

MINUTES OF MEETING – MARCH 4, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 4th day of March, 2003, the Commissioners' Court convened the regular Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court retired to Executive Session at 11:58 AM.

The Commissioners' Court reconvened the Voting Session at 12:53 PM.

The Commissioners' Court recessed the Voting Session at 12:53 PM.

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

The Commissioners' Court retired to Executive Session at 1:44 PM.

The Commissioners' Court reconvened the Voting Session at 4:50 PM.

The Commissioners' Court adjourned the Voting Session at 5:16 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) called to order the Voting Session at 5:16 PM and adjourned at 5:17 PM.

The Commissioners' Court, meeting as the Travis County Housing Finance Corporation called to order the Voting Session at 5:18 PM and adjourned at 5:21 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, the Capital Health Facilities Development Corporation, the Travis County Development Authority, and the Travis County Cultural Education Facilities Finance Corporation, called to order the Voting Sessions at 5:21 PM and adjourned at 5:22 PM.

PUBLIC HEARINGS

- 1. DISCUSS A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 13-16, PEDERNALES SUBDIVISION - (SHORT FORM PLAT – 1 LOT – 1.066 ACRES – PEDERNALES CLIFF TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA JURISDICTION) - NO MUNICIPAL ETJ.) (COMMISSIONER DAUGHERTY) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 15 for the Court's Motion and Vote.

Motion by Commissioner Daugherty **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 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.

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

- 2. DISCUSS A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK 'A', SEVEN OAKS, SECTION 2, PHASE 2 - (SHORT FORM PLAT – 2 LOTS – 6.582 ACRES – BEE CAVE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC - CITY OF AUSTIN ETJ.) (COMMISSIONER DAUGHERTY) (9:16 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 16 for the Court’s Motion and Vote.

Motion by Commissioner Daugherty **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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Daugherty **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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 3. DISCUSS A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 15-17, BLOCK 'B', SEVEN OAKS, SECTION 2, PHASE 2 - (SHORT FORM PLAT – 3 LOTS – 6.471 ACRES – BEE CAVE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC - CITY OF AUSTIN ETJ.) (COMMISSIONER DAUGHERTY) (9:17 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 17 for the Court’s Motion and Vote.

Motion by Commissioner Daugherty **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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Daugherty **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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 4. DISCUSS A ONE-DAY ROAD CLOSURE OF WESTLAKE DRIVE BETWEEN ELOHI DRIVE AND LAKE PLACE LANE FOR THE PURPOSE OF ROADWAY REPAVING IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:15 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.

Item 4 pulled from the Agenda.

5. DISCUSS A TEMPORARY ROAD CLOSURE OF LITTIG ROAD FROM FM ROAD 973 TO OLD KIMBRO ROAD BEGINNING MARCH 12, 2003 TO COMPLETION (ESTIMATED 15 MONTHS) FOR THE CONSTRUCTION OF BRIDGE STRUCTURES AND ROAD/APPROACH IMPROVEMENTS ON LITTIG ROAD IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:18 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 19 for the Court's Motion and Vote.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to open the Public Hearing.

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

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Vicki McFarland, Executive Director, Human Resources, Manor Independent School District (ISD); Joe Gieselmann, Executive Manager, TNR; Melvin Harrington, Travis County Resident; and Roger Schuck, Engineer, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to close the public hearing.

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

RESOLUTIONS & PROCLAMATIONS

6. APPROVE PROCLAMATION DECLARING MARCH 2003 AS “TRAIL RIDE MONTH” IN TRAVIS COUNTY. (9:41 AM)

Members of the Court heard from: Jean Mueller, Trail Boss, Austin Founders Trail Ride.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proclamation in Item 6.

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

7. APPROVE PROCLAMATION RECOGNIZING THE MONTH OF MARCH AS “NATIONAL WOMEN’S HISTORY MONTH” IN TRAVIS COUNTY. (9:46 AM)

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

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

8. APPROVE PROCLAMATION DECLARING MARCH 2003 PURCHASING MONTH IN TRAVIS COUNTY. (PURCHASING OFFICE) (9:49 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the proclamation in Item 8.

