

## **MINUTES OF MEETING – MAY 20, 2003**

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

On Tuesday, the 20<sup>th</sup> day of May, 2003, the Commissioners' Court convened the regular Voting Session at 9:16 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 record notes that Precinct One Commissioner Ron Davis and Precinct Two Commissioner Karen Sonleitner were not present during this Voting Session.

The Commissioners' Court retired to Executive Session at 10:39 AM.

The Commissioners' Court reconvened the Voting Session at 11:41 AM.

The Commissioners' Court recessed the Voting Session at 11:51 AM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 1:43 PM and adjourned at 1:43 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation called to order the Voting Session at 1:43 PM and adjourned at 1:44 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, and the Capital Health Facilities Development Corporation, called to order the Voting Sessions at 1:44 PM and adjourned at 1:45 PM.

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

The Commissioners' Court adjourned the Voting Session at 2:05 PM.

**PUBLIC HEARINGS**

1. CONDUCT PUBLIC HEARING TO DISCUSS A TEMPORARY REASSIGNMENT OF WESTBANK DRIVE IN PRECINCT 3, FROM A TWO WAY TRAFFIC ROAD TO A ONE WAY EAST BOUND TRAFFIC ROAD BETWEEN CAMP CRAFT ROAD AND PINNACLE ROAD FOR THE DURATION OF PART OF THE WESTBANK ROAD AND DRAINAGE IMPROVEMENTS CONSTRUCTION PROJECT, LASTING APPROXIMATELY FROM JUNE 2003 TO AUGUST 2003. (ACTION ITEM 32) (COMMISSIONER DAUGHERTY) (9:18 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 32 for the Court's Motion and Vote.

**Motion by** Commissioner Daugherty **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	absent
Precinct 2, Commissioner Karen Sonleitner	absent
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 Daugherty **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	absent
Precinct 2, Commissioner Karen Sonleitner	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**RESOLUTIONS & PROCLAMATIONS**

2. APPROVE RESOLUTION URGING ALL CITIZENS TO RECOGNIZE MEMORIAL DAY. (JUDGE BISCOE) (9:22 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Olie Pope, Director, Veterans' Services; and Ernest Harper, President, Military Services Coalition.

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

**Motion carried:**

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

3. APPROVE PROCLAMATION RECOGNIZING EMERGENCY MEDICAL SERVICES WEEK, MAY 18 THROUGH MAY 24, 2003. (COMMISSIONER DAUGHERTY) (9:27 AM)

**Members of the Court heard from:** Connie Snell, Travis County Resident; and Dr. Ed Racht, Medical Director, Austin-Travis County EMS.

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe to approve the proclamation in Item 3.

**Motion carried:**

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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Jimmy Castro, Travis County Resident; and Trek English, Travis County Resident. (9:34 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1–C7 and Items 7, 10, 11, 12, 13, 14, 15, 16, 17.A, B, and C, 18, 19.A, B, and D, 20, 21, 22, 23, 24, 25, 26, 28, 32, 33, 36, 37, 38, and 39. (9:42 AM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	absent
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 MAY 6, 2003.
- C4.** APPROVE COMMISSIONERS' COURT MINUTES FOR THE VOTING SESSION OF MAY 9, 2003.
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 3, 2003 FOR APPROVAL OF PROPOSED STREET NAME ASSIGNMENT TO "HAZY HOLLOW COVE", PRECINCT 3. (DAUGHERTY)
- C6.** APPROVE SETTING A PUBLIC HEARING ON JUNE 17, 2003 TO DISCUSS AND APPROVE THE PARTIAL VACATION OF LOT F9 AND A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF THE SOUTH PORTION OF LOT F9, NORTHWEST HILLS RANCH, SECTION ONE (SHORT FORM PLAT – 4 LOTS – 2.835 ACRES – D-K RANCH ROAD AND T-BAR TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (DAUGHERTY)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 10, 2003, IN ORDER TO AUTHORIZE 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 406 AND 407, APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT 3. (DAUGHTERTY)

**PLANNING AND BUDGET DEPT. ITEMS**

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

A. APPROVE GRANT CONTRACT WITH THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE PLOVER PLACE WATER LINES GRANT IN TNR. THE GRANT EXTENDS THE TERM OF THE EXISTING AGREEMENT UNTIL MAY 2004. (10:05 AM)

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

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve the grant contract in Item 4.A.

