

## **MINUTES OF MEETING – JULY 1, 2003**

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

On Tuesday, the 1<sup>st</sup> day of July, 2003, the Commissioners' Court convened the regular Voting Session at 9:17 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger 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 Three Commissioner Gerald Daugherty was not present during this Voting Session.

The Commissioners' Court recessed the Voting Session at 12:03 PM.

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

The Commissioners' Court reconvened the regular Voting Session at 1:51 PM.

The Commissioners' Court retired to Executive Session at 2:09 PM.

The Commissioners' Court reconvened the Voting Session at 3:35 PM.

The Commissioners' Court adjourned the Voting Session at 3:43 PM.

**PUBLIC HEARINGS**

1. DISCUSS REQUEST FOR A PARTIAL VACATION AND A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 15, THE RANCH, SECTION TWO, REPLAT OF LOTS 15-22 AND 24-26 (SHORT FORM PLAT – 1 LOT – 0.234 ACRES – FOUNDERS PLACE AT FOUNDERS CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – OUTSIDE ALL ETJs). (ACTION ITEM 18) (COMMISSIONER DAUGHERTY) (9:19 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 18 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	absent
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 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

## RESOLUTIONS & PROCLAMATIONS

2. APPROVE PROCLAMATION HONORING PFLUGERVILLE POLICE CHIEF DAVID BUESING UPON RECEIVING THE STATE'S LAW ENFORCEMENT ACHIEVEMENT AWARD FOR PROFESSIONAL ACHIEVEMENT.  
(COMMISSIONER SONLEITNER) (9:20 AM)

**Members of the Court heard from:** David Buesing, Pflugerville Police Chief; Bob Vann, Constable, Precinct 2; and Carol Buesing, Deputy Constable, Precinct 2.

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

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

## CITIZENS COMMUNICATION

**Clerk's Note:** No speakers addressed the Court. (9:34 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C3 and Items 3, 4, 6, 7, 8, 9, 10, 13, 15.A and B, 16, 17, 18, 20, 21, 22, 25, 26, 27, and 28. (9:34 AM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	absent
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 JUNE 10, 2003.

## PLANNING AND BUDGET DEPT. ITEMS

- 3.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:34 AM)

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

## ADMINISTRATIVE OPERATIONS ITEMS

- 4.** 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 \$470,052.09 FOR THE PERIOD OF JUNE 13, 2003 THROUGH JUNE 19, 2003. (9:34 AM)

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

**5. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING HEALTHCARE BENEFITS ISSUES: (9:51 AM)**

**Clerk's Note:** Items 5.A, B, C1, C2, D, and E are associated with one another and were called for concurrent discussion.

- A. PLAN DESIGN FOR FY 04, OPTIONS AND CORRESPONDING RATES AND TERMS;**
- B. AN OPTIONAL PHARMACY-ONLY PLAN FOR RETIREES OVER THE AGE OF 65;**
- C. 1. A 14% INCREASE TO RETIREE-PAID PREMIUM RATE FOR FY04; AND**  
**2. BENEFITS FOR RETIREES OVER THE AGE OF 65 AS THOUGH THEY HAVE BOTH MEDICARE PARTS A AND B;**
- D. CHANGES IN THE "OPT OUT" FEATURE OF THE BENEFITS PLAN; AND**
- E. A DEFAULT ELECTION FOR EMPLOYEES WHO DO NOT ATTEND OPEN ENROLLMENT.**

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); and Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 5.A, the plan design.

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 5.B, the optional pharmacy-only plan for retirees over the age of 65.

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

## ITEM 5 CONTINUED

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Items 5.C1 and 5.C2, the 14% increase to retiree-paid premium rate for FY04; and, the benefits for retirees over the age of 65 as though they have both Medicare Parts A and B.

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 5.D, the changes in the “Opt Out” feature of the benefits plan as listed in the backup.

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 5.E, the co-insured EPO plan as the default election for employees who do not attend open enrollment.

**A Clarification of the previous Motion was made by** Commissioner Davis that under this Motion, just the employee will be covered. Family members will not be covered, and the coverage will be just for health insurance and basic life. There will be no dental, no supplemental life choices, and no disability.

