

MINUTES OF MEETING – APRIL 8, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 8th day of April, 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 recessed the Voting Session at 11:41 AM.

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

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

The Commissioners' Court retired to Executive Session at 4:55 PM.

The Commissioners' Court reconvened the Voting Session at 5:40 PM.

The Commissioners' Court adjourned the Voting Session at 5:40 PM.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1–C4 and Items 7, 9, 10.A-D, 11, 12, 16.A and B, 17, 19, 23, 24, 25.A and B, 26, 27, 28, 29, 31, 32, 33, 37, and A1. (9:46 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.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MARCH 18, 2003.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MARCH 20, 2003.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 7.** DISCUSS AND APPROVE A PRELIMINARY PLAN IN PRECINCT FOUR: THE PARKSIDE AT SLAUGHTER CREEK PRELIMINARY PLAN (460 LOTS – 146.144 ACRES – BRANDT ROAD – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – CITY OF AUSTIN ETJ). (9:46 AM)

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

- 8.** APPROVE THE USE OF CAPITAL IMPROVEMENT BOND FUNDS TO PURCHASE A SERVER FOR TNR ENGINEERING DIVISION. (9:14 AM)

Item 8 pulled from the Agenda.

9. CONSIDER EXECUTION OF THE CROSSWIND PROPERTY OWNERS ASSOCIATION, INC. ESCROW AGREEMENT FOR ROADS LOCATED IN PRECINCT THREE, AND TAKE APPROPRIATE ACTION. (9:46 AM)

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

10. A. APPROVE A PRELIMINARY PLAN IN PRECINCT ONE: BRIARCREEK SUBDIVISION (REVISED PRELIMINARY PLAN – NO FISCAL REQUIRED – 1036 LOTS – 620.8 ACRES BLAKE MANOR ROAD – SEWAGE SERVICE PROVIDED BY AQUASOURCE DEVELOPMENT COMPANY. (9:46 AM)
- B. CONSIDER WAIVER OF SUBDIVISION REVIEW FEES FOR THE BRIARCREEK SUBDIVISION SECTION THREE IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION.
- C. APPROVE A CONSTRUCTION AGREEMENT FOR BRIARCREEK SUBDIVISION SECTION THREE.
- D. APPROVE A PLAT FOR RECORDING IN PRECINCT ONE: BRIARCREEK SUBDIVISION SECTION THREE (LONG FORM PLAT – 120 LOTS – 31.236 ACRES – BLAKE MANOR ROAD – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – COA ETJ). (COMMISSIONER DAVIS)

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

11. 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 17 AND 18, BLOCK O, APACHE SHORES SECTION 5, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:46 AM)

Clerk's Note: Item 11 is the action item for the public hearing on Agenda Item 1.

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

- 12.** AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINES BETWEEN LOTS 16, 17, 18, 19, 20, AND 21, BLOCK 2, PALEFACE LAKE COUNTRY ESTATES, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:46 AM)

Clerk's Note: Item 12 is the action item for the public hearing on Agenda Item 2.

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

- 13.** APPROVE STREET NAME CHANGE FROM "BEND O' RIVER DRIVE" TO "BEND OF THE RIVER DRIVE" IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:22 AM)

Clerk's Note: Item 13 is the action item for the public hearing on Agenda Item 3.

Item 13 postponed until April 15, 2003.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON SOLID WASTE ORDINANCE ISSUES INCLUDING THE FOLLOWING: (3:30 PM)
- A. OPERATING AGREEMENTS WITH AREA LANDFILLS;
 - B. POST NOTICE OF A SOLID WASTE SITING ORDINANCE INCLUDING TYPE I, II, III AND IV LANDFILLS; AND
 - C. CONSIDER A SITING ORDINANCE COVERING WASTE FACILITIES THAT ARE NOT TYPE I, II, III AND IV LANDFILLS.

Clerk's Note: Items 14.B and 15.A, B, and C are associated with one another and were called for concurrent discussion. Please refer to Item 14.B for a summary of the Court's Motion and Vote.

PLANNING AND BUDGET DEPT. ITEMS

16. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:46 AM)
- A. APPROVE GRANT CONTRACT ADMENDMENT WITH THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES FOR THE FY 03 HEALTHY FAMILIES GRANT PROGRAM. THE AMENDMENT ADJUSTS THE NUMBER OF FAMILIES THAT MUST BE SERVED.
 - B. APPROVE GRANT CONTRACT AMENDMENT WITH THE OFFICE OF THE TEXAS ATTORNEY GENERAL FOR EXILE INTERLOCAL COOPERATION ACT. THE AMENDMENT REDUCES THE GRANT AWARD FROM \$83,200 TO \$55,468 DUE TO AN UNEXPECTED VACANCY.

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

17. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:46 AM)

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

18. CONSIDER REQUEST TO INCREASE FY 03 MEMBERSHIP FEE FROM THE AUSTIN – SAN ANTONIO CORRIDOR COUNCIL. (9:49 AM)

Members of the Court heard from: Travis Gaitlin, Budget Analyst, Planning and Budget Office (PBO).

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the membership fee, and to go with the Planning and Budget Office-recommended sweeps, and savings on the interest line items.

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

ADMINISTRATIVE OPERATIONS ITEMS

19. 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 \$498,445.05 FOR THE PERIOD OF MARCH 21, 2003 THROUGH MARCH 27, 2003. (9:46 AM)

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

21. APPROVE PERSONNEL AMENDMENTS. (9:56 AM)

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve all the proposed personnel amendments.

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

22. CONSIDER EMPLOYEE COMPENSATION RESERVE ESTABLISHED DURING FY 03 BUDGET PROCESS AND PROVIDE NOTIFICATION TO COUNTY EMPLOYEES OF COMMISSIONERS COURT’S DECISION. (9:59 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Dan Mansour, Risk Manager, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to leave the \$2.2 million exactly where it is, in reserve, with an eye towards the County continuing its policy and practice of covering the employee premium in full; and that we notify County employees of this decision, in a simple one-pager, as soon as possible. If we could put in that, what the premium is today, and also, the anticipated increase monthly, so they can see that, if the estimates that were given are true.

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

23. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SCHEMATIC DESIGN APPROVAL FOR THE PRECINCT ONE JUSTICE OF THE PEACE AND CONSTABLE OFFICE BUILDING. (COMMISSIONER DAVIS) (9:46 AM)

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

PURCHASING OFFICE ITEMS

24. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. MA020194LC, PROFESSIONAL CABLING SERVICES, INC., FOR CABLING INSTALLATION SERVICES, TIME AND MATERIALS. (ITS) (9:46 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 FENCE CONSTRUCTION AND REMOVAL, IFB #B030063- LD, TO THE QUALIFIED LOW BIDDERS (TNR): (9:46 AM)

- A. H AND H FENCE, PRIMARY CONTRACTOR; AND
- B. VIKING FENCE, SECONDARY CONTRACTOR.

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

26. APPROVE CONTRACT AWARD FOR CONCRETE & GROUT MIX, IFB B030075-RG, TO THE LOW BIDDER, CENTEX MATERIALS. (TNR) (9:46 AM)

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

27. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. PS980141JJ, PBS&J, PROFESSIONAL ENGINEERING SERVICES FOR THE BRATTON LANE WIDENING DESIGN PROJECT. (TNR) (9:46 AM)

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

28. APPROVE CHANGE ORDER NO. 2 TO CONTRACT 02K00185MB, CONSTRUCTION OF NEW PRECINCT FOUR OFFICE BUILDING, HUTCHINSON CONSTRUCTION. (9:46 AM)

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

29. APPROVE ORDER EXEMPTING THE PURCHASE OF BOOM MOWER FROM ANDERSON MACHINERY FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A) (7) (A) OF THE COUNTY PURCHASING ACT. (TNR) (9:46 AM)

Clerk's Note: Item 29 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

30. APPROVE PAYMENT ORDER FOR PROFESSIONAL SURVEYING SERVICES WITH SAM, INC. FOR THE CAMERON AND PFLUGERVILLE EAST/PECAN ROAD RECONSTRUCTION PROJECTS AND AUTHORIZE THE PURCHASING AGENT TO ISSUE A CONTRACT, PURSUANT TO COUNTY PURCHASING ACT, TEX. LOC. GOVT. CODE ANN. SEC. 262.024 (A) (4). (TNR) (9:48 AM)

Item 30 pulled from the Agenda.

31. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. PS010169LB FOR THE CAPITAL IMPROVEMENT PROJECT (CIP), FINANCIAL REPORTING DATABASE SYSTEM WITH THOMAS KELLY SOFTWARE ASSOCIATES, LLC. (TNR & FM) (9:46 AM)

Clerk's Note: Item 31 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

32. APPROVE CONTRACT AWARD TO CARTER & BURGESS, INC., PROFESSIONAL ENGINEERING SERVICES FOR THE CAMERON ROAD EXTENSION DESIGN PROJECT. (TNR) (COMMISSIONER DAVIS) (9:46 AM)

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

33. APPROVE CONTRACT AWARD TO T & T ENGINEERING, INC., RFQ NO. Q030020-JJ, PROFESSIONAL ENGINEERING SERVICES FOR THE WELLS BRANCH PARKWAY EXTENSION DESIGN PROJECT. (TNR) (9:46 AM)

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

- 35. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ORDER AMENDING CHAPTER 23 (INVESTMENT POLICY AND PROCEDURES) OF THE TRAVIS COUNTY CODE. (10:12 AM)

Members of the Court heard from: Mary Mayes, Cash/Investment Management.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the order.

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

- 36. A. RECEIVE REPORT ON PROPOSED ELECTION PRECINCT REALIGNMENTS. (10:18 AM)
- B. SET PUBLIC HEARING FOR APRIL 22, 2003 ON PROPOSED ELECTION PRECINCT REALIGNMENTS.

Clerk’s Note: Items 36.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dolores Lopez, Travis County Voter Registration; and Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve setting the public hearing for April 22, 2003, at 9:00 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

- 37. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:46 AM)

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

- 38. CONSIDER SCOPE OF WORK FOR JAIL OPERATIONS ANALYSIS PROPOSED TO BE CONDUCTED JOINTLY BY AN INDEPENDENT CONSULTING JAIL EXPERT AND COUNTY STAFF, AND TAKE APPROPRIATE ACTION. (9:15 AM)

Item 38 postponed until April 15, 2003.

TAKE UP AT 10:30 A.M.

- 39. A. DISCUSS LEGISLATIVE ISSUES, INCLUDING PROPOSED BILLS, AND TAKE APPROPRIATE ACTION. (10:30 AM) (4:22 PM)
- B. OTHER BILLS THAT MAY BE CONSIDERED IN RESPONSE TO ACTION TAKEN BY THE LEGISLATURE, AND TAKE APPROPRIATE ACTION.

Clerk’s Note: Items 39.A and B are associated with one another and were called for concurrent discussion.

HB2728 (Sponsor – Representative Tarlton) Relating to violations of certain conditions of parole or mandatory supervision.

Members of the Court heard from: Kimberly Pierce, Justice and Public Safety (JPS); and Kati Broderick, Manager, Research and Planning, JPS.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to direct Staff to compose a letter stating the Court’s opposition, and enumerating the five or six points presented today, ready for the Court’s signing this afternoon; and to authorize the County Judge to sign the letter, if the members of the Court are not available to sign.

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 39 CONTINUED

Clerk's Note: HB2728 was further discussed at 11:34 am, with the following Motion presented by Judge Biscoe:

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the letter in opposition to House Bill 2728, and that it be communicated to the committee and the Travis County delegation, and any other appropriate persons at the Texas Legislature.

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

HB2459 (Sponsor – Representative Krusee) Relating to the powers and duties of a Regional Mobility Authority, including the powers of eminent domain and the power to issue bonds.

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to direct Staff to put together an appropriate analysis and response to this bill; that we indicate what we consider to be good parts, parts not so good, or parts that concern us; that we point to specific language in the bill; indicate impact and recommended language, that in our view would be an improvement; that we plan to have a follow-up discussion of this bill next Tuesday, April 15, 2003; and that the Court authorize Judge Biscoe to contact Judge Doerfler and Mike Weaver, to see if Williamson County has an official response, whether they have looked at it, and if so, what that response is; and next Tuesday, we decide who to send the letter or response to; that it be drafted in a way that provides spaces for all the members of the Commissioners' Court to sign, and next week, we will figure out who is supportive and who is not. If we could get a copy of that by 5:00 pm Friday, April 11, 2003, so those of us inclined to engage in a bit of wordsmithing can do that over the weekend and Monday, so next Tuesday, April 15, 2003, hopefully, we can be able to move expeditiously.

Withdrawal of the previous Motion was made by Judge Biscoe.

ITEM 39 CONTINUED**HB 2459 CONTINUED**

Clerk's Note: HB2459 was further discussed at 4:22 pm, with the following Motion presented by Judge Biscoe:

Motion by Judge Biscoe and seconded by Commissioner Davis to keep a two-year term for members of the Regional Mobility Authority (RMA).

Clerk's Note: The Court did not take a Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Commissioner Sonleitner and seconded by Commissioner Gómez that we change the term from two years to four years; that we basically, be consistent with the terms of each of the Travis County Commissioners.

Motion carried:

County Judge Samuel T. Biscoe	no
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The Court took a Vote on the Standing Motion and Second at this time.

Motion failed:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	no
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	no

Clerk's Note: The Court directed Staff to take out the page referring to the County's proposed amendment to the legislation, regarding term length for RMA Board members.

Motion by Commissioner Sonleitner and seconded by Commissioner Davis to approve the proposed amendment to House Bill 2459, regarding airports.

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 39 CONTINUED

HJR10 (Sponsor – Representative Krusee) Proposing a constitutional amendment authorizing the legislature to provide for a six-year term for a board member of an intermunicipal commuter rail district.

HB3411 (Sponsor – Representative Krusee) Relating to the board of directors of an intermunicipal commuter rail district.

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

Discussion Only. No action taken.

HB1898 (Sponsor – Representative Nixon) Relating to the ability of a county to sue and be sued.

SB1017 (Sponsor – Senator Wentworth) Relating to the ability of a county to sue and be sued.

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to direct Staff to get a copy of the amended draft they are working with now, and if it says what we think it does, indicate our opposition to House Bill 1898/Senate Bill 1017.

A Clarification of the previous Motion was made by Commissioner Sonleitner, that the intent is to protect the County's established right to sovereign immunity from these kinds of lawsuits.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Judge to draft a letter to other county elected officials in urban counties, contact them directly, maybe ask the Conference of Urban Counties (CUC) to do the same thing, and the Judge will share it with the 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

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

- 40.** DISCUSS AND TAKE APPROPRIATE ACTION REGARDING ZONING FOR THE BUILDING LOCATED AT 5501 AIRPORT BLVD. UNDER CONSIDERATION FOR PURCHASE TO HOUSE VARIOUS COUNTY DEPARTMENTS. ² (4:55 PM) (5:40 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property, and Gov't Code Ann. 551.071, Consultation with Attorney.

No action required on Item 40.

Item 40 to be reposted on April 15, 2003.

- 41.** CONSIDER RECOMMENDATION FOR COVERING FUNCTIONAL AREAS NOW UNDER EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY, AND TAKE APPROPRIATE ACTION. ¹ (4:55 PM) (5:40 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

No action required on Item 41.

Item 41 to be reposted on April 15, 2003.

- 42.** RECEIVE BRIEFING FROM COUNTY ATTORNEY, DISCUSS PROPOSED SETTLEMENT AND TAKE APPROPRIATE ACTION REGARDING COLLECTION CLAIM OF TRAVIS COUNTY VS. J.C. EVANS CONSTRUCTION CO., INC. ¹ (4:55 PM)

Item 42 postponed until April 15, 2003.

ADDED ITEMS

A1. APPROVE CONSTRUCTION AGREEMENT AND APPROVE A PLAT FOR RECORDING IN PRECINCT TWO: NORTH TOWN PARK, SECTION 8 (LONG FORM PLAT – 57 LOTS – 8.187 ACRES – LETTI DRIVE – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY NORTH TOWN MUD – CITY OF AUSTIN ETJ). (9:46 AM)

Clerk’s Note: Item A1 added to Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

A2. CONDUCT PUBLIC HEARING TO ADOPT A PROPOSED POLICY FOR MEMORIAL MARKERS IN COUNTY RIGHT OF WAY. (ACTION ITEM # A3) (9:23 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item A3 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: No speakers addressed the Court during this public hearing.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

A3. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED POLICY FOR MEMORIAL MARKERS IN COUNTY RIGHT OF WAY. (10:28 AM)

Clerk’s Note: Item A3 is the action item for the public hearing on Agenda Item A2.

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the 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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (5:40 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