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

5. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:47 AM)

No action necessary on Item 5.

**ADMINISTRATIVE OPERATIONS ITEMS**

6. BRIEFING ON CIVIL COURT'S E-COURTROOMS PROJECT. (1:45 PM)

**Members of the Court heard from:** Judge John Dietz, 250<sup>th</sup> District Court.

Discussion only. No action taken.

7. 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 \$525,252.47 FOR THE PERIOD OF MAY 2, 2003 THROUGH MAY 8, 2003. (9:42 AM)

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

8. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE SCHEMATIC DESIGN FOR PHASE ONE OF THE BUILDING AT 5501 AIRPORT BLVD., WHICH INCLUDES TAX OFFICE AND COUNTY CLERK DIVISIONS. (9:47 AM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 8, the schematic design for Phase One of the building at 5501 Airport Blvd.

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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 2003 IMPLEMENTATION PARAMETERS FOR POSITION CLASSIFICATION CHANGES, IN ACCORDANCE WITH THE CLASSIFICATION AND COMPENSATION STRATEGIC PLAN AND YEAR 2 JOB ANALYSIS RESULTS, AS APPROVED BY THE COMMISSIONERS COURT APRIL 1, 2003. (9:50 AM)

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); Norman McRee, Budget/Process Improvement Analyst, HRMD; Leroy Nellis, Budget Manager, PBO; and Susan Spataro, Travis County Auditor.

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve the implementation parameters.

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

10. APPROVE PERSONNEL AMENDMENTS. (9:42 AM)

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

**PURCHASING OFFICE ITEMS**

11. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 02T00057-MP, EXECUTIVE SECURITY, INC., FOR NON-COMMISSIONED GUARD SERVICES. (CSCD) (9:42 AM)

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

12. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 02K00030JJ, CAPITAL EXCAVATION CO., INC., BLAKE MANOR ROAD RECONSTRUCTION PROJECT. (TNR) (COMMISSIONER DAVIS) (9:42 AM)

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

13. APPROVE CORRECTION TO MODIFICATION NO. 2 TO CONTRACT NO. 02T000050J, THE ADMINISTRATIVE SERVICES AGREEMENT, WITH UNITED HEALTHCARE INSURANCE COMPANY. (HRMD) (9:42 AM)

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

14. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 02T00257RV, LAKE LBJ MARINELAND, FOR BOAT, BOAT MOTOR AND MARINE COMPONENT MAINTENANCE AND REPAIRS (TIME AND MATERIALS). (TNR, SHERIFF'S OFFICE) (9:42 AM)

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

- 15.** APPROVE MODIFICATION NO. 1 TO INTERLOCAL COOPERATIVE AGREEMENT (IL010113LB) FOR MOBILE DATA CAPABILITY AND RADIO NETWORK COMMUNICATIONS TO PROVIDE FOR SHARED INFRASTRUCTURE OWNERSHIP AND SYSTEM UPGRADES OF THE EXISTING MOBILE DATA RADIO NETWORK. (TCSO) (9:42 AM)

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

- 16.** APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 01T0184-RV, HEARTLAND AUTOMOTIVE SERVICES, INC. D.B.A. JIFFY LUBE, FOR VEHICLE MAINTENANCE SERVICES. (TNR) (9:42 AM)

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

- 17.** APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR INMATE CLOTHING AND PERSONAL SUNDRIES (SHERIFF, GARDNER BETTS): (9:42 AM)

- A.** CONTRACT NO. 01T0146-LD, LESLEE SCOTT, INC.;
- B.** CONTRACT NO. 01T0147-LD, ICS; AND
- C.** CONTRACT NO. 01T0148-LD, HBD, INC.