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

6. APPROVE PERSONNEL AMENDMENTS. (9:34 AM)

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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR LIVE CABLECAST OF THE SUMMER TEXAS HOUSE OF REPRESENTATIVES SPECIAL LEGISLATIVE SESSION ON TRAVIS COUNTY TELEVISION, WHICH REQUIRES A WAIVER OF CHAPTER 43, SECTION 004 OF THE TRAVIS COUNTY POLICIES AND PROCEDURES. (9:34 AM)

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

### PURCHASING OFFICE ITEMS

8. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO INTERLOCAL COOPERATION AGREEMENT NO. IL990109OJ BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN/DOWNTOWN AUSTIN ALLIANCE. (COMMISSIONER SONLEITNER) (9:34 AM)

**Clerk's Note:** Item 8 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

9. APPROVE MODIFICATION NO. 2 TO CORRECT SCRIVENER'S ERROR IN INTERLOCAL NO. IL01050DS WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER FOR MANAGED SERVICE ORGANIZATION SERVICES. (HHSD) (COMMISSIONER GÓMEZ) (9:34 AM)

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

10. APPROVE CONTRACT MODIFICATION NO. 3 TO CONTRACT NO. PS020148EF, CAPITAL AREA TRAINING FOUNDATION, FOR CONSTRUCTION VOCATIONAL TRAINING. (JPS) (COMMISSIONER GÓMEZ) (9:34 AM)

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

11. REJECT ALL PROPOSALS RECEIVED FOR OUTSOURCING FOOD SERVICES, RFS NO. S020141-RV. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:44 AM) (9:49 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Bill Derryberry, Senior Budget Analyst, PBO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject all proposals under Item 11.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

12. APPROVE MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT IL970319JG, CITY OF AUSTIN FOR HOUSEHOLD HAZARDOUS WASTE COLLECTION SERVICES. (TNR) (COMMISSIONER GÓMEZ) (9:45 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Carol Joseph, Assistant Director, TNR.

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

**Motion carried:**

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

13. APPROVE CONTRACT AWARD FOR RAZOR WIRE MODIFICATIONS AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX, IFB B030094-DM, TO THE LOW BIDDER, THE ANCHOR GROUP, INC. (TCSO) (COMMISSIONER GÓMEZ) (9:34 AM)

**Clerk's Note:** Judge Biscoe noted that Item 13 is to approve the base bid and Alternate 1, not Alternate 2.

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



- 14.** APPROVE MODIFICATION NO. 1 TO ADD COMMUNITY ACCESS REAL-TIME TRANSLATION SERVICE TO CONTRACT NO. PS030055EF WITH TEXAS CLOSED CAPTIONING REPORTERS FOR CLOSED AND OPEN CAPTIONING SERVICES. (HHSD) (9:36 AM)

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

Item 14 postponed until July 8, 2003.

- 15.** APPROVE CONTRACT AWARD FOR EVIDENCE PRESENTATION SYSTEM EQUIPMENT, IFB #B030073-LC, TO THE QUALIFIED LOW BIDDERS (COUNTYWIDE): (9:34 AM)

**A.** FORD AUDIO-VIDEO SYSTEMS, GROUP 1; AND

**B.** DIGITAL SOUTHWEST, GROUP 2. (COMMISSIONER GÓMEZ)

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

- 16.** APPROVE CONTRACT AWARD FOR YOUTH AND FAMILY ASSESSMENT CENTER BROKER SERVICES WITH COMMUNITIES IN SCHOOLS – CENTRAL TEXAS, INC. (HHSD) (COMMISSIONER GÓMEZ) (9:34 AM)

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

- 17.** APPROVE CONTRACT AWARD WITH COPIA CONSULTING, LLC FOR CONSULTING SERVICES RELATED TO THE CHILDREN'S PARTNERSHIP PROGRAM. (HHSD) (9:34 AM)

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

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A PARTIAL VACATION AND A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LOT 15, THE RANCH, SECTION TWO, REPLAT OF LOTS 15-22 AND 24-26 (SHORT FORM PLAT – 1 LOT – 0.234 ACRES – FOUNDERS PLACE AT FOUNDERS CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – OUTSIDE ALL ETJs). (COMMISSIONER DAUGHERTY) (9:34 AM)

**Clerk's Note:** Item 18 is the action item for the public hearing on Agenda Item 1.

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

19. AUTHORIZE THE EXTENSION OF THE REVISED FEE SCHEDULE FOR PARTICIPATION UNDER THE BALCONES CANYONLANDS CONSERVATION PLAN – SHARED VISION FOR A PERIOD OF ONE YEAR (UNTIL JULY 14, 2004). (COMMISSIONER DAUGHERTY) (9:39 AM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the resolution authorizing the revised fee schedule in Item 19.

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

20. APPROVE A LICENSE AGREEMENT WITH THE LOWER COLORADO RIVER AUTHORITY (LCRA) ALLOWING THEM TO INSTALL, OPERATE AND MAINTAIN A LAKE LEVEL GAUGE/WEATHER MONITORING STATION ON TRAVIS COUNTY'S MARY QUINLAN PARK. (9:34 AM)

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

- 21.** APPROVE A PLAT FOR RECORDING IN PRECINCT FOUR: CLEAR VIEW (SHORT FORM PLAT – 2 LOTS – 5.007 ACRES – SHIVELY LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ.) (COMMISSIONER GÓMEZ) (9:34 AM)

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

- 22.** APPROVE A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: BELLA VISTA SECTION FIVE (LONG-FORM PLAT – 79 LOTS – 21.553 ACRES – FM 2769 (VOLENTE ROAD) – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY BELLA VISTA MUNICIPAL UTILITY DISTRICT – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:34 AM)

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

- 23.** CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING AIR QUALITY REMEDIES: (1:43 PM)

**A.** AN UPDATE ON ACTIONS ALREADY TAKEN BY TRAVIS COUNTY GOVERNMENT AND NECESSARY MODIFICATIONS; AND

**B.** ADDITIONAL RECOMMENDATIONS AND IMPLEMENTATION SCHEDULE.

**Clerk's Note:** Items 23.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.

Discussion only. No action taken.

Items 23.A and B to be reposted on July 15, 2003.

- 24.** DISCUSS AND TAKE APPROPRIATE ACTION ON A RESTRICTIVE COVENANT FOR MAINTENANCE OF THE PROPOSED FLOOD PLAIN MODIFICATIONS AT THE BFI SITE AT 10200 GILES LANE. (9:18 AM)

Item 24 postponed until July 15, 2003.

## OTHER ITEMS

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE MARGO FRASIER, TRAVIS COUNTY SHERIFF, TO EXECUTE USER AGREEMENT FOR DRIVER LICENSE IMAGE RETRIEVAL SYSTEM WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY AND TRAVIS COUNTY. (9:34 AM)

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

26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:34 AM)

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

27. APPROVE APPOINTMENT OF RICHARD MOYA TO THE TRAVIS COUNTY HOUSING AUTHORITY REPLACING JOE RAMOS. (COMMISSIONER GÓMEZ) (9:34 AM)

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

28. APPROVE APPOINTMENT OF FIVE (5) RESIDENTS TO A COMMITTEE TO NEGOTIATE THE PROVISION OF SERVICES AFTER THE ANNEXATION OF THE WALNUT CREEK AREA WITH THE CITY OF AUSTIN AS REQUIRED BY THE LOCAL GOVERNMENT CODE § 43.0562, AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) (9:34 AM)

**Clerk's Note:** Commissioner Sonleitner noted that the five residents appointed to the committee are Julia Johnson, Richard Willis, Mike Lee, Betty Barker, and Lester Johnson.

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM SICKLE CELL ANEMIA FOUNDATION FOR ONE-YEAR EXTENSION OR RENEWAL OF CONTRACT WITH TRAVIS COUNTY. (10:32 AM)

**Members of the Court heard from:** Stephen Williams, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Shannon Jones, Austin/Travis County HHS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to authorize the preparation of the appropriate contract with the identified source of funding; and that we get the County Attorney and Purchasing to work with Health and Human Services to get this done as expeditiously as possible.

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

## 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

**30.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO TAKE APPROPRIATE ACTION IN THE MATTER OF MERLIN “SPANKY” HANDLEY V. TRAVIS COUNTY, ET AL., IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION REGARDING: <sup>1</sup> (2:09 PM) (3:35 PM)

**A.** ACCEPTING, REJECTING OR COUNTERING OFFER FOR SETTLEMENT;

**B.** APPOINT REPRESENTATIVE FOR TRIAL AND TAKE ANY OTHER APPROPRIATE ACTION.

**Clerk's Note:** Judge Biscoe announced that Items 30.A and B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action taken on Items 30.A and B.

Items 30.A and B to be reposted on July 8, 2003.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING STATE COMPTROLLER'S REQUEST FOR AGREEMENT TO EXTEND PERIOD OF LIMITATIONS PERTAINING TO AUDIT AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(2:09 PM) (3:35 PM)

**Clerk's Note:** Judge Biscoe announced that Item 31 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 approve the request for an extension of the limitations period, to give the Comptroller an opportunity to finish the audit and sit down with us and try to work out this matter.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that this extension is until November, 2003. This is not an open-ended extension.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND TAKE APPROPRIATE ACTION REGARDING FORMER TNR EMPLOYEE JAMES YOUNG (YOUNG, JAMES; PEREZ; SUBROGATION). <sup>1</sup>  
(2:09 PM) (3:36 PM)

**Clerk's Note:** Judge Biscoe announced that Item 32 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, and counter for the amount of \$6,500.00, lump sum, paid to Travis County.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND TAKE APPROPRIATE ACTION TO SETTLE THE CLAIM OF DARLA ROBERSON. <sup>1</sup> (2:09 PM) (3:36 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action taken on Item 33.

Item 33 to be reposted on July 15, 2003.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON LAWS RELATED TO UNMARKED GRAVES WITHIN COUNTY ROAD RIGHTS OF WAY, ISSUES RELATED TO LOCKWOOD ROAD AND LOCKWOOD ROAD CEMETERY, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:09 PM) (3:37 PM)

**Clerk's Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 34.

Item 34 postponed until July 15, 2003.



- 35.** 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) <sup>1 & 2</sup>  
(2:09 PM) (3:37 PM)

**Clerk's Note:** Judge Biscoe announced that Item 35 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 Judge Biscoe and seconded by** Commissioner Gómez to direct Staff to contact the owners that we have been negotiating with in this matter, and ask them for one final meeting with two members of the Commissioners' Court. Judge Biscoe will be at that meeting, and any other member of the Court who wants to attend. That we try to reach an agreement before that meeting is over, and that if we cannot reach an agreement, we all leave with that understanding. This Motion basically, is for us to make one last effort to get all parties involved, and two representatives of the Court to get with County Staff to try and resolve this matter. Further, that we ask Staff to make the telephone call to set up the meeting, and make it clear during that phone call that the Commissioners' Court does not support the two-foot above and below standard that seems to have, basically, gotten us to this impasse more than anything else.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 35 to be reposted on July 15, 2003.

- 36.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING OPEN MEETINGS REQUIREMENTS. <sup>1</sup> (2:09 PM) (3:42 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** John Hille, Assistant County Attorney.

No action taken on Item 36.

Item 36 to be reposted on July 15, 2003.

**ADDED ITEMS**

- A1. A.** RECEIVE BRIEFING ON FY'04 BUDGET PARAMETERS; AND (10:39 AM)
- B.** CONSIDER AND TAKE APPROPRIATE ACTION ON ASSUMPTIONS NECESSARY FOR ESTABLISHING TAX RATE, INCLUDING COLLECTION RATE, OPTIONAL HOMESTEAD EXEMPTIONS, HISTORICAL EXEMPTIONS, AND DEBT BUY-DOWN AND TAKE APPROPRIATE ACTION.

**Clerk's Note:** Items A1.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; Dusty Knight, Chief Deputy, Tax Office; and Leroy Nellis, Budget Manager, PBO.

**Clerk's Note:** The Commissioners' Court discussed advertising a public hearing to discuss possible tax rates for FY'04.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the ad as modified, and basically, we are setting a public hearing for Wednesday, July 16, 2003, at 6:00 PM. The add does not contain the tax rate

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

**ITEM A1 CONTINUED**

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the PBO recommendation to equalize the Unallocated Reserves in the Debt Service Fund and in the General Fund plus the Road and Bridge Fund.

**Motion carried:**

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

**Clerk's Note:** Item A1.B was discussed further at 11:23 AM with a request by Commissioner Sonleitner that the Commissioners' Court record reflect a Corrected Vote on Item A1.B. Judge Biscoe instructed that the record show Commissioner Sonleitner voting in favor of the Motion on Item A1.B. The Commissioners Court record does reflect the Corrected Vote.

**Corrected Vote:**

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**A2. RECEIVE UPDATE ON PROGRAMMATIC AND FISCAL IMPACT ON TRAVIS COUNTY OF LAWS ENACTED BY THE 78<sup>TH</sup> TEXAS LEGISLATURE.**  
(11:24 AM)

**Members of the Court heard from:** John Dietz, Judge, 250<sup>th</sup> District Court; Stephen Williams, Executive Manager, TCHHS&VS; Carol Joseph, Assistant Director, TNR; and Cyd Grimes, Travis County Purchasing Agent.

Discussion only. No action taken.

**A3. CONSIDER REQUEST FROM CIVIL DISTRICT JUDGES TO HIRE A VISITING ASSOCIATE JUDGE, AND TAKE APPROPRIATE ACTION. (9:43 AM)**

**Clerk's Note:** Judge Biscoe noted that the Civil District Judges have committed to use only the funds in their budget at the current time, so it should be budget neutral. They have a total of \$8,272.30 in available funds, and they commit to use that amount to get them through the end of the fiscal year.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the request in Item A3.

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

**TAKE UP AFTER CITIZENS COMMUNICATION:**

**A4. MAKE PUBLIC ANNOUNCEMENT OF INFORMATION REGARDING WEST NILE VIRUS FROM THE TEXAS DEPARTMENT OF HEALTH. (9:25 AM)**

**Members of the Court heard from:** Stephen Williams, Executive Manager, TCHHS&VS; Bob Flocke, Public Information Officer, Austin/Travis County Health and Human Services (HHS); and Barrie Turano, Environmental Health, Austin/Travis County HHS.

Discussion only. No action taken.

## ADJOURNMENT

**Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (3:43 PM)**

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

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

**Date of Approval**

**Samuel T. Biscoe**