

MINUTES OF MEETING – MAY 13, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13th day of May, 2003, the Commissioners' Court convened the regular Voting Session at 9:14 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 12:01 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 1:46 PM and adjourned at 1:46 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:46 PM.

The Commissioners' Court recessed the Voting Session at 1:48 PM.

The Commissioners' Court reconvened the Voting Session at 2:04 PM.

The Commissioners' Court retired to Executive Session at 3:36 PM.

The Commissioners' Court reconvened the Voting Session at 4:53 PM.

The Commissioners' Court adjourned the Voting Session at 5:08 PM.

PLANNING AND BUDGET DEPT. ITEMS

5. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
 - A. APPROVE GRANT APPLICATION TO THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS FOR A JUVENILE SMOKE PREVENTION GRANT IN CONSTABLE PRECINCT 5. A NEW GRANT WITH NO COUNTY MATCH REQUIREMENT.; (9:36 AM)

Item 5.A pulled from the Agenda.

- B. APPROVE GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE FOR A DRUG COURT ENHANCEMENT GRANT IN JUVENILE PROBATION DEPARTMENT. A NEW GRANT PROGRAM WITH A \$25,000 CASH MATCH INTERNALLY FUNDED BY JUVENILE PROBATION. (9:35 AM)

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

6. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:35 AM)

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

- 14.** APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 01T0187-RG, TONER PLUS, FOR REMANUFACTURED TONER CARTRIDGES. (TNR) (9:35 AM)

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

- 15.** APPROVE CONTRACT AWARD FOR PARK CONCESSION OPERATIONS, RFS NO. S030072-RG, TO TRAVIS CONCESSIONS. (TNR-PARKS) (9:35 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 16.** CONSIDER OFFERS AND TAKE APPROPRIATE ACTION FOR LAND ACQUISITION AND EXCHANGE ALONG BLAKE-MANOR ROAD (CIP # 01-B01-05-1RA): (3:36 PM) (4:54 PM)
- A.** ACCEPT, REJECT OR COUNTER OWNER'S OFFER TO SELL LAND FOR ADDITIONAL RIGHT-OF-WAY FROM BELL/NASH – RATHGEBER JOINT VENTURE; AND
- B.** ACCEPT, REJECT OR COUNTER OWNER'S OFFER TO EXCHANGE LAND FOR ADDITIONAL RIGHT-OF-WAY FROM ROBERT M. SCHOOLFIELD.

Clerk's Note: Items 16.A and B are associated with one another and were called for concurrent discussion.

Clerk's Note: Judge Biscoe announced that Items 16.A and B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to, in Item 16.A: Accept the offer for land acquisition along Blake-Manor, from Bell/Nash-Rathgeber Joint Venture, for the amount of \$1,880.00; and that the Court authorize the County Judge to execute the prepared purchase contract. In Item 16.B: To accept the offer of exchange of land along Blake-Manor, from Robert M. Schoolfield; and that the Court authorize Precinct 1 Commissioner Ron Davis to execute the real property exchange contract, prepared by the County Attorney's Office.

Motion carried:

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

- 17.** 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) (12:01 PM)

Item 17 to be postponed until May 20, 2003.

18. APPROVE THE USE OF ALTERNATIVE FISCAL FOR SHADOWGLEN PHASE ONE, SECTIONS 1 THROUGH 4B, A SUBDIVISION IN PRECINCT 1. (DAVIS) (9:35 AM)

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

19. CONSIDER COMMENTS PROVIDED ON TRAVIS COUNTY FLOOD PLAIN ORDINANCE AND WHETHER IT SHOULD BE MADE PART OF THE SOLID WASTE SITING ORDER, AND TAKE APPROPRIATE ACTION. (2:04 PM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; Unidentified Male, spokesman for BFI; Paul Gosselink, Attorney, representing BFI; Tom Nuckols, Assistant County Attorney; Steve Jacobs, BFI; Joyce Best, Northeast Austin Resident; Melanie McAfee, Travis County Resident; Trek English, Northeast Action Group; Neil Carmen, Sierra Club; Joyce Thoresen, Walnut Place Resident; and Joe Gieselman, Executive Manager, TNR.

Discussion only. No action taken.

Item 19 to be reposted on May 27, 2003.

20. A. 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; AND (10:04 AM)

B. APPROVE AMENDMENT TO HB 1445 INTERLOCAL AGREEMENT WITH CITY OF AUSTIN.

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

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; and David Lloyd, City of Austin Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to indicate to the City of Austin the Court’s willingness to agree to the compromise that has been presented today, with the understanding that, in two years, we will take a look at it, and decide whether that was in the right direction or not.

A Clarification of the previous Motion was made by Judge Biscoe that negotiated extensions would be jointly approved by the City of Austin and Travis County. So, anytime, in the desired development zone, where we negotiate an agreement to go beyond 10 years, that would be done by both the City and County in concurrence.

A Clarification of the previous Motion was made by Judge Biscoe that we would evaluate in 24 months, and determine whether we are on the right course or not, and if the answer is no, we would like the ability to get out.

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

Items 20.A and B to be reposted on May 20, 2003.

OTHER ITEMS

- 23.** APPROVE AMENDMENT TO STATE OF TEXAS CONTRACT # 01-02024 WITH THE OFFICE OF THE ATTORNEY GENERAL FOR LOCAL CUSTOMER SERVICE AND STATE CASE REGISTRY SERVICES IN CHILD SUPPORT CASES. THIS AMENDMENT REMOVES THE REQUIREMENT TO HAVE THE FUNDS RECEIVED PURSUANT TO THIS COOPERATIVE AGREEMENT AUDITED BY AN INDEPENDENT AUDITOR. (9:35 AM)

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

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

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

- 25. A.** 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; AND (3:36 PM) (4:59 PM)
- B.** CONSIDER NEW JOB DESCRIPTIONS AND PAY GRADES FOR EMERGENCY SERVICES COORDINATOR AND CRIMINAL JUSTICE COORDINATOR, AND TAKE APPROPRIATE ACTION.

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

Clerk's Note: Judge Biscoe announced that Item 25.A would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.074, Personnel Matters.

Members of the Court heard from: Kati Broderick, Manager, Research and Planning, Justice and Public Safety (JPS); and Linda Moore Smith, Director, Human Resources Management Department (HRMD).

ITEM 25 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez to 1) Approve the proposed reorganization, which has a Criminal Justice Coordinator on one side, to really cover for what used to be Criminal Justice Planning. We have posted this position; and we ask Caryl Colburn to serve as the Acting Coordinator, at the same rate of compensation that she receives now. 2) That we ask Danny Hobby to serve as Emergency Services Coordinator, and that we ask the County Judge to chat with him about reasonable compensation for the additional duties and responsibilities, which the Court believes should be in the 10% increase range, which will put Mr. Hobby at a Grade 24, at a salary of around \$80,000.00; and that is important because, if we do not act on the grade increase for the Criminal Justice Coordinator today, let us indicate our intention to find the suitable candidate, and have the Coordinators make roughly the same. We have posted that with enough flexibility for us to pay less or more or the same, depending on the qualifications of that person. 3) That in the middle part, the Starflight part of this, be coordinated by a subcommittee of the Commissioners' Court; and, those two members of the Court will be Commissioner Sonleitner and Commissioner Daugherty. 4) That the person recommended for the newly-created Administrative Associate position, which will constitute a re-class, that the Human Resources Management Department (HRMD) has already been asked to take a look at that – we ask them to expedite it – the intention of the Court being to follow that recommendation to re-class this person. We ask this person to pick up the additional duties and responsibilities.

An Addition to the previous Motion was made by Judge Biscoe that Starflight and Emergency Medical Services (EMS) will be a separate department for purposes of accounting, so that a new department number can be established in HTE, so that their budget can proceed for Fiscal Year 2004; and that a new division number be established in Department 47, for Technology and Communications, to be moved under the Emergency Services budget for '04.

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 25 to be reposted on May 20, 2003.

26. CONSIDER REQUEST TO HAVE “JUMP ON IT” SUMMER CONCERT SERIES FOR 2003 AT THE TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (10:43 AM)

Members of the Court heard from: Charles Byrd, “Jump on It” Program; and Roger El Khoury, Director, Facilities Management.

Motion by Judge Biscoe and seconded by Commissioner Davis to transfer unexpended CAN (Community Action Network) dollars into the Travis County Exposition Center account - \$10,000.00 to cover the first five events; that we authorize the preparation of an appropriate contract, with the “Jump on It” summer concert series, consistent with the comments given by the Court today; further, that we authorize Mr. Byrd to start publicizing the first event immediately, and the date of that is Wednesday, June 4, 2003; and to authorize the County Judge to sign the contract.

A Clarification of the previous Motion was made by Commissioner Sonleitner that it includes the liability insurance piece, to make sure that is covered, as we would for any other event.

An Addition to the previous Motion was made by Judge Biscoe that permission is granted to put the Travis County logo on flyers advertising the events.

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 27 CONTINUED

HB1204 (Sponsor – Representative Baxter) 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.

Discussion only. No action taken.

SB1569 (Sponsor – 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.

Discussion only. No action taken.

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

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

Discussion only. No action taken.

HCR223 (Sponsor – Representative Hartnett) Granting Maria Isabel Guerrero-McDonald and Guerrero-McDonald & Associates, Inc., permission to sue Travis County.

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

Discussion only. No action taken.

ITEM 27 CONTINUED

HB396 (Sponsor – Representative Mowery) Relating to appeals to small claims courts of certain ad valorem tax determinations.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to indicate the Court's opposition, for the reasons expressed by the Council of Urban Counties (CUC), and the Justices of the Peace; that we get from them a restatement of the three or four reasons why we oppose it; and send it to the Senate Committee on Inter-Governmental Relations, within the next couple of days.

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

