

MINUTES OF MEETING – JUNE 3, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 3rd day of June, 2003, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Travis County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners' Court record notes that Precinct Two Commissioner Karen Sonleitner and Precinct Four Commissioner Margaret Gómez were not present during this Voting Session.

The Commissioners' Court recessed the Voting Session at 12:24 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation called to order the Voting Session at 1:40 PM.

The Commissioners' Court, meeting as the Travis County Health Facilities Development Corporation retired to Executive Session at 1:41 PM.

The Commissioners' Court reconvened the meeting of the Travis County Health Facilities Development Corporation at 1:57 PM and adjourned at 1:57 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:57 PM.

The Commissioners' Court retired to Executive Session at 2:40 PM.

The Commissioners' Court reconvened the Voting Session at 4:06 PM.

The Commissioners' Court adjourned the Voting Session at 4:12 PM.

- 2. CONDUCT A PUBLIC HEARING TO DISCUSS AUTHORIZING 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 2 AND 3, RED WAGON RANCHETTES, A SUBDIVISION IN PRECINCT 3. (ACTION ITEM 7) (COMMISSIONER DAUGHERTY) (9:14 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 7 for the action taken.

Item 2 pulled from the Agenda.

- 3. CONDUCT A PUBLIC HEARING TO DISCUSS PROPOSED STREET NAME ASSIGNMENT OF "HAZY HOLLOW COVE" TO AN EASEMENT CONNECTING TO HAZY HOLLOW DRIVE IN SOUTHWEST TRAVIS COUNTY, PRECINCT 3. (ACTION ITEM 8) (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 8 for the Court's Motion and Vote.

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to open the public hearing.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

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

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

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

RESOLUTIONS & PROCLAMATIONS

- 4. RESOLUTION CONGRATULATING RIVER CITY YOUTH ON THEIR 20TH ANNUAL YOUTH RECOGNITION AWARDS CEREMONY. (COMMISSIONER GOMEZ) (9:18 AM)

Members of the Court heard from: Mona Gonzalez, River City Youth.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the resolution in Item 4.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

- 5. APPROVE PROCLAMATION DECLARING SATURDAY, JUNE 7, 2003 AS THE RIVER CITY YOUTH FOUNDATION’S FATHER’S DAY PARADE. (COMMISSIONER GOMEZ) (9:25 AM)

Members of the Court heard from: Mona Gonzalez, River City Youth; Francis Sanchez, Center for Successful Fathering; John Norton, Center for Successful Fathering; Paul Travis, Dove Springs Dad of the Year; Jessica Travis, Winner, Dove Springs Essay Contest; and John Kuhl, Natural Resources Program Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the proclamation in Item 5.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

CITIZENS COMMUNICATION

Clerk’s Note: No speakers addressed the Court. (9:16 AM)

CONSENT ITEMS

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the following Consent Items: C1–C6 and Items 8, 9, 10.A-F, 11, 12.A and B, 13, 14, 16, 18, 19.A and B, 21, 22, 24, 25, and 27. (9:16 AM)

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MAY 20, 2003.
- C4.** REAPPOINT BETTY BAKER TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT 2 APPOINTEE. TERM EFFECTIVE UNTIL JANUARY 2005. (SONLEITNER)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 8, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 1 AND 2, BLOCK YY, TWIN LAKE HILLS (SHORT FORM PLAT – 1 LOT – 0.42 ACRES – WEST LAKE DRIVE AT RIDGEVIEW CIRCLE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJs). (DAUGHERTY)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF JULY 8, 2003 TO DISCUSS AND APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF A 3.364-ACRE PORTION OF LOT 9, LICK CREEK RANCH SUBDIVISION PHASE 1 (SHORT FORM PLAT – 1 LOT – 3.364 ACRES – PEDERNALES CANYON TRAIL – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – OUTSIDE ALL ETJs). (DAUGHERTY)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

TAKE UP AT 9:30 A.M.

6. CONSIDER PROPOSED SOLID WASTE FACILITIES SITING ORDINANCE AND COMMENTS RECEIVED, INCLUDING COMMENTS REGARDING INCORPORATING THE TRAVIS COUNTY FLOOD PLAIN ORDINANCE, AND TAKE APPROPRIATE ACTION. (9:37 AM)

Clerk's Note: Item 6 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Items 6 and 1 are associated with one another and were called for concurrent discussion.

Discussion only. No action taken on Item 6.

7. CONSIDER AND TAKE APPROPRIATE ACTION TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF THE 5' PUBLIC UTILITY EASEMENT ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 2 AND 3, RED WAGON RANCHETTES, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:14 AM)

Clerk's Note: Item 7 is the action item for the public hearing on Agenda Item 2.