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

CITIZENS COMMUNICATION

Members of the Court heard from: Bob Perkins, District Judge, 331st District Court; Jim Rust, Director, Community Supervision and Corrections Department (CSCD); Isga Libanos, CSCD; Kenneth Snyder, Northridge Acres; Karen Ascot, Chair, Austin Regional Group, Sierra Club; and Joyce Thoresen, Travis County Resident. (9:54 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C3 and Items 12, 13, 15, 16, 17, 19, 20.A, 25, 26, 28, 30, 32, and 33. (10:11 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** REAPPOINT JEFF WARNKEN TO THE MEDICAL ASSISTANCE PROGRAM AND RURAL ASSISTANCE PROGRAM JOINT ADVISORY BOARD FOR A TERM TO EXPIRE IN DECEMBER 2004. (COMMISSIONER SONLEITNER)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

9. CONSIDER RECOMMENDATIONS AND STRATEGY TO ADDRESS BAD ODORS AT LANDFILLS IN NORTHEAST TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (10:13 AM)

Members of the Court heard from: John Kuhl, Environmental Officer, TNR; Joe Gieselman, Executive Manager, TNR; Steve Sibrall, Harris Branch Resident; Joyce Best, North East Austin Resident; Celia Israel, Walnut Place Resident; Lee Leffingwell, Chair, City of Austin Environmental Board; Neil Carmen, Program Director, Sierra Club; Melanie McAfee, owner, Barr Mansion; Mark McAfee, owner, Barr Mansion; and Trek English, Travis County Resident.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize Staff, specifically, the office of Joe Gieselman, Executive Manager, TNR, to do the necessary follow-up action to help us determine whether we can retain an appropriate consultant, to determine whether we can better contain the gasses escaping from the northeast Travis County landfills; whether we can do more to address gaseous odors; who should be part of the working group; the approximate cost; the service level; monitoring; and any other steps consistent with our discussion today, and during previous voting sessions of the Commissioners' Court.

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 9 to be reposted on March 18, 2003.

- 10. CONSIDER PROPOSED POLICY CONCERNING MEMORIAL MARKERS IN THE RIGHT OF WAY ON COUNTY ROADS, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) (11:35 AM)

Members of the Court heard from: Fred Dennick, Division Manager, Planning & Engineering Services, TNR; and Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to direct Staff to come back with an appropriate policy.

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

- 11. CONSIDER INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF MANOR FOR THE RECONSTRUCTION OF BLAKE MANOR ROAD WITHIN THE CORPORATE LIMITS AND TAKE APPROPRIATE ACTION. (11:48 AM)

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

Discussion only. No action taken on Item 11.

- 12. APPROVE PHASE III OF THE INTERLOCAL WITH TEXAS ENGINEERING EXTENSION SERVICE (TEEX) FOR PROFESSIONAL ASSESSMENT AND TRAINING FOR ROAD & BRIDGE EMPLOYEES. (10:11 AM)

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

- 13. CONSIDER GRANTING AN ELECTRICAL UTILITY EASEMENT TO BLUEBONNET ELECTRIC COOPERATIVE, INC. AT SOUTHEAST METRO PARK FOR ELECTRICAL SERVICE, AND TAKE APPROPRIATE ACTION. (COMMISSIONER GOMEZ) (10:11 AM)

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

- 14.** APPROVE A CONSTRUCTION AGREEMENT AND APPROVAL OF A PLAT FOR RECORDING IN PRECINCT ONE – FOREST BLUFF SECTION I – (LONG FORM PLAT – 12 LOTS – 25.471 ACRES – FM 969 – FISCAL POSTED WITH CITY OF AUSTIN – HORNSBY BEND UTILITY COMPANY – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (4:58 PM)

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

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

- 15.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 13-16, PEDERNALES SUBDIVISION - (SHORT FORM PLAT – 1 LOT – 1.066 ACRES – PEDERNALES CLIFF TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA JURISDICTION) - NO MUNICIPAL ETJ.) (COMMISSIONER DAUGHERTY) (10:11 AM)

Clerk’s Note: Item 15 is the action item for the public hearing on Agenda Item 1.

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

- 16.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK ‘A’, SEVEN OAKS, SECTION 2, PHASE 2 - (SHORT FORM PLAT – 2 LOTS – 6.582 ACRES – BEE CAVE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC - CITY OF AUSTIN ETJ.) (COMMISSIONER DAUGHERTY) (10:11 AM)

Clerk’s Note: Item 16 is the action item for the public hearing on Agenda Item 2.

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

17. APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 15-17, BLOCK 'B', SEVEN OAKS, SECTION 2, PHASE 2 - (SHORT FORM PLAT – 3 LOTS – 6.471 ACRES – BEE CAVE ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC - CITY OF AUSTIN ETJ.) (COMMISSIONER DAUGHERTY) (10:11 AM)

Clerk's Note: Item 17 is the action item for the public hearing on Agenda Item 3.

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

18. APPROVE A ONE-DAY ROAD CLOSURE OF WESTLAKE DRIVE BETWEEN ELOHI DRIVE AND LAKE PLACE LANE FOR THE PURPOSE OF ROADWAY REPAVING IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:15 AM)

Clerk's Note: Item 18 is the action item for the public hearing on Agenda Item 4.

Item 18 pulled from the Agenda.

19. APPROVE A TEMPORARY ROAD CLOSURE OF LITTIG ROAD FROM FM ROAD 973 TO OLD KIMBRO ROAD BEGINNING MARCH 12, 2003 TO COMPLETION (ESTIMATED 15 MONTHS) FOR THE CONSTRUCTION OF BRIDGE STRUCTURES AND ROAD/APPROACH IMPROVEMENTS ON LITTIG ROAD IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:11 AM)

Clerk's Note: Item 19 is the action item for the public hearing on Agenda Item 5.

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

PLANNING AND BUDGET DEPT. ITEMS

- 20.** REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
- A.** APPROVE GRANT CONTRACT AMENDMENT WITH THE UNIVERSITY OF NORTH TEXAS FOR THE SENIORS AND VOLUNTEERS FOR CHILDHOOD IMMUNIZATION PROGRAM IN HEALTH AND HUMAN SERVICES. THE GRANT AMENDMENT MAKES ONE MINOR WORDING CHANGE PROPOSED BY UNT THAT HAS NO IMPACT ON THE GRANT PROGRAM. (10:11 AM)

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

- 21.** APPROVE BUDGET AMENDMENTS AND TRANSFERS. (4:59 PM)

No action necessary on Item 21.

- 22.** CONSIDER AND TAKE APPROPRIATE ACTION ON PROJECTS AND AMOUNTS FOR FUNDING FROM ROAD AND PARK BONDS AND CERTIFICATES OF OBLIGATION TO BE ISSUED IN FY'03. (11:55 AM)
(4:50 PM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Jessica Rio, Budget Analyst, PBO.

Clerk's Note: Judge Biscoe announced that Item 22 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.

Clerk's Note: Items 22 and 34 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 22 and 34.

ITEM 22 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to direct Facilities Management to continue the negotiations that we have underway; and that we include this particular project in the current CO (Certificates of Obligation) issuance, and we will get back to that, in terms of what more we need to do to adjust; to direct the County Attorney's Office to begin drafting a purchase contract; and for us to move expeditiously, related to an appraisal that is necessary for this, as quickly as we can make that happen; and to authorize Judge Biscoe to execute all necessary documents on behalf of the County; and repost this for next week, because we will have follow-up items.

An Addition to the previous Motion was made by Judge Biscoe that if we add this Item to the CO issue that we have been considering, that will bring the total to \$23,325,000.00 on the CO side. And, the Motion contains the authorization for appropriate County staff to secure an appraisal, and get with Purchasing and the County Attorney's Office to prepare the necessary additional documentation to support that, but time is of the essence, and we need the work to begin immediately.

An Addition to the previous Motion was made by Commissioner Sonleitner for Staff to work with PBO, in terms of the transfer of monies that, perhaps, may need to occur, related to getting that dollar amount in place, so that we can do the purchase order on the appraisal. We are also taking into account that the bond amount is what has been recommended all along by PBO, related to what we were going to do on the 2001 issuance. There are also the bonds, and that number is \$35,995,000.00, which is consistent with what has been going on in all of our memos, with bonds and CO's. That also includes the authorization the notice to publish, related to these dollar amounts that we are locking in on.

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 22 to be reposted on March 11, 2003.

ADMINISTRATIVE OPERATIONS ITEMS

- 23. A.** CONSIDER CHANGES TO PAY DETERMINATION POLICIES, TRAVIS COUNTY CODE, CHAPTER 10, SECTIONS 10.03001 THROUGH 10.03013, INCLUDING CRITERIA RELATED TO NEW HIRE PAY; PAY GREATER THAN 10% ABOVE MIDPOINT; VOLUNTARY JOB CHANGE; LATERAL TRANSFER AND TEMPORARY ASSIGNMENT, AND TAKE APPROPRIATE ACTION. (4:59 PM)
- B.** APPROVE DELETIONS TO THE PAY DETERMINATION POLICIES, TRAVIS COUNTY CODE, CHAPTER 10, SECTIONS 10.030--EMPLOYEE MOBILITY; 10.087--DETERMINING PAY; 10.0875--CRITERIA FOR APPROVAL OF SALARY ABOVE AND 10.095--YEAR 2000 PROJECT INCENTIVE PAY PROGRAM.

No action taken on Items 23.A and B.

Items 23.A and B to be reposted on March 11, 2003.

- 24.** DISCUSS AND TAKE APPROPRIATE ACTION ON THE TRAVIS COUNTY SELF-FUNDED HEALTH PROGRAM ANNUAL REPORT FOR PLAN YEAR 2002, INCLUDING FUND 526 ACTUARIAL REPORT. (4:59 PM)

No action taken on Item 24.

Item 24 to be reposted on March 11, 2003.

- 25.** 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 \$457,880.49 FOR THE PERIOD OF FEBRUARY 14, 2003 THROUGH FEBRUARY 20, 2003. (10:11 AM)

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

26. APPROVE PERSONNEL AMENDMENTS. (10:11 AM)

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

PURCHASING OFFICE ITEMS

27. CONSIDER IBM BUSINESS PARTNERSHIP AGREEMENT TO FACILITATE COUNTY'S CONTRACT WITH MARK III, INC. FOR HARDWARE/SOFTWARE SUPPORT, AND TAKE APPROPRIATE ACTION. (I.T.S.) (COMMISSIONER GOMEZ) (10:13 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 27.

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

28. APPROVE RATIFICATION AND MODIFICATION NO. 6 TO CONTRACT NO. PS960012KW, SOUTHWEST KEY PROGRAM, FOR INTENSIVE SUPERVISION SERVICES OF JUVENILE OFFENDERS. (JUVENILE PROBATION). (COMMISSIONER GOMEZ) (10:11 AM)

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

29. APPROVE TWELVE (12) MONTH EXTENSION AND PRICE INCREASE (MODIFICATION NO. 5) TO CONTRACT NO. 00T0105-RG, METROCALL WIRELESS NETWORK, FOR RENTAL OF PAGERS. (JPS) (COMMISSIONER GOMEZ) (11:55 AM)

Item 29 postponed until March 11, 2003.