**Clerk's Note:** Items 17.A, B, and C added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 18.** APPROVE MODIFICATION TO REVENUE SHARING ARRANGEMENT (MODIFICATION NO. 5) TO CONTRACT NO. 00T0003-LD, AUS-TEX CONCESSIONS FOR EXPO CONCESSION OPERATIONS. (AUSTIN ROCKERS FOOTBALL) (9:42 AM)

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



- 19.** APPROVE THE FOLLOWING CONTRACTS TO PROVIDE RESIDENTIAL TREATMENT SERVICES FOR JUVENILE OFFENDERS. (JUVENILE PROBATION & HHS)

**A.** PS030159JW – POSITIVE STEPS; (9:42 AM)

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

**B.** PS030160JW – CAMPBELL A. GRIFFIN CENTER; (9:42 AM)

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

**C.** PS030161JW – KERR COUNTY JUVENILE DETENTION; (9:42 AM)

Item 19.C pulled from the Agenda.

**D.** PS030162JW – YOUTH ALTERNATIVES. (9:42 AM)

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

- 20.** APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 6) TO INTERLOCAL NO. IL980092-TS, AUSTIN/TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION FOR MENTAL HEALTH AND MENTAL RETARDATION SERVICES. (HHSD) (9:42 AM)

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

- 21.** CONSIDER TWO BIDS RECEIVED FOR IFB NO. B030099-RV, ARMORED CAR SERVICE, WHETHER TO REBID, AND TAKE APPROPRIATE ACTION. (COUNTY TREASURER) (9:42 AM)

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

- 22.** APPROVE CONTRACT AWARD FOR RESIDENTIAL ROOF REPAIR/REPLACEMENT, IFB B030085-DR, TO THE SOLE BIDDER, VALDEZ REMODELING AND WEATHERIZATION INC. (HHSD) (9:42 AM)

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

- 23.** CONSIDER REQUEST TO REAUTHORIZE JUDGE BISCOE TO APPROVE DENTAL AND ORAL SURGEON CONTRACTS. (9:42 AM)

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

- 24.** CONSIDER AUTHORIZING THE PURCHASING AGENT TO USE COMPETITIVE SEALED PROPOSALS IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE, CHAPTER 271, FOR THE TRAVIS COUNTY COURTHOUSE WATERPROOFING PROJECT, AND TAKE APPROPRIATE ACTION. (FM) (9:42 AM)

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

- 25.** APPROVE CONTRACT AWARD FOR WESTBANK ROAD IMPROVEMENT AND SIDEWALK PROJECT, IFB B030013-JJ, TO THE LOW BIDDER, CASH CONSTRUCTION COMPANY. (TNR) (9:42 AM)

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

## **TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 26.** APPROVE A PLAT TO BE RECORDED IN PRECINCT THREE: CHAMPION CITY PARK WEST SUBDIVISION (SHORT FORM PLAT – 1 LOT – 17.417 ACRES – CITY PARK ROAD – NO FISCAL REQUIRED TRAVIS COUNTY – SEWER SERVICE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:42 AM)

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

27. APPROVE THE CALL DOWN OF THE LETTER OF CREDIT FOR SIDEWALK IMPROVEMENTS ASSOCIATED WITH THE REPLAT OF STEINER RANCH COMMERCIAL TRACT 12. (COMMISSIONER DAUGHERTY) (10:07 AM) (10:39 AM) (1:59 PM)

**Clerk's Note:** Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Judge to sign an appropriate call down of the letter of credit, at or about 5:00 PM on Thursday, May 22, 2003, which is 24 hours before the deadline, unless a substitute has been filed.

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

28. DISCUSS AND GIVE STAFF DIRECTION ON SCOPE OF AN INTERLOCAL AGREEMENT WITH THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (9:42 AM) (10:07 AM)

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

**Clerk's Note:** Item 28 was further discussed at 10:07 AM.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to terminate the contract with Williamson County, as they requested.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to direct Staff to start working on an interlocal, but not to finish that one until after we have had our discussions and the work session, so our target would be two weeks from today, June 3, 2003.

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST 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. (10:35 AM)

**Clerk's Note:** Item 29 is the action item for the public hearing held during the Commissioners' Court Voting Session of May 13, 2003, Agenda Item 1.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 29.

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

30. 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) (9:46 AM) (10:39 AM) (2:00 PM)

**Clerk's Note:** Judge Biscoe announced that Item 27 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 Gómez **and seconded by** Commissioner Daugherty to ask Staff to schedule an appropriate meeting of the property owners and parties requesting us to take this action, with two members of the Travis County Commissioners' Court, and the appropriate County Staff; and that we try to resolve the two outstanding issues; and that this matter be reposted on Tuesday, May 27, 2003, for us to take final action, one way or the other. The two members of the Court will be the County Judge Sam Biscoe and Ron Davis, Commissioner, Precinct One.