Item 7 pulled from the Agenda.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED STREET NAME ASSIGNMENT OF "HAZY HOLLOW COVE" TO AN EASEMENT CONNECTING TO HAZY HOLLOW DRIVE IN SOUTHWEST TRAVIS COUNTY, PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:16 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 3.

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

9. APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN DESSAU BUSINESS PARK SECTION 2, A SUBDIVISION IN PRECINCT 2. (COMMISSIONER SONLEITNER) (9:16 AM)

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

PURCHASING OFFICE ITEMS

10. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR SIGN MATERIALS: (9:16 AM)
- A. NO. 01T0193-RG, VULCAN SIGNS;
 - B. NO. 01T0194-RG, CUSTOM PRODUCTS;
 - C. NO. 01T0195-RG, NIPPON CARBIDE;
 - D. NO. 01T0196-RG, UNISTRUT/TELESPAR;
 - E. NO. 01T0197-RG, NORTHWEST PIPE; AND
 - F. NO. 01T0198-RG, 3M CORP. (TNR) (COMMISSIONER GOMEZ)

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

11. APPROVE CONTRACT NO. PS030169JW WITH THERAPEUTIC FAMILY LIFE TO PROVIDE RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:16 AM)

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

12. APPROVE RENEWAL OF THE FOLLOWING CONTRACTS REGARDING THE COMBINED COMMUNICATION CENTER WITH THE CITY OF AUSTIN:
(9:16 AM)

- A. CONTRACT NO. IL010191JW -- CONSTRUCTION AND INTEGRATION OF COMPUTER HARDWARE; AND
- B. CONTRACT NO. IL010192JW -- CONSTRUCTION SERVICES, FURNISHINGS, FIXTURES, AND OTHER FACILITY EQUIPMENT AND IMPROVEMENTS. (JUSTICE AND PUBLIC SAFETY) (COMMISSIONER GOMEZ)

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

13. APPROVE CONTRACT NO. PS030161JW WITH KERR COUNTY JUVENILE DETENTION TO PROVIDE RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:16 AM)

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 PS000210KW WITH HEALTHCARE SAN ANTONIO, INC. DBA LAUREL RIDGE HOSPITAL TO PROVIDE RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS AND ASSIGN CONTRACT FROM LAUREL RIDGE HOSPITAL TO TEXAS LAUREL RIDGE HOSPITAL DBA LAUREL RIDGE TREATMENT CENTER. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:16 AM)

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

15. APPROVE MEMORANDUM OF UNDERSTANDING (MOU) ESTABLISHING A JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM TO PROVIDE AN ALTERNATE EDUCATION PROGRAM TO EXPELLED STUDENT IN COUNTIES WITH A POPULATION LESS THAN 125,000 BETWEEN THE TRAVIS COUNTY JUVENILE BOARD AND THE FOLLOWING INDEPENDENT SCHOOL DISTRICTS: AUSTIN, DEL VALLE, EANES, GONZALES, LAKE TRAVIS, LAGO VISTA, LEANDER, LULING, MANOR, KNIPPA, NIXON-SMILEY, PFLUGERVILLE, ROSEBUD-LOTT AND ROUND ROCK. (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (1:58 PM)

Members of the Court heard from: Barbara Swift, Chief Deputy, Juvenile Probation Department.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Memorandum of Understanding in Item 15.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

16. APPROVE TWELVE (12) MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. LA980178JW, AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD), FOR THE LEASE OF FACILITY SPACE AND UTILITIES AT THE AUSTIN LEARNING CENTER (ALC) FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM (JJAEP). (JUVENILE PROBATION) (COMMISSIONER GOMEZ) (9:16 AM)

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

17. DISCUSS AND TAKE APPROPRIATE ACTION ON REQUEST TO AWARD CONTRACT FOR PROFESSIONAL CONSULTING SERVICES FOR THE LANDFILL ODOR/GAS EMISSION STUDIES, RFS S030115-DM. (TNR) (JUDGE BISCOE) (11:22 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; Bart Ecklund, Proposed Project Manager for Odor Study, URS; Cyd Grimes, Travis County Purchasing Agent; Melanie McAfee, Owner, Barr Mansion; Trek English, Travis County Resident; and Mark McAfee, Owner, Barr Mansion.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the contract award in Item 17, and to authorize the County Purchasing Agent to execute an administrative Change Order, which includes a specific time frame in which the contractor will accomplish the work, 60 to 90 days; and also, that it is a firm, fixed price contract.