- 30. APPROVE AWARD OF A QISV (QUALIFIED INFORMATION SYSTEMS VENDOR) STATE CATALOG PURCHASE, RFO #0030053-SP LEASE OF OCE COPIERS FROM CSU INC. (ITS) (COMMISSIONER GOMEZ) (10:11 AM)

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

OTHER ITEMS

- 31. A. DISCUSS LEGISLATIVE ISSUES, INCLUDING PROPOSED BILLS, AND TAKE APPROPRIATE ACTION; (5:00 PM)
- B. OTHER BILLS THAT MAY BE CONSIDERED IN RESPONSE TO ACTION TAKEN BY THE TEXAS LEGISLATURE, AND TAKE APPROPRIATE ACTION.

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

CSCD Budget Cuts

Motion by Judge Biscoe and seconded by Commissioner Gómez to ask the Community Supervision and Corrections Department (CSCD) to prepare an appropriate response, showing what impact the proposed cuts will have on Travis County, so it can be shared with the Travis County legislative delegation and the other legislators. In addition to the delegations, the elected officials ought to be urged to get engaged. Also, we probably ought to ask the Health and Human Services Department (HHSD) to put together a resource document that shows what impact proposed cuts will have on Travis County. In regards to HHSD, Public Health, CSCD, and Justice and Public Safety (JPS) – even if the legislature cannot respond the request that more funding be provided, they should know what impact these actions are likely to have.

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 31 CONTINUED

Clean Air Funding Legislation

Members of the Court heard from: Scheleen Walker, TNR.

Clerk's Note: The Commissioners discussed a draft letter to the Travis County legislative delegation, regarding clean air funding issues important to Travis County citizens.

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

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

HB 1445 – Clean Up Bill

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to give instructions to Bob Kamm, Travis County Legislative Consultant, to draft a bill for the clean up of HB 1445.

An Addition to the previous Motion was made by Judge Biscoe that this would also be to get the bill filed and choose the sponsors.

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 31 CONTINUED

911 Service Fee

Members of the Court heard from: Danny Hobby, Manager, Emergency and Wireless Communications, Justice and Public Safety (JPS).

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that the proposed changes to the draft bill be made.

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

Internet Fees and Fines Collection

Members of the Court heard from: David Escamilla, First Assistant County Attorney.

Clerk's Note: The Commissioners discussed adding the ability to charge for services over the Internet as well as the collection of fines and fees.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the proposed changes to the draft bill.

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 31.A and B to be reposted on March 11, 2003.

- 32. AUTHORIZE COUNTY JUDGE TO SIGN A RENEWAL INTERLOCAL COOPERATION AGREEMENT WITH LIMESTONE COUNTY RELATED TO HOUSING INMATES, AND TAKE APPROPRIATE ACTION. (10:11 AM)**

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

33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:11 AM)

Clerk's Note: Item 33 added to Consent Items. Please refer to 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

34. DISCUSS, APPROVE AND TAKE APPROPRIATE ACTION REGARDING REAL ESTATE ISSUES FOR OFFICE SPACE FOR VARIOUS COUNTY DEPARTMENTS. ² (11:58 AM) (4:50 PM)

Clerk's Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Clerk's Note: Items 34 and 22 are associated with one another and were called for concurrent discussion. Please refer to Item 22 for a summary of the Court's Motion and Vote.

Item 34 to be reposted on March 11, 2003.

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING POTENTIAL LITIGATION FOR RECOVERY OF DAMAGES TO THE TRAVIS COUNTY MEDICAL EXAMINER’S FACILITY FOR TRAVIS COUNTY’S NON-INSURED LOSSES AND CONSIDER PRO-RATA AGREEMENT WITH ZURICH AMERICAN INSURANCE AND TAKE APPROPRIATE ACTION. (SUBROGATION) ¹ (11:58 AM) (4:53 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.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Attorney’s Office to share the County’s alternative proposal with the law firm that made the original offer to us, and report back to us with their response next week.

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 35 to be reposted on March 11, 2003.

