PUBLIC HEARING OF MAY 27, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 5 & 6, BLOCK M, MOUNTAIN CREEK LAKES SECTION ONE (REVISED PLAT – 1 LOT – 0.66 ACRES – LAKE WOOD CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJs). (COMMISSIONER DAUGHERTY)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

6. DISCUSS AND APPROVE A PRELIMINARY PLAN IN PRECINCT ONE:
HIDDEN LAKE ESTATES PRELIMINARY PLAN (371 LOTS – 326.073 ACRES –
LOCKWOOD DRIVE – SEWAGE SERVICE TO BE PROVIDED BY
AQUASOURCE – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)
(10:24 AM)

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

7. DISCUSS AND APPROVE A PRELIMINARY PLAN IN PRECINCT ONE:
PARSONS MEADOWS PRELIMINARY PLAN (342 LOTS – 68.08 ACRES –
PARSONS ROAD – SEWAGE SERVICE TO BE PROVIDED BY
AQUASOURCE – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)
(10:24 AM)

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

8. CONSIDER REQUEST TO THE TEXAS TURNPIKE AUTHORITY TO DESIGN
AND CONSTRUCT AN INTERCHANGE AT THE PROPOSED HOWARD LANE
ARTERIAL DURING THE INITIAL CONSTRUCTION OF STATE HIGHWAY 130,
AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (10:30 AM)
(4:16 PM) (6:40 PM)

Clerk's Note: Judge Biscoe announced that Item 8 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Jack Gullahorn, President, Gregg Lane Neighborhood Association; Glen Hodges, Winstead, Sechrest, and Minick, attorney representing the Stone Family.

Clerk's Note: The Commissioners' Court directed the County Attorney's Office to continue to prepare the necessary legal document in response the to the State's request.

Discussion only. No action was taken.

Item 8 to be reposted on May 6, 2003.

9. RECEIVE BRIEFING ON RECENT ACTIONS OF THE CLEAN AIR FORCE AND THE CLEAN AIR COALITION ON THE AUSTIN/SAN MARCOS MSA EARLY ACTION COMPACT, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (3:34 PM)

Members of the Court heard from: Scheleen Walker, TNR; Cathy Stephens, Chair, Early Action Compact Task Force, Capitol Area Metropolitan Planning Organization (CAMPO); Mike Joyce, Travis County Fleet Manager, TNR.

Discussion only. No action was taken.

10. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR SADDLEWOOD ESTATES SECTIONS 1, 2 AND 3, THREE SUBDIVISIONS IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (10:24 AM)

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

11. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: LA VISTA (SHORT FORM PLAT – 3 LOTS – 9.993 ACRES – CORDILL LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJS). (COMMISSIONER DAUGHERTY) (10:24 AM)

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

12. APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: HARRIS PARMER CROSSING (SHORT FORM PLAT – 5 LOTS – 49.999 ACRES – CAMERON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (10:24 AM)

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

13. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR HEATHERWILDE BOULEVARD, A STREET IN PRECINCT 2. (COMMISSIONER SONLEITNER) (10:24 AM)

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

14. AMEND INTERLOCAL FOR REGIONAL MOBILITY AND TRANSPORTATION PROJECTS WITH CAPITAL METRO, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (3:59 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve signing of the interlocal.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

15. CONSIDER COMMENTS PROVIDED ON TRAVIS COUNTY FLOOD PLAIN ORDINANCE, AND TAKE APPROPRIATE ACTION. (9:18 AM)

Item 15 postponed until May 6, 2003.

16. APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT TWO: THE VILLAGES OF HIDDEN LAKE, PHASE 1 (LONG FORM PLAT – 172 LOTS – 54.465 ACRES – KELLY LANE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (10:24 AM)

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

17. APPROVE AGREEMENT WITH ENVISION CENTRAL TEXAS TO PROVIDE TRAVIS COUNTY FUNDING FOR REGIONAL PLANNING PROGRAM IN FISCAL YEAR 2003. (COMMISSIONER SONLEITNER) (4:05 PM)

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the agreement in Item 17.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

18. DISCUSS 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. (10:55 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Darryl Slusher, Austin City Council Member; Tom Nuckols, Assistant County Attorney; Terry McMannus, City of Austin Transportation Planning Department; and Lisa Gordon, Assistant City Manager.

Discussion only. No action was taken.

Item 18 to be reposted on May 6, 2003.

TAKE UP AT 1:35 P.M.

19. RECEIVE PRESENTATION TO TRAVIS COUNTY FROM CAPITAL AREA TRANSPORTATION COALITION FOR POLITICAL AND FINANCIAL SUPPORT FOR THE CENTRAL TEXAS TURNPIKE PROJECT (CTTP). (1:42 PM)

Members of the Court heard from: Terry Bray, Volunteer Chair, Capitol Area Transportation Coalition (CATC).

Discussion only. No action was taken.

PLANNING AND BUDGET DEPT. ITEMS

- 20.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
(10:24 AM)

- A.** APPROVE GRANT APPLICATION TO THE U.S. DEPARTMENT OF EDUCATION FOR AN AFTER-SCHOOL PROGRAM AT THE TEXAS SCHOOL FOR THE DEAF. A NEW GRANT PROGRAM WITH NO MATCH REQUIREMENTS.
- B.** APPROVE GRANT CONTRACT AMENDMENT WITH THE CORPORATION FOR NATIONAL SERVICE. THE AMENDMENT INCREASES THE FUNDING FOR THE RETIRED SENIOR VOLUNTEER PROGRAM BY \$2,347. THE GRANT REQUIRES 10% MATCHING FUNDS THAT ARE GENERATED BY THE EXISTING RSVP BUDGET.

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 BUDGET AMENDMENTS AND TRANSFERS. (2:56 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the budget amendments and transfers and to assure the Justice of the Peace, Precinct 3, that the \$2,000.00 request will be covered, one way or the other, in a timely manner, and around the first part of August.

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

ADMINISTRATIVE OPERATIONS ITEMS

22. 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 \$398,600.56 FOR THE PERIOD OF APRIL 11, 2003 THROUGH APRIL 17, 2003. (10:24 AM)

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

23. APPROVE PERSONNEL AMENDMENTS. (10:24 AM)

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

24. CONSIDER ISSUES REGARDING UTILIZATION AND DISPOSITION 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 55.072, Real Property) (3:01 PM)

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

Discussion only. No action was taken.

Item 24 to be reposted on May 13, 2003.

PURCHASING OFFICE ITEMS

25. APPROVE CONTRACT AWARDS FOR EMERGENCY VEHICLE EQUIPMENT, IFB NO. B030064-OJ, TO: (TNR) (10:27 AM)

A. GT DISTRIBUTORS: ITEMS 3, 5, 5a, 8, 9, 12a, 12b, 12c, 12d, 17, 18, 19, AND 21.

B. ALL AMERICA SALES: ITEMS 1, 2, 4, 4a, 6a, 6b, 6c, 7, 10, 13, 14, 15, and 16, AND 21.

C. R & W POLIZE: ITEMS 11 AND 20.

Clerk's Note: Items 25.A, B, and C are associated with one another and were called for concurrent discussion.

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

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Items 25.A, B, and C as worded.

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

26. APPROVE CONTRACT MODIFICATION NO. 02T00038OJ, ADDING SHORT TERM DISABILITY COVERAGE FOR TRAVIS COUNTY EMPLOYEES TO UNUM LIFE INSURANCE COMPANY, LIFE, ACCIDENT, DEATH & DISMEMBURMENT, LONG TERM DISABILITY (LTD). (HRMD) (10:24 AM)

Clerk's Note: Judge Biscoe noted that Item 26 is to approve the negotiation. There is no modification at this time, and the request really is to approve the negotiation for a contract modification, as set forth in the wording. So, by being part of the Consent Motion, the Court is, basically, authorizing negotiations, and if they work out, this matter will be brought back to the Court in the form of a contract amendment.

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

- 27.** APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. MA010177, HOTSY/CARLSON EQUIPMENT COMPANY, FOR MAINTENANCE OF LANDA RECYCLING VEHICLE WASH EQUIPMENT. (TNR) (10:24 AM)

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

- 28.** APPROVE CONTRACT AWARD FOR AN INTERACTIVE VOICE RESPONSES SYSTEM FOR TRAVIS COUNTY SHERIFF'S OFFICE, RFP NO. P00138-LC, TO THE QUALIFIED PROPOSER, FRANK SOLUTIONS, INC. (TCSO & ITS) (10:24 AM)

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

- 29.** APPROVE MODIFICATION NO. 2 TO CONTRACT MA030114LC, COURT FEES, FINES, COSTS AND CHARGES CREDIT CARD SOFTWARE, WITH TEXAS LOGIC, INC. (COUNTY CLERK) (10:24 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 ELECTION DAY KITS, IFB# B030084-LD, TO THE LOW BIDDER, CAPITAL GRAPHICS. (COUNTY CLERK) (10:24 AM)

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

- 31.** APPROVE AWARD OF QISV (QUALIFIED INFORMATION SYSTEMS VENDOR) STATE CATALOG PURCHASE, RFO# 0030111-SP FOR DELL PRECISION 650 COMPUTERS FROM DELL COMPUTERS INC. (ITS) (10:24 AM)

Clerk's Note: Item 31 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

32. APPROVE AWARD OF A QISV (QUALIFIED INFORMATION SYSTEMS VENDOR) STATE CATALOG PURCHASE, RFO# 0030079-SP, FOR MOBILE DATA SUBSCRIBER ITEMS FROM MOTOROLA INC. (J&PS) (10:24 AM)

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

33. APPROVE CONTRACT AWARD FOR AUCTIONEER SERVICES, RFS# S030054-LD, TO THE BEST-QUALIFIED FIRM, GASTON AND SHEEHAN AUCTIONEERS, INC. (PURCHASING – FIXED ASSETS) (10:24 AM)

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

34. DECLARE WEST-TEXAS DIGEST 2ND LAW BOOKS AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (10:24 AM)

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

35. CONSIDER REQUEST TO AUTHORIZE THE PURCHASING AGENT TO APPROVE PURCHASE ORDERS IN EXCESS OF \$25,000.00 ISSUED AGAINST CONTRACTS FOR CONSTRUCTION AND GEOTECHNICAL TESTING SERVICES, AND TAKE APPROPRIATE ACTION. (TNR) (4:11 PM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the request in Item 35.

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

- 36.** APPROVE PURCHASE OF JANITORIAL SUPPLIES FROM GULF COAST PAPER, THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUY BOARD). (FACILITIES MANAGEMENT) (10:24 AM)

Clerk's Note: Item 36 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 37.** APPROVE EXEMPTION ORDER FOR THE PROCUREMENT OF ENGINEERING SERVICES FOR THE DESIGN OF THE PRECINCT THREE OFFICE BUILDINGS. (FM) (10:24 AM)

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

OTHER ITEMS

TAKE UP AT 11:00 A.M.

- 38. A.** DISCUSS LEGISLATIVE ISSUES, INCLUDING PROPOSED BILLS, AND TAKE APPROPRIATE ACTION. (11:36 AM) (3:23 PM)

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

Clerk's Note: Items 38.A and B are associated with one another and were called for concurrent discussion.

Clerk's Note: The Court received a briefing on the priority one and priority two legislative issues from the Legislative Consultants.

HB1898 (Sponsor – Representative Nixon) Relating to the ability of a county to sue and be sued.

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

Discussion only. No action was taken.

ITEM 38 CONTINUED

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

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

Clerk's Note: The Commissioners' Court directed the legislative consultants to draft a letter, which states the Court's opposition to House Bill 2212 and Senate Bill 1569, to be distributed to members of the Senate and House.

Discussion only. No action was taken.

HB1 (Sponsor – Representative Heflin) Relating to the appropriations of money for the 2004-2005 Biennium.

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

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; and Tom Nuckols, Assistant County Attorney.

Discussion only. No action was taken.

HB3588 Regional Mobility/Transportation Bill (Sponsor – Representative Krusee) Relating to the construction, acquisition, financing, maintenance, management, operation, ownership, and control of transportation facilities and the progress, improvement, policing, and safety of transportation in the state.

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

Discussion only. No action was taken.

ITEM 38 CONTINUED

HB725 (Sponsor – Representatives Haggerty and Representative Ellis) Relating to the participation of community supervision and corrections department employees, retired employees, and dependents of employees and retired employees in the group benefits program for state employees.

Members of the Court heard from: April Bacon, Travis County Auditor's Office; John Hille, Assistant County Attorney; Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk Manager, HRMD; Barbara Wilson, Assistant County Attorney; and Lila Oshatz, Community Supervision and Corrections Department (CSCD).

Discussion only. No action was taken.

HB4 (Sponsor – Representative Nixon) Relating to reform of certain procedures and remedies in civil cases.

HJR3 (Sponsor – Representative Nixon) Relating to authorizing the legislature to determine limits for non-economic damages in medical or health care claims and other damages.

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

Motion by Judge Biscoe and seconded by Commissioner Davis for Travis County to go on record as, basically, recommending that the election on House Bill 4 and House Joint Resolution 3 be moved from September to November, and ask the other counties in the Conference of Urban Counties (CUC) to do the same thing.

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

SB1568 (Sponsor – Senator Madla) Relating to the exemption of predator control agents from the registration requirements for dangerous wild animals.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney

Discussion only. No action was taken.

ITEM 38 CONTINUED

HB525/SB309 (Sponsors – Representative Noriega and Senator Gallegos)
Relating to providing health care services without regard to a person's
immigration status.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to support
House Bill 525 and Senate Bill 309.

A Clarification of the previous Motion was made by Commissioner Sonleitner
that this bill is “permissive”, as opposed to “requiring”, so that counties may keep
their financial options open, as they go through the budget process.

A Clarification of the previous Motion was made by Commissioner Gómez that
the source of revenue is the taxes that people pay, and that everyone who is here,
regardless of citizenship, pays taxes.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Items 38.A and B to be reposted on May 6, 2003.

39. RECEIVE AND DISCUSS THE FY 2003 MID-YEAR REVENUE REPORT.
(JUDGE BISCOE) (2:50 PM)

Members of the Court heard from: Blaine Keith, Chief Assistant County Auditor,
Travis County Auditor's Office.

Discussion only. No action was taken.

40. CONSIDER REPORT ON U.S. DEPARTMENT OF JUSTICE'S INTENT TO REDUCE FUNDING AND CHANGE ELIGIBILITY CRITERIA FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP), AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (3:12 PM)

Members of the Court heard from: Mike Hemby, Research Analyst, TCSO; and Bill Derryberry, Senior Budget Analyst, PBO.

Discussion only. No action was taken.

Item 40 to be reposted on May 6, 2003.

41. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:24 AM)

Clerk's Note: Item 41 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

42. CONSIDER THE STARFLIGHT INDEPENDENT REVIEW PANEL'S REPORT ON FINDINGS AND RECOMMENDATIONS OF THE STARFLIGHT PROGRAM'S ORGANIZATIONAL STRUCTURE AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (2:26 PM)

Members of the Court heard from: Caryl Colburn, Acting Executive Manager, Justice and Public Safety (JPS); and Sheila Gladstone, Chair of Review Panel.

Discussion only. No action was taken.

43. CONSIDER PROPOSED ELECTION PRECINCT REALIGNMENTS, AND TAKE APPROPRIATE ACTION. (2:33 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; Dolores Lopez, Voter Registration; and Tamara Armstrong, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 43, including the orders, Exhibit A, and Attachment 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

44. RECEIVE AND DISCUSS REQUEST FOR FINANCIAL INCENTIVES FROM THE DOMAIN URBAN VILLAGE PROJECT. (1:47 PM)

Members of the Court heard from: Kirk Rudy, Endeavor Real Estate Group; Bryce Miller, Endeavor Real Estate Group; David Armbruster, Urban Village Project; and Dallas Kelly, Martin-Salinas.

Discussion only. No action was taken.

45. APPROVE RESOLUTION APPROVING THE ISSUANCE, SALE AND DELIVERY OF BONDS BY THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #6, AND OTHER MATTERS IN CONNECTION THEREWITH. (COMMISSIONER DAUGHERTY) (2:18 PM)

Members of the Court heard from: Terry Browder, President, Travis County Emergency Services District (ESD) #6, Hudson Bend; Ladd Pattillo, Financial Advisor, ESD #6; and Bruce Watson, Fire Chief, ESD #6.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve the resolution in Item 45.

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

- 46.** CONSIDER NEW JOB DESCRIPTION AND AUTHORIZE POSTING AND ADVERTISING COORDINATOR OF JUSTICE AND PUBLIC SAFETY, AND TAKE ANY APPROPRIATE ACTION. (3:30 PM)

Members of the Court heard from: Linda Moore Smith, Director, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that “Criminal Justice Coordinator” be the title; the job description is the core that we have in draft form; and the third part of that is, that the salary be broad enough for us to be given maximum flexibility.

Clerk’s Note: Linda Moore Smith, Director, HRMD, noted that the salary range would be between Grade 22 midpoint and Grade 24. The maximum would be \$90,417.00, and the minimum would be \$65,811.00.

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 46 to be reposted on May 6, 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

- 47.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON LEGAL ISSUES REGARDING THE ACQUISITION OF NECESSARY RIGHT OF WAY ON THE ANDERSON MILL ROAD PROJECT. ¹
(4:16 PM) (6:41 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.

No action taken on Item 47.

Item 47 to be reposted on May 6, 2003.

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON LEGAL ISSUES REGARDING THE CONSTRUCTION CONTRACT ON THE TRAVIS COUNTY NORTHEAST METRO PARK PROJECT. ¹
(4:16 PM) (6:41 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.

No action required on Item 48.

49. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON LEGAL ISSUES REGARDING THE ENGINEERING DESIGN CONTRACT ON THE MOYA PARK TO MCKINNEY FALLS TRAIL PROJECT. ¹
(4:16 PM) (6:41 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.

No action required on Item 49.

50. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION, AND/OR. CONSIDER SETTLEMENT OFFER IN FREDERICK PLUETT, (DECEASED) V. MARGO FRASIER, ET. AL. (PLUET; FRASIER; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF) ¹ (4:16 PM) (6:41 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.

No action taken on Item 50.

Item 50 to be reposted on May 6, 2003.

- 51.** 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 (4:16 PM) (6:41 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.

No action required on Item 51.

Item 51 to be reposted on May 6, 2003.

- 52.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING SELMA HUGHES PARK AND DEVELOPMENT OF PANTHER HOLLOW SUBDIVISION. ¹ (4:16 PM) (6:41 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.

No action required on Item 52.

- 53.** CONSIDER, DISCUSS AND TAKE APPROPRIATE ACTION REGARDING REAL ESTATE AND DUE DILIGENCE ISSUES ON THE BUILDING LOCATED AT 5501 AIRPORT BLVD. UNDER CONSIDERATION FOR PURCHASE TO HOUSE VARIOUS COUNTY DEPARTMENTS. ² (4:16 PM) (6:42 PM)

Clerk's Note: Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property, and Gov't Code Ann. 551.071, Consultation with Attorney.

No action required on Item 53.

Item 53 to be reposted on May 6, 2003.

54. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN; CIVIL DOCKET CASE # 03-CV-74, TEXAS ASSOCIATION OF BUSINESS V. EARLE. ¹ (4:16 PM) (6:42 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.

Members of the Court heard from: Eric Sheppard, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to authorize the County Attorney to hire a local attorney, Jim George; and that we authorize payment of up to \$10,000.00; and that the matter be brought back to Court before that amount is exceeded. The source of funding is the Risk Management fund.

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

55. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING BARBARA OAKLEY, AS LEGAL GUARDIAN FOR RICHARD DANZINGER V. CITY OF AUSTIN, HECTOR POLANCO, ET AL. ¹ (4:16 PM) (6:43 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.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to authorize the County Attorney to extend a settlement offer in the amount of \$100,000.00, to get the County and all County employees out of this legal matter; that the appropriate lease be executed, and presented to the Court at the appropriate time in the future, for approval by the Court, should the settlement offer be accepted.

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

Item 55 to be reposted on May 6, 2003.

56. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER OFFER FOR SETTLEMENT AND TAKE OTHER APPROPRIATE ACTION IN THE MATTER OF EEOC COMPLAINT, NO. 31CA300381, OF SYLVIA GARCIA. ¹ (4:16 PM) (6:44 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.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to authorize full settlement of this matter, for the amount of \$19,500.00, that was acceptable after mediation; that we congratulate our new Assistant County Attorney, Alicia Lee, who did an outstanding job in this matter; that we extend also, an apology to Ms. Garcia; and to ask the County Sheriff to keep an eye on the person, to make sure that the counseling he has been compelled to undergo, actually is beneficial.

A Clarification of the previous Motion was made by Commissioner Sonleitner that this is the settlement of a sexual harassment case, and it is not to be tolerated. The Court wants everyone to know what the laws are, related to this very, very volatile issue.

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

ADDED ITEM:

- A1. APPROVE PLAT FOR RECORDING IN PRECINCT TWO: CORRECTION PLAT MEADOWS OF CAMBRIDGE HEIGHTS PHASE ONE (REVISED PLAT – 187 LOTS – 46.518 ACRES – VICTORIA STATION BOULEVARD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDEMERE UTILITY COMPANY – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (10:24 AM)

Clerk's Note: Item A1 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item A1 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (6:46 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