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	no
Precinct 4, Commissioner Margaret J. Gómez	absent

18. APPROVE PROFESSIONAL SERVICES AGREEMENT WITH F.E.U.L.S. FOR MECHANICAL, ELECTRICAL AND PLUMBING (MEP) AND ENGINEERING/CONSULTING SERVICES FOR THE PRECINCT THREE OFFICE BUILDINGS. (FM) (COMMISSIONER DAUGHERTY) (9:16 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

19. REVIEW AND TAKE APPROPRIATE ACTION ON GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE:
(9:16 AM)
- A. APPROVE REVISED RESOLUTION FOR THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT DISCRETIONARY FUNDS GRANT APPLICATION WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION. THE GRANTOR REQUESTED CHANGES TO THE WORDING OF THE RESOLUTION FOR THE GRANT APPLICATION; AND
 - B. APPROVE GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR AN ACCESS AND VISITATION GRANT IN JUVENILE PROBATION, DOMESTIC RELATIONS OFFICE. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 04.

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

20. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (2:03 PM)

Members of the Court heard from: Jessica Rio, Budget Analyst, Planning and Budget Office (PBO); Roger El Khoury, Director, Facilities Management; Leroy Nellis, Budget Manager, PBO; Dana DeBeauvoir, Travis County Clerk; and Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve to approve Budget Item DS1.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Budget Items T1, DS2, and DS3, pursuant to the agreement reached in Court.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

Motion by Judge Biscoe and seconded by Commissioner Davis to authorize the County Clerk to keep the temporaries on board, and authorize the County Treasurer to pay them at least one more week.

A Clarification of the previous Motion was made by Judge Biscoe to approve Budget Items A1-A6.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

ADMINISTRATIVE OPERATIONS ITEMS

21. REVIEW AND TAKE APPROPRIATE ACTION ON RECOMMENDATION TO DENY LIABILITY CLAIM OF JIM FARRIS. (9:16 AM) (9:36 AM) (11:42 AM) (2:40 PM) (4:06 PM)

Clerk’s Note: Judge Biscoe noted that the recommendation is to deny.

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to reconsider the Court’s decision to put Item 21 on Consent.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); Carol Guthrie, American Federation of State, County, and Municipal Employees (AFSCME) Representative; and Jim Farris, former Travis County Employee.

Clerk’s Note: Judge Biscoe announced that Item 21 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 Davis to follow Staff’s recommendation and deny the claim.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

22. 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 \$608,559.08 FOR THE PERIOD OF MAY 16, 2003 THROUGH MAY 22, 2003. (9:16 AM)

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

23. APPROVE PERSONNEL AMENDMENTS. (2:34 PM)

Members of the Court heard from: Linda Moore Smith, Director, HRMD.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve the routine personnel items.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

Motion by Judge Biscoe and seconded by Commissioner Davis to appoint the final committee to work with the Human Resources Management Department (HRMD) to short-list the already short-listed, down to five, six or seven candidates for the Commissioners' Court to interview – the Justice and Public Safety sub-committee on the Commissioners' Court – that is Commissioner Precinct Four Margaret Gómez, and Travis County Judge Sam Biscoe, Christian Smith, Executive Manager, PBO, Caryl Colburn, Acting Criminal Justice Coordinator; Margo Frasier, Travis County Sheriff, Debra Hale, Court Management Director, Criminal Court Administration, and Linda Moore Smith, Director, HRMD. If we have 14 or 15 candidates, and we want to get down to a little bit less than half of that, then, in one meeting, this group would be able to get that done, and get that list to the Commissioners' Court for interview, if not next week, then the week after.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

OTHER ITEMS

24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST BY TRAVIS COUNTY TAX ASSESSOR TO EXECUTE A PROPOSED WEBSITE ACCESS AGREEMENT WITH AREA BANKRUPTCY TRUSTEE. (NELDA WELLS SPEARS) (9:16 AM)

Clerk's Note: Judge Biscoe noted that Item 24 is at no cost to the County.

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

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:16 AM)

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

26. A. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY PRIORITY LEGISLATION AND ACTIONS TAKEN BY TEXAS LEGISLATURE; AND (11:52 AM)

Clerk's Note: The Court received a status report on Travis County priority legislation.

HB156 (Sponsor – Representative Krusee) Relating to the grant of power of eminent domain to a regional mobility authority.

HB396 (Sponsor – Representative Mowery) Relating to appeals to small claims courts of certain ad valorem tax determinations.

HB483 (Sponsor – Representative Wilson) Relating to the requirements for the establishment of a state airport in Central Texas.

HB1204 (Sponsor – Representative Baxter) Relating to the authority of municipalities of counties to regulate subdivision in a municipality's extraterritorial jurisdiction.

HB1681 (Sponsor – Representative Stick) Relating to the amount of compensation and allowances for certain county auditors.

HB2856 (Sponsor – Representative Ferrar) Relating to certain fees collected by a domestic relations office.

ITEM 26 CONTINUED

HCR223 (Sponsor – Representative Hartnett) Granting Maria Isabel Guerrero-McDonald and Guerrero-McDonald & Associates, Inc., permission to sue Travis County.

SB1017/HB1898 (Sponsors – Senator Wentworth and Representative Nixon) Relating to the ability of a county to sue and be sued.

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

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

Discussion only. No action taken.

Hospital District, HB2292 (Sponsor – Representative Wohlgemuth) Relating to state policy relating to financing of certain health and human services programs.

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

Discussion only. No action taken.

B. CONSIDER STEPS AND TAKE APPROPRIATE ACTION TO MEASURE IMPACT OF STATE APPROVED BUDGET ON TRAVIS COUNTY'S BUDGET AND HOW TO ENGAGE APPROPRIATE COUNTY DEPARTMENTS. (2:40 PM)

Item 26.B postponed until June 10, 2003.

- 27. CONSIDER REQUEST FROM CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY TO WAIVE PART OF USE FEE FOR SKYLINE CLUB AT THE TRAVIS COUNTY EXPOSITION CENTER, AND TAKE APPROPRIATE ACTION. (9:16 AM)

Clerk’s Note: Judge Biscoe noted that the discount would be \$300.00, pursuant to County policy.

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

- 28. RECEIVE STATUS REPORT FROM THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD, DISCUSS RELATED ISSUES, AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (2:19 AM)
 - A. INTERLOCAL AGREEMENT;
 - B. TRANSFER OF FUNDS TO COVER EXPENSES;
 - C. RESOLUTION IN SUPPORT OF THE AUTHORITY’S MANAGEMENT OF STATE HIGHWAY 45-SE; AND
 - D. ACTIONS NECESSARY TO CARRY OUT RMA MISSION.

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; and Brian Cassidy, Interim Legal Counsel representing the Central Texas Regional Mobility Authority.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the circulation of the letter to the Texas Department of Transportation Commission, for discussion by the Commissioners’ Court, stating that the Court stands behind the Central Texas Regional Mobility Authority, and that it should manage the State Highway 45-Southeast project; and to authorize Commissioner Precinct Two Sonleitner and Commissioner Precinct Four Gómez, to sign the letter.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

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

- 29. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN MARCIE CALDWELL V. CAROLE RYLANDER, COMPTROLLER OF PUBLIC ACCOUNTS OF THE STATE OF TEXAS, ET AL. ¹ (2:40 PM) (4:06 PM)

Clerk's Note: Judge Biscoe announced that Item 29 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 Davis to authorize the County Attorney to accept a settlement of this matter, by waiving our entitlement to any attorney's fees, in exchange for our getting out of this lawsuit, as to each and every possible claim, now and forever.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

- 30. CONSIDER REQUEST TO THE TEXAS TURNPIKE AUTHORITY TO DESIGN AND CONSTRUCT AN INTERCHANGE AT THE PROPOSED HOWARD LANE ARTERIAL DURING THE INITIAL CONSTRUCTION OF STATE HIGHWAY 130, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) ^{1 & 2} (2:40 PM) (4:07 PM)

Clerk's Note: Judge Biscoe announced that Item 30 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.

No action taken on Item 30.

Item 30 to be reposted on June 10, 2003.

31. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON COUNTY COMPLIANCE WITH SB 5 (REDUCING AIR POLLUTION, ENERGY EFFICIENCY AND CONSERVATION). ¹ (2:40 PM) (4:08 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.

Members of the Court heard from: David Balagia, Major, Travis County Sheriff's Office (TCSO).

Discussion only. No action taken.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT, OR COUNTER OFFER FOR SETTLEMENT AND TAKE OTHER APPROPRIATE ACTION IN THE MATTER OF MERLIN "SPANKY" HANDLEY V. TRAVIS COUNTY, TEXAS, CITY OF AUSTIN, TEXAS, DINAH DINWIDDIE, INDIVIDUALLY, AND IN HER OFFICIAL CAPACITY, CASEY PING, INDIVIDUALLY, AND IN HIS OFFICIAL CAPACITY, GORDON BERGH, KEVIN MCDONALD AND RICHARD HERRINGTON, CAUSE NO. 1 02 CA 606 JN, IN THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION. ¹ (2:40 PM) (4:07 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.

No action taken on Item 32.

Item 32 to be reposted on June 10, 2003.

ADDED ITEM

- A1. APPROVE PURCHASE OF THREE (3) CHEVROLET IMPALA POLICE PACKAGES FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), IL030067OJ. (TNR) (1:57 PM)

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item A1.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (4:12 PM)

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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe