

## **MINUTES – MAY 8, 2001**

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

On Tuesday, the 8<sup>th</sup> day of May, 2001, the Commissioners' Court convened the regular Voting Session at 9:09 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 recessed the Voting Session at 12:17 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, (NWTCRD #3), convened the NWTCRD #3 Voting Session at 1:40 PM and adjourned at 1:41 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation (TCHFC) called to order the Voting Session at 1:41 PM and adjourned at 1:59 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation (TCHFDC), the Capital Health Facilities Development Corporation (CHFDC), the Capital Industrial Development Corporation (CIDC), and the Travis County Development Authority (TCDA) called to order the Voting Sessions at 2:00 PM and adjourned at 2:00 PM.

The Commissioners' Court reconvened the Voting Session at 2:00 PM.

The Commissioners' Court retired to Executive Session at 3:32 PM.

The Commissioners' Court reconvened the Voting Session at 4:42 PM.

The Commissioners' Court adjourned the Voting Session at 4:45 PM.

## RESOLUTIONS & PROCLAMATIONS

1. APPROVE PROCLAMATION TO DESIGNATE THE MONTH OF MAY 2001 AS “NATIONAL DRUG COURT MONTH” IN TRAVIS COUNTY. (9:11 AM)

**Members of the Court heard from:** Patricia Greenspan, Manager, Travis County Drug Court Short Program; Rudy Reyes, Graduate of the Short Program; Diane Magliolo, Travis County Drug Court Short Program; Claire Dawson Brown, Travis County District Attorney’s Office; Leon Grizzard, Relief Magistrate for Drug Court; and Officer Mike Sheffield, Detective, Austin Police Department.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 1.

<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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Karen Sonleitner, Travis County Commissioner, Precinct 2. (9:27 AM)

**CONSENT ITEMS**

- 2. Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C6, and Items 5, 8, 9, 10.A – D, 11.A – D, 12, 13.A – E, 21, 24, and 25. (9:28 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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF APRIL 24, 2001.
- C4.** APPROVE RESOLUTIONS TO RECOGNIZE EIGHT OUTSTANDING MEMBERS OF THE BOYS AND GIRLS CLUB OF AMERICA. THEY ARE: JOSE L. ESPINOSA; RAQUEL S. FORD; BRANDON L. HATCHELL; JONATHAN LOPEZ; LONNIE D. MCGLOTHIN; HALEY M. MOLSBEE; AARON V. RAMIREZ, AND NOVA ERICA-CHIFFONE ROBINSON.
- C5.** APPROVE PLAT FOR RECORDING IN PRECINCT TWO: SUMMIT TECH (SHORT FORM PLAT – 1 LOT – 8.230 ACRES – HOWARD LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WELLS BRANCH MUNICIPAL UTILITY DISTRICT – CITY OF AUSTIN ETJ.)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF MAY 29, 2001 TO DISCUSS AND APPROVE AN ORDER AUTHORIZING THE FILING OF AN INSTRUMENT TO VACATE A 5' PUBLIC UTILITY EASEMENT ALONG EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOT 774 AND 775, APACHE SHORES SECTION THREE, A SUBDIVISION IN PRECINCT THREE.

## TRANSPORTATION & NATURAL RESOURCES DEPT ITEMS

3. CONSIDER POLICY ON ENFORCEMENT OF NON-COMPLIANCE WITH TRANSPORTATION, LAND DEVELOPMENT, AND ENVIRONMENTAL COUNTY CODES AND REGULATIONS, AND TAKE APPROPRIATE ACTION. (9:36 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Kevin Morse, Assistant County Attorney.

Discussion Only.

Item 3 to be reposted on May 15, 2001.

4. AUTHORIZE APPRAISAL OF COUNTY PROPERTY ON BLUE BLUFF ROAD IN ANTICIPATION OF SALE AND/OR LAND TRADE, AND TAKE APPROPRIATE ACTION. (2:51 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve Item 4, and move forward with this.

**A Clarification of the previous Motion was made by** Judge Biscoe that the intention is to have it appraised, and then consider the appraisal and whatever options we have at that point.

<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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

**PURCHASING OFFICE ITEMS**

5. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 01K0702-DMA FOR THE 2001 HOT MIX OVERLAY PROGRAM, TO WHEELER COATINGS, INC.; CONTRACT APPROVED ON 2/20/01. (9:28 AM)

Item 5 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

6. RECEIVE DONATION FROM THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA-AUSTIN CHAPTER-BUILDING BRANCH FOR THE TRAVIS COUNTY PURCHASING OFFICE UPCOMING "HOW TO DO BUSINESS WITH TRAVIS COUNTY." (9:09 AM) (9:30 AM)

**Members of the Court heard from:** Sylvia Lopez, HUB Coordinator, Purchasing; and Jonathan Betcher, President and CEO, Austin Chapter of the Associated General Contractors of America.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to receive the check in the amount of \$300.00.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

7. APPROVE THE RULES AND PROCEDURES ADOPTED BY THE COUNTY PURCHASING AGENT FOR USE OF A CREDIT CARD BY THE STARFLIGHT CREW TO PURCHASE AVIATION FUEL AND RELATED ITEMS WHEN OUT OF THE COUNTY. (10:20 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; Casey Ping, Program Manager, Emergency Services; and John Hille, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Item 7.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 8. APPROVE CONTRACT AWARDS FOR EMERGENCY VEHICLE EQUIPMENT, IFB# B010052-MP, TO THE LOW, QUALIFIED BIDDERS, EARL OWEN COMPANY, INC. (FOR ITEMS 4 AND 4A), AND GT DISTRIBUTORS, INC. (ALL ITEMS EXCEPT 4 AND 4A). (9:28 AM)**

Item 8 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 9. APPROVE TERM OF CONTRACT PERIOD (MODIFICATION NO. 1) TO CONTRACT NO. 01T0107-OJ, NATIONAL PACIFIC DENTAL, INC. FOR DENTAL SERVICES FOR TRAVIS COUNTY EMPLOYEES; CONTRACT APPROVED ON 3/27/01. (9:28 AM)**

Item 9 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 10. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR NON-CAPTIVE AUTOMOTIVE PARTS; CONTRACTS APPROVED ON 7/27/99. (9:28 AM)**

- A. NO. 99T0191-RG, ARNOLD OIL COMPANY;**
- B. NO. 99T0192-RG, TEXAS ALTERNATOR STARTER SERVICES;**
- C. NO. 99T0193-RG, CAPITOL BEARING OF AUSTIN; AND**
- D. NO. 99T0194-RG, CARQUEST AUTO PARTS, #176.**

Items 10.A - D added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 11.** APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR HEAVY DUTY ROAD MACHINERY (OEM PARTS); CONTRACTS APPROVED ON 07/06/99. (9:28 AM)

- A.** NO. 99T0181-MG, PROFESSIONAL TURF PRODUCTS, INC.;
- B.** NO. 99T0182-MG, Z WATER WORKS, INC.;
- C.** NO. 99T0183-MG, CON-EQUIP S.A., INC.; AND
- D.** NO. 99T0184-MG, DAVIS TRUCK AND EQUIPMENT OF SAN ANTONIO, INC.

Items 11.A - D added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 12.** RATIFY A ONE (1) MONTH EXTENSION (MODIFICATION NO.2) TO CONTRACT NO. MA990141, IBM, FOR MAINTENANCE SUPPORT OF AS/400 HARDWARE; CONTRACT APPROVED ON 5/4/99. (9:28 AM)

Item 12 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

**PLANNING AND BUDGET DEPT ITEMS**

- 13. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSION TO CONTINUE: (9:28 AM)**
- A. APPROVE GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR THE COOPERATIVE PARENTING PROGRAM IN THE DOMESTIC RELATIONS OFFICE OF THE TRAVIS COUNTY JUVENILE COURT.**
  - B. APPROVE GRANT APPLICATION TO THE CRIMINAL JUSTICE DIVISION, IN THE OFFICE OF THE GOVERNOR FOR THE PROJECT SPOTLIGHT PROGRAM IN THE TRAVIS COUNTY JUVENILE PROBATION DEPT.**
  - C. APPROVE GRANT APPLICATION TO THE U.S. DEPARTMENT OF AGRICULTURE FOR THE DEPARTMENT OF AGRICULTURE COMMODITY PROGRAM IN THE TRAVIS COUNTY JUVENILE PROBATION DEPT.**
  - D. APPROVE GRANT APPLICATION TO THE AUTO THEFT PREVENTION AUTHORITY FOR THE SHERIFF'S COMBINED AUTO THEFT TASK FORCE PROGRAM IN THE TRAVIS COUNTY SHERIFF'S OFFICE.**
  - E. APPROVE GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE FOR THE MENTAL HEALTH CENTER GRANT IN THE TRAVIS COUNTY PROBATE COURT.**

Items 13.A - E added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 14. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:56 PM)**

**Members of the Court heard from:** Diana Ramirez, Planning and Budget Analyst, PBO; and Joe Harlow, Director, Information and Telecommunications Systems (ITS).

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Item 14.**

<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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes



**ADMINISTRATIVE OPERATIONS ITEMS**

15. A. CONSIDER REVISION TO TRAVIS COUNTY CODE, CHAPTER 10, SECTION 10.295, (h)(3), SKILLS BASED PAY, EDUCATION AND TCLEOSE LICENSE PAY, TO REFLECT THE COURT'S DECISION TO PAY FOR TCLEOSE LICENSE ONLY, AND TAKE APPROPRIATE ACTION. (9:09 AM) (10:27 AM)

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Margo Frasier, Travis County Sheriff.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve this revision.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- B. CLARIFY INTENT OF THE COURT ON ISSUES RELATED TO TRAVIS COUNTY CODE, CHAPTER 10, SECTION 10.295, SECTION (h) (2)(3), SKILLS BASED PAY, BILINGUAL PAY AND TCLEOSE PAY, RESPECTIVELY, AND TAKE APPROPRIATE ACTION. (10:32 AM)

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; Margo Frasier, Travis County Sheriff; and Bill Derryberry, Senior Planning and Budget Analyst, Planning and Budget Office (PBO).

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we indicate that our intention, then and now, is to cover peace officers eligible for skills based pay in the affected departments.

**A Clarification of the previous Motion was made by Commissioner Sonleitner** that we are still sticking with the effective date of May 1, 2001, and that picks up anybody that has reached those specific special skills on that effective date.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 15 CONTINUED**

**C. AUTHORIZE LUMP SUM MONTHLY PAYMENT, EFFECTIVE MAY 1, 2001 FOR PEACE OFFICERS' PAY SCALE (POPS) EMPLOYEES WHO PASS A CERTIFIED TEST FOR ORAL TRANSACTION OR ORAL TRANSLATION, READING AND WRITING, AS APPROPRIATE, AND TAKE APPROPRIATE ACTION. (10:52 AM)**

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; Margo Frasier, Travis County Sheriff; Luane Shull, Senior HR Analyst, HRMD; and Jerry Straubel, Director, Spanish Language Instruction.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we reconfirm our intention to make this compensation for special skills effective May 1, 2001, and as soon thereafter as eligible employees qualify for it, it be paid.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**16. APPROVE PERSONNEL AMENDMENTS. (3:00 PM)**

**Members of the Court heard from:** Norman McRee, Budget/Process Improvement Analyst, HRMD; and Diana Ramirez, Planning and Budget Analyst, PBO.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 16.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**OTHER ITEMS**

**17. DISCUSS STATUS, NECESSARY CONTRACT MODIFICATIONS AND RELATED ISSUES ON THE CRIMINAL JUSTICE PROGRAM (CJP) PROJECTS, AND TAKE APPROPRIATE ACTION. (3:01 PM)**

No action necessary on Item 17.

18. CONSIDER ONE PERMANENT POSITION FOR FY'01 AND CARRIED OVER TO FY'02 TO SERVE AS ACCOUNTANT, SR. FOR J.P. PCT 3, JUDGE SCOTT DAVIS AND PCT 4, JUDGE ELENA DIAZ; AND FOR CONSTABLE, PCT 3, DREW MCANGUS, CONSTABLE PCT. 4, MARIA CANCHOLA, AND CONSTABLE PCT.2, BOB VANN, AND TAKE APPROPRIATE ACTION. (9:10 AM) (2:00 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Scott Davis, Justice of the Peace, Precinct 3; Drew McAngus, Constable, Precinct 3; Barbara Bembry, Justice of the Peace, Precinct 2; Herb Evans, Justice of the Peace, Precinct 5; Susan Spataro, Travis County Auditor; Maria Canchola, Constable, Precinct 4; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; and Carlotta Valdez-Leavy, Senior HR Analyst, HRMD.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to authorize the temporary position money to be used to close out the Precinct 3 and 4 Constables books.

**Maker and Second accept the Friendly Amendment by** Judge Biscoe that rather than it come out of the GASB 34 monies, that it come out of the Allocated Reserve, a maximum not to exceed \$5,000.00, and to let the Court know if it is going to be more.

**Maker and Second accept the Friendly Amendment by** Judge Biscoe that we indicate our intention to take from Allocated Reserve an amount of money necessary to cover the Accountant Senior position the rest of this fiscal year, that we authorize that the job be posted, encourage the Elected Officials affected to meet and try to come up with a strategy or plan to use the two, and maybe plan to discuss this further in a couple of weeks.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that it would be a permanent Accountant Senior position, not a temporary position.

**A Clarification of the previous Motion was made by** Judge Biscoe to add on-time cost of \$10,100.00 to the earmark, and to attach it to the permanent FTE.

**A Clarification of the previous Motion was made by** Judge Biscoe that we leave unchanged the need for a temporary GASB person because we have GASB duties and responsibilities.

<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 Todd Baxter	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

19. A. CONSIDER TRAVIS COUNTY PROPOSED 2001 REDISTRICTING STANDARDS FOR COMMISSIONERS, JUSTICES OF THE PEACE, CONSTABLES AND ELECTION PRECINCTS, AND TAKE APPROPRIATE ACTION. (11:22 AM)

**Members of the Court heard from:** Bill Emory, Attorney, Emory Young and Associates.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the guidelines.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- B. RECEIVE PRESENTATION BY REDISTRICTING CONSULTANTS OF THE 2000 POPULATION COUNTS IN CURRENT COMMISSIONER, JUSTICES OF THE PEACE/CONSTABLES AND ELECTION PRECINCTS, AND TAKE APPROPRIATE ACTION. (11:24 AM)

**Members of the Court heard from:** Bill Emory, Attorney, Emory Young and Associates; and Javier Guajardo, Attorney, Guajardo, Dodi, and Guajardo.

Discussion Only.

20. A. DISCUSS LEGISLATIVE ISSUES, AND TAKE APPROPRIATE ACTION. (SEE ATTACHED LIST OF LEGISLATIVE BILLS); AND (9:10 AM) (11:42 AM)
- B. OTHER BILLS THAT MAY BE CONSIDERED IN RESPONSE TO ACTION TAKEN BY THE TEXAS LEGISLATURE, AND TAKE APPROPRIATE ACTION.

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

Senate Bill 1745: Relating to generally prohibiting governmental entities from leasing office building space.

**Members of the Court heard from:** Bob Kamm, Legislative Consultant; Pat Ford, Facilities Management; and Tom Nuckols, Assistant County Attorney.

Discussion Only.

House Bill 3055: Relating to authorizing a county to pay the costs of an owner-controlled insurance program with the proceeds of certain securities issued by the county.

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

Discussion Only.

Senate Bill 201: Relating to the authority of certain counties to collect traffic fines through Internet transactions.

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

Discussion Only.

Senate Bill 1341: Relating to reimbursing counties for the cost of holding state parolees in county jails.

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

Discussion Only.

## ITEM 20 CONTINUED

Senate Bill 578: Relating to the provision of emergency communication services.

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

Discussion Only.

Federal Ozone Compliance Bill

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

Discussion Only.

Senate Bill 732: Relating to the certification and expenditure of certain revenue not included in a county budget.

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

Discussion Only.

Senate Bill 896: Relating to funds and taxes for county roads.

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

Discussion Only.

House Bill 829: Relating to the eligibility of certain areas for certain colonia funding programs.

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

Discussion Only.

House Bill 2167: Relating to the jurisdiction of the County Court at Law Number 4 of Travis County.

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

Discussion Only.

## ITEM 20 CONTINUED

Senate Bill 1308: Relating to the setting of certain county fees for a license, permit, or registration.

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

Discussion Only.

House Bill 3646: Relating to the jurisdiction of and procedure in a county court at law in Travis County.

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

Discussion Only.

Senate Bill 304: Relating to the continuation and functions of the State Aircraft Pooling Board.

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

Discussion Only.

House Bill 2522: Relating to requiring the Texas Department of Transportation to establish and maintain a state airport in Central Texas.

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

Discussion Only.

House Bill 1318: Relating to conditions of employment for a peace officer or a detention officer employed by certain sheriffs' departments.

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

Discussion Only.



## ITEM 20 CONTINUED

House Bill 1445: Relating to the authority of municipalities and counties to regulate subdivisions in the extraterritorial jurisdiction of a municipality.

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

Discussion Only.

House Bill 1119: Relating to tort liability of governmental units.

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

Discussion Only.

Senate Bill 819: Relating to regulation of the carrying of a handgun.

**Members of the Court heard from:** Bob Kamm, Legislative Consultant; and John Hille, Assistant County Attorney.

Discussion Only.

### **21. APPOINT REPLACEMENT MEMBERS TO THE CITIZENS BOND ADVISORY COMMITTEE. (9:28 AM)**

**Clerk's Note:** Commissioner Davis recommended Joseph Crayton to the Citizens Bond Advisory Committee.

Item 21 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

22. APPROVE INTERLOCAL COOPERATION ACT CONTRACT BETWEEN THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS (OAG) AND THE TRAVIS COUNTY DISTRICT FOR A PROSECUTING ATTORNEY FOR THE TEXAS EXILE PROGRAM. (2:59 PM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 22.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

23. CONSIDER ALL OPTIONS CONCERNING THE TRAVIS COUNTY LAND SURVEYOR VACANCY, INCLUDING POTENTIAL ABOLITION OF THE POSITION, AND TAKE APPROPRIATE ACTION. (3:01 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Bill O'Hara, Private Citizen; Tamara Armstrong, Assistant County Attorney; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Baxter to direct Staff to take the steps necessary to abolish the County Surveyor's Office; and to get it on the ballot for November 2001.

<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 Todd Baxter	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

24. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF MARCH 2001. (9:28 AM)

Item 24 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

- 25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:28 AM)**

Item 25 added to Consent Items. Please refer to Agenda Item 2 (CONSENT ITEMS) for the Court's Motion and Vote.

### **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

- 26. A. RECEIVE BRIEFING FROM COUNTY ATTORNEY'S OFFICE REGARDING CLAIMS RECEIVED FROM CONTRACTORS FOR THE CRIMINAL JUSTICE PROGRAM, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:32 PM) (4:43 PM)**
- B. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION REGARDING FLUOR DANIEL, INC. V. TRAVIS COUNTY, TEXAS; CIVIL ACTION NO. A 00CA021SS; IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. <sup>1</sup>**

**Clerk's Note:** Items 26.A and B are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Items 26.A and B would be considered in Executive Session.

No action necessary on Items 26.A and B.

- 27. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY REGARDING MANAGEMENT CONTRACT FOR TRAVIS COUNTY FARMERS' MARKET AND TAKE APPROPRIATE ACTION. <sup>1 AND 2</sup> (3:32 PM) (4:43 PM)**

Judge Biscoe announced that Item 27 would be considered in Executive Session.

No action necessary on Item 27.

28. CONSIDER PROPOSED EARNEST MONEY CONTRACT FOR RIGHT OF REDEMPTION FOR TRAVIS COUNTY PROPERTY IN PRECINCT TWO, AND TAKE APPROPRIATE ACTION. <sup>1 AND 2</sup> (3:32 PM) (4:43 PM)

Judge Biscoe announced that Item 28 would be considered in Executive Session.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Baxter that we make an offer to the person who has the right of redemption in the amount of \$3,000.00.

**Motion carried:**

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

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY V. JUAN & BISENTA VASQUEZ, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:32 PM) (4:43 PM)

Judge Biscoe announced that Item 29 would be considered in Executive Session.

**Clerk's Note:** The Court announced that by taking no action, they are rejecting the offer.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING THE UNDERPAYMENT OF RENT BY TEXAS DISPOSAL SYSTEMS LANDFILL, INC. FOR THE SH 620 SOLID WASTE TRANSFER STATION, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:32 PM) (4:43 PM)

Judge Biscoe announced that Item 30 would be considered in Executive Session.

**Motion by** Commissioner Baxter **and seconded by** Commissioner Gómez that we reject the original offer, which entailed TDS paying the full \$20,000.00, in return for us removing the various insurance requirements under that agreement; and instead, counteroffer for TDS to pay ½ of the total amount, which is \$10,026.94, plus \$1,000.00 of interest, for a total amount of \$11,026.94 for TDS to pay Travis County, and Travis County would accept that, and TDS would accept that for full release of all claims, and for TDS to continue insurance.

**Motion carried:**

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

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN; PHYLLIS JOHNSON ET AL. V. ANDRE CALDWELL ET AL. (FRASIER, TEXAS TORT CLAIMS ACT; PERSONAL INJURY). <sup>1</sup>  
(3:32 PM) (4:45 PM)

Judge Biscoe announced that Item 31 would be considered in Executive Session.

No action necessary on Item 31.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER AND/OR TAKE APPROPRIATE ACTION IN PATRICIA MITCHELL, ET AL. VS. MARGO FRASIER ET AL.; CAUSE NO. 97-13704. (EMPLOYMENT CLAIMS) <sup>1</sup> (3:32 PM) (4:45 PM)

Judge Biscoe announced that Item 32 would be considered in Executive Session.

No action necessary on Item 32.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:45 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 Todd Baxter	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, Travis County Judge**