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

Item 30 to be reposted on May 27, 2003.

31. 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 (10:29 AM)
- B. APPROVE AMENDMENT TO HB 1445 INTERLOCAL AGREEMENT WITH CITY OF AUSTIN.

**Clerk's Note:** Items 31.A and B are associated with one another and were called for concurrent discussion.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 31.B, the amendment to HB 1445, the interlocal agreement with the City of Austin.

**Clerk's Note:** Judge Biscoe noted that the Motion covers getting a clean, updated version of the amendment, and that version will contain what the Commissioners' Court approved tentatively, and what the City of Austin approved, also.

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

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY REASSIGN WESTBANK DRIVE IN PRECINCT 3, FROM A TWO WAY TRAFFIC ROAD TO A ONE WAY EAST BOUND TRAFFIC ROAD BETWEEN CAMP CRAFT ROAD AND PINNACLE ROAD FOR THE DURATION OF PART OF THE WESTBANK ROAD AND DRAINAGE IMPROVEMENTS CONSTRUCTION PROJECT, LASTING APPROXIMATELY FROM JUNE 2003 TO AUGUST 2003. (COMMISSIONER DAUGHERTY) (9:42 AM)

**Clerk's Note:** Item 32 is the action item for the public hearing on Agenda Item 1.

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

- 33.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE ONE, SECTION 6C (LONG FORM PLAT – 12 LOTS – 40.01 ACRES – FLAT TOP RANCH ROAD – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (9:42 AM)

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

### **HEALTH AND HUMAN SERVICES DEPARTMENT ITEMS**

- 34.** RECEIVE REPORT OF MONITORING VISIT TO TRAVIS COUNTY SCHOOL LANDS LOCATED IN THROCKMORTON COUNTY AND TAKE APPROPRIATE ACTION. (9:17 AM)

Item 34 postponed until May 27, 2003.

### **OTHER ITEMS**

- 35.** CONSIDER COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT'S DECISION TO CHANGE FROM TIBURON TO CORRECTIONS SOFTWARE CORPORATION TO IMPLEMENT A STATE-REQUIRED TRACKING SYSTEM FOR CASE MANAGEMENT, THE RESULTING IMPACT ON TRAVIS COUNTY, NECESSARY INTEGRATION WITH OTHER COUNTY DEPARTMENTS, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE & COMMISSIONER DAUGHERTY) (9:17 AM)

Item 35 pulled from the Agenda.

- 36.** RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF APRIL, 2003. (9:42 AM)

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

37. CONSIDER RESOLUTION PROVIDING FOR USER AUTHORIZATION REQUEST FOR EXECUTION OF TRANSFER FUNDS (WIRE TRANSFER) BY DOLORES ORTEGA CARTER, TREASURER, AND DANA DEBEAUVOIR, COUNTY CLERK AND TAKE APPROPRIATE ACTION. (9:42 AM)

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

38. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:42 AM)

**Clerk's Note:** Item 38 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

39. APPOINT BOB MILLER TO SERVE ON CAPCO'S "TEXAS REVIEW AND COMMENT SYSTEM" (TRACS) COMMITTEE. (JUDGE BISCOE) (9:42 AM)

**Clerk's Note:** Item 39 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.



40. 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 (10:40 AM) (2:01 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 40.A and B are associated with one another and were called for concurrent discussion.

**Clerk's Note:** Judge Biscoe announced that Items 40.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. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to 1) authorize the issuance of an appropriate RIF notice for the Administrative Services Division Director, with the understanding that was put forth in the e-mail – he will remain in his current office, have his current parking, we will waive the relocation expenses, the reimbursement to which we may be entitled, and that if he decides to leave before the expiration of 90 days, he would simply let us know; 2) that applications are coming in for the Coordinator position, and we ask Human Resources to screen those, short-list them, and deliver to Kati Broderick, Manager, Research and Planning, Justice and Public Safety (JPS), the 30% or so of the best ones, 3 or 4 days before the end of this month, so that she can give us her insight and perspective; and 3) that we move the person in the Secretary Administrative position to a vacant slot position, and that we leave it there through October 24, 2003, and that person is now on leave without pay, and that we consult with that person before taking any action on eliminating the vacant position.

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

41. CONSIDER AND GIVE DIRECTION ON REQUEST BY TRINITY HIGHER EDUCATION FACILITIES CORPORATION TO ISSUE \$3,650,000 TAX EXEMPT BONDS FOR HUSTON-TILLOTSON COLLEGE, AND TAKE APPROPRIATE ACTION. (1:54 PM)

**Members of the Court heard from:** Cliff Blount, Attorney for the Corporations; and Harvey Davis, Manager, Cash/Investment Management.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to indicate the Court's agreement to approve this, and ask Harvey Davis, Manager, Cash/Investment Management, to contact the applicant or the attorney, and let them know that we expect to be reimbursed for whatever out-of-pocket expenses we have; and to meet the 14-day notification requirement, we are looking at June 10, 2003, for the public hearing.

**An Addition to the previous Motion was made by** Judge Biscoe that part of the Motion is that, if it looks like, based on the Austin American-Statesman's publication schedule, the second Tuesday of June, 2003 is not the right one, we will move to the third Tuesday, June 17, 2003.

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

**TAKE UP AT 11:00 A.M.**

**42. A. DISCUSS LEGISLATIVE ISSUES, INCLUDING PROPOSED BILLS, AND TAKE APPROPRIATE ACTION. (11: 41 AM)**

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

**Clerk's Note:** Items 42.A and B are associated with one another and were called for concurrent discussion.

**SB1731 (Sponsor – Senator Gallegos) Relating to fees imposed by certain counties for the preservation, restoration and management of certain county records.**

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk.

**Clerk's Note:** The members of the Commissioners' Court indicated they would sign and send letters of support for Senate Bill 1731.

Discussion only.

**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.

**SB1017 (Sponsor – Senator Wentworth) (Companion to HB 1898, 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; and John Hille, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Judge to keeping working with the County Attorney's Office and Mr. Kamm on this.

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

**ITEM 42 CONTINUED**

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

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

Discussion only. No action taken.

**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.

Discussion only. No action 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:** Bob Kamm, Travis County Legislative Consultant.

Discussion only. No action taken.

## 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

- 43.** 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> (10:39 AM) (2:03 PM)

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

No action required on Item 43.

- 44.** RECEIVE ADVICE FROM COUNTY ATTORNEY REGARDING CLAIM FOR COMPENSATION BY MR. LARRY DUNSTON FOR WORK PERFORMED FOR FRANK WOODBERRY, A.K.A. FRANKLIN WOODBERRY, D.B.A. STERLING JANITORIAL & MAINTENANCE SERVICE, ON TRAVIS COUNTY CONSTRUCTION PROJECT. <sup>1</sup> (JUDGE BISCOE) (10:39 AM) (2:04 PM)

**Clerk's Note:** Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 44 postponed until May 27, 2003.

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY, DISCUSS PROPOSED SETTLEMENT AND GIVE DIRECTION REGARDING COLLECTION CLAIM OF TRAVIS COUNTY VS. J.C. EVANS CONSTRUCTION CO., AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:39 AM) (2:04 PM)

**Clerk's Note:** Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Judge to sign the prepared written agreement that settles this matter.

**Motion carried:**

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

46. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND/OR TAKE APPROPRIATE ACTION CONCERNING THE MATTER OF FORTVIEW, INC. V. TRAVIS COUNTY, TEXAS, IN THE DISTRICT COURT OF TRAVIS COUNTY, TEXAS 353<sup>RD</sup> JUDICIAL DISTRICT COURT, CAUSE NO. GN300127. <sup>1</sup> (10:39 AM) (2:04 PM)

**Clerk's Note:** Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to reject the offer to settle, and to counter in the amount of \$45,000.00.

**Motion carried:**

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

47. ACCEPT, REJECT OR TAKE OTHER APPROPRIATE ACTION ON COUNTEROFFER RECEIVED FROM R-BAR-B PROPERTIES, INC. FOR LAND FOR BCCP PURPOSES. <sup>1&2</sup> (9:17 AM)

Item 47 pulled from the Agenda.

## ADJOURNMENT

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (2:05 PM)

**Motion carried:**

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

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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**Samuel T. Biscoe**