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION REGARDING TRAVIS COUNTY SUBROGATION CLAIM IN THE MATTER OF DEKE PIERCE AND TAKE APPROPRIATE ACTION. ¹ (11:58 AM) (4:54 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Attorney’s Office to negotiate appropriate changes to the offer from Mr. Pierce’s attorney, and report back to us.

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 36 to be reposted on March 11, 2003.

- 37. A. DISCUSS APPLICANTS FOR THE POSITION OF EXECUTIVE MANAGER FOR JUSTICE AND PUBLIC SAFETY, AND TAKE APPROPRIATE ACTION. ³ (4:54 PM)

- B. CONSIDER RECOMMENDATIONS FOR COVERING THESE FUNCTIONAL AREAS WITHOUT AN EXECUTIVE MANAGER, AND TAKE APPROPRIATE ACTION.

Item 37 to be reposted on March 11, 2003.

- 38. AUTHORIZE COUNTY ATTORNEY TO HIRE EXPERT(S) IN ROSENBAUM V TRAVIS COUNTY, (REQUESTED BY COUNTY ATTORNEY). ¹ (11:58 AM) (4:55 PM)

Clerk’s Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to authorize the County Attorney to hire what appropriate experts are needed for that case.

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

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY, DESIGNATE A REPRESENTATIVE FOR MEDIATION AND TAKE APPROPRIATE ACTION IN THE MATTER OF ROBERT P. MADDOX JR. V. TRAVIS COUNTY TEXAS CAUSE NO. GN-002616, IN THE 261ST JUDICIAL DISTRICT COURT TRAVIS COUNTY, TEXAS. ¹ (11:58 AM) (4:55 PM)

Clerk’s Note: Judge Biscoe announced that Item 39 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 Sonleitner to ask Dan Mansour, Risk Manager, HRMD, to represent 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. STANLEY MORRIS BORING (SUZANNE KAISER RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:58 AM) (4:56 PM)

Clerk’s Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Clerk’s Note: Items 40, 41, and 42 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 40, 41, and 42.

Motion by Judge Biscoe and seconded by Commissioner Gómez, on Item 40, for the amount of \$8,800.00 cash in hand, paid to Travis County, to authorize the County Judge to execute the proposed tax resale deed to Suzanne Kaiser. On Item 41, because we have received the amount of \$8,500.00 in cash, to authorize the County Judge to proposed tax resale deed to M. Mark Kutscherousky. And, in Item 42, in exchange for the amount of \$5,500.00, that we authorize the County Judge to sign the proposed tax resale deed to Trevor Schwartz, grantee.

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

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. W.E. GERAGHTY (M. MARK KUTSCHEROUSKY RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:58 AM) (4:56 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Items 40, 41, and 42 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 40, 41, and 42. Please refer to Item 40 for a summary of the Court's Motion and Vote.

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL. V. LYNN S. & DIANNE E. SCHOONOVER (TREVOR SCHWARTZ RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:58 AM) (4:56 PM)

Clerk's Note: Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Items 40, 41, and 42 are associated with one another and were called for concurrent discussion.

Members of the Court agreed to consider one Motion for Items 40, 41, and 42. Please refer to Item 40 for a summary of the Court's Motion and Vote.

43. A. CONDUCT INTERVIEW OF APPLICANTS FOR TRAVIS COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION. ³ (1:44 PM) (4:57 PM)

B. CONSIDER APPOINTMENT OF TRAVIS COUNTY ATTORNEY, AND TAKE APPROPRIATE ACTION.

Clerk's Note: Judge Biscoe announced that Item 43.A would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Clerk's Note: Items 43.A and B are associated with one another and were called for concurrent discussion.

Clerk's Note: The Court expressed its appreciation to the four applicants for this position, and will send each of them an appropriate letter of appreciation.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to appoint David Escamilla as Travis County Attorney.

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

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to adjourn the Voting Session. (5:16 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS’ COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge