

MINUTES OF MEETING – JULY 15, 2003

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 15th day of July, 2003, the Commissioners' Court convened the regular Voting Session at 9:13 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 12:10 PM.

The Commissioners' Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:47 PM and adjourned at 1:47 PM.

The Commissioners' Court reconvened the regular Voting Session at 1:48 PM.

The Commissioners' Court retired to Executive Session at 3:12 PM.

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

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

CONSENT ITEMS CONTINUED

- C8. APPROVE OFFICIAL BOND FOR RESERVE DEPUTY ERIC BRIAN DONALDSON IN CONSTABLE PRECINCT 5.
- C9. APPROVE A PUBLIC HEARING DATE OF JULY 29, 2003 TO APPROVE A TEMPORARY ROAD CLOSURE OF SCENIC BROOK DRIVE FOR THE PURPOSE OF MAKING WATER UTILITY IMPROVEMENTS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 5 AND 6, BLOCK A, VALLE VERDE BEACH SUBDIVISION (REVISED PLAT – 1 LOT – 0.858 ACRES – BEACH ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY (LCRA JURISDICTION) – CITY OF JONESTOWN ETJ). (COMMISSIONER DAUGHERTY) (9:21 AM)

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

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

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PLAT FOR RECORDING IN PRECINCT THREE: BEBY'S RANCH SUBDIVISION NO. 1, AMENDED PLAT OF LOTS 709, BLOCK A (SHORT FORM PLAT – 3 LOTS – 5.18 ACRES – HORNSBY HILL ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC (LCRA) – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:21 AM)

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

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF THE PARTIAL VACATION OF GREENRIDGE PHASE 6 AND A PLAT FOR RECORDING IN PRECINCT TWO: CORRECTION PLAT – REPLAT OF LOT 27, BLOCK L, GREENRIDGE PHASE 6 (REVISED PLAT – 2 LOTS – 2.9922 ACRES – BOONE VALLEY DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY COMPANY – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:21 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF A PLAT VACATION AND A PLAT FOR RECORDING IN PRECINCT THREE: THE OVERLOOK AT KOLLMAYER SPRINGS SUBDIVISION (REVISED PLAT – 6 LOTS – 13.15 ACRES – KOLLMAYER DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:21 AM)

Clerk's Note: Item 9 is the action item for the public hearing on Agenda Item 4.

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

CALL UP AT 9:30 A.M.

10. DISCUSS AND TAKE APPROPRIATE ACTION ON A RESTRICTIVE COVENANT FOR MAINTENANCE OF PROPOSED FLOOD PLAIN MODIFICATIONS AT THE BFI SITE AT 10200 GILES LANE. (9:30 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; Stacey Scheffel, TNR; Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Ray Shull, BFI; Joyce Best, Northeast Austin Resident; Mark McAfee, owner, Barr Mansion; Trek English, Travis County Resident; and Melanie McAfee, owner, Barr Mansion.

Clerk's Note: The Court requested to include the language that approving the modification of the floodplain is not, in any way, shape, or form, an authorization to dispose of solid waste at any particular location, and that it is not a variance to the 500-foot floodplain ordinance.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the restrictive covenant for maintenance at the BFI-proposed channel modification, and to ask Staff to give the Court an agreement to consider and approve.

Motion carried:

County Judge Samuel T. Biscoe	yes
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

Item 10 to be reposted on July 22, 2003.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS TO PURSUE VARIOUS SOLID WASTE SITING OPTIONS, INCLUDING:
(11:11 AM)
- A. A SURVEY OF TRAVIS COUNTY TO IDENTIFY POTENTIAL LANDFILL SITES;
 - B. A SURVEY OF ADJACENT COUNTIES TO IDENTIFY ACREAGE SUITABLE FOR TYPE 1 LANDFILLS; AND
 - C. A REGIONAL SUMMIT WITH OTHER CENTRAL TEXAS COUNTIES TO ADDRESS APPROPRIATE SOLID WASTE MANAGEMENT AND LANDFILL ISSUES.

Clerk’s Note: Items 11.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Trek English, Travis County Resident; Melanie McAfee, owner, Barr Mansion; and Mark McAfee, owner, Barr Mansion.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the recommendations as listed in the backup for Items 11.A, B, and C.

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

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON ADDITIONAL RECOMMENDATIONS ON AIR QUALITY INITIATIVES. (2:47 PM)

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

Clerk’s Note: The Court discussed using Road and Bridge funds for the hiring of one full-time employee (F.T.E.) in the Transportation and Natural Resources (TNR) Department, to spearhead a committee, made up of representatives from each County department, to coordinate the activities of Travis County government to improve air quality.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to use Road and Bridge Funds for the hiring of a full-time employee (F.T.E.) for TNR.

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 12 to be reposted on July 22, 2003.

PURCHASING OFFICE ITEMS

- 13. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS020181LB WITH CORRECTIONS SOFTWARE CORPORATION (CSC) FOR RENEWAL OF THE FINANCIAL MODULE FOR THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT. (CSCD) (COMMISSIONER GÓMEZ) (9:13 AM)

Item 13 postponed until July 22, 2003.

- 14. APPROVE TERMINATION OF CONTRACT NO. PS000135EF WITH COMMUNITIES IN SCHOOLS – CENTRAL TEXAS, INC. FOR CASE MANAGEMENT SERVICES RELATED TO HIGH SCHOOL DROP-OUT PREVENTION. (HHSD) (COMMISSIONER GÓMEZ) (9:21 AM)

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

17. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS TO IMPROVE TRAVIS COUNTY POLICY TO PROMOTE UTILIZATION OF HISTORICALLY UNDERUTILIZED BUSINESSES ON CONSTRUCTION CONTRACTS, INCLUDING: (11:42 AM) (1:48 PM)

A. ADOPTION OF CITY OF AUSTIN’S HUB GOALS, ESPECIALLY ETHNIC-BASED PERCENTAGES FOR CONSTRUCTION CONTRACTS;

B. ESTABLISHMENT OF AN ADVISORY COMMITTEE TO ASSIST WITH HUB EFFORTS; AND

C. AUTHORIZATION TO CONTRACT WITH THE LAW FIRM OF COLLETTE HOLT AND ASSOCIATES FOR ADVICE ON ADDITIONAL COUNTY ACTIONS TO IMPROVE HUB RESULTS.

Clerk’s Note: Items 17.A, B, and C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; David Escamilla, Travis County Attorney; Sylvia Lopez, HUB Coordinator; and Mr. McNeeley, African American Contractors Association.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Items 17.A and B, with the understanding that Commissioner Gómez wanted the committee to look at the bonding requirements and whether or not they were keeping some HUB firms from working on different projects.

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	absent

Clerk’s Note: Items 17.A and B were further discussed at 1:48 PM with a request by Commissioner Gómez that the Commissioners’ Court record reflect a Corrected Vote on Items 17.A and B. Judge Biscoe instructed that the record show Commissioner Gómez voting in favor of the Motion on Items 17.A and B. The Commissioners’ Court record does reflect the Corrected Vote.

Corrected Vote:

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

ITEM 17 CONTINUED

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 17.C, the authorization to contract with the law firm of Collette Holt and Associates for advice on additional County actions to improve HUB results.

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	absent

Clerk’s Note: Item 17.C was further discussed at 1:48 PM with a request by Commissioner Gómez that the Commissioners’ Court record reflect a Corrected Vote on Item 17.C. Judge Biscoe instructed that the record show Commissioner Gómez voting in favor of the Motion on Item 17.C. The Commissioners’ Court record does reflect the Corrected Vote.

Corrected Vote:

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

- 18. APPROVE ISSUANCE OF JOB ORDER NO. 24, MINOR CONSTRUCTION AND RENOVATION SERVICES CONTRACT JC020107DM, ARCHITECTURAL HABITAT OF AUSTIN, FOR MINOR CONSTRUCTION AND RENOVATION SERVICES AT 5501 AIRPORT BOULEVARD. (FM) (COMMISSIONER DAVIS) (9:21 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. DISCUSS PROPOSED CHANGES TO FY 2004 FINES AND FEES, AND TAKE APPROPRIATE ACTION: (1:51 PM)
 - A. MEDICAL EXAMINER CONTRACT AUTOPSY FEE INCREASE FROM \$1,500 TO \$1,800, EFFECTIVE JANUARY 1, 2004; AND
 - B. MEDICAL EXAMINER EXPERT WITNESS TESTIMONY FEE INCREASE FROM \$300 TO \$500, EFFECTIVE JANUARY 1, 2004.

Clerk’s Note: Items 19.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alan Miller, Budget Analyst, Planning and Budget Office (PBO); and Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the increase in fees in Items 19.A and B effective October 1, 2003.

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

- 20. CONSIDER ASSUMPTIONS NECESSARY FOR ESTABLISHING TAX RATE, INCLUDING COLLECTION RATE, OPTIONAL HOMESTEAD EXEMPTIONS, AND HISTORICAL EXEMPTIONS, AND TAKE APPROPRIATE ACTION.
(2:01 PM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Dusty Knight, Chief Deputy, Tax Office; Susan Spataro, Travis County Auditor; and Blain Keith, Chief Assistant County Auditor, Travis County Auditor’s Office.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to raise the over 65 and disabled exemption from \$65,000.00 by \$5,000.00, to \$70,000.00, and the intent of the Motion is that we would be doing with that much less revenue as opposed to shifting the effective tax rate to other tax payers.

Motion failed:

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to ask a small committee of interested Travis County people to study historical exemptions over the next year, including getting some input from those who have been benefiting from the exemption, with an eye toward reporting back to the Commissioners’ Court six months after the beginning of the fiscal year, which ought to be April 1, 2004.

Clerk’s Note: The Court recommended the Committee include a member of the Planning and Budget Office, Barbara Cille from Commissioner Daugherty’s Office, a designee from the Tax Assessor’s Office, and to ask Amalia Rodriguez Mendoza, Travis County District Clerk, to join the Committee; and to work in collaboration with the City of Austin’s representative.

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 20 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to go with the memo from Dusty Knight, and that would be no changes from previous years related to our anticipated collection rate, the optional homestead exemptions for the disabled, general taxpayers, the over 65, and the same assumption for the historical exemption.

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

21. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS, AND PERMISSIONS TO CONTINUE: (9:21 AM)

- A. GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE FOR A COMMUNITY PROSECUTION LEADERSHIP GRANT IN THE DISTRICT ATTORNEY'S OFFICE. THE APPLICATION IS TO CONTINUE THE PROGRAM FOR FY 04;**
- B. GRANT APPLICATION TO THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICES FOR A RETIRED SENIOR VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES. THE GRANT CONTINUES THE PROGRAM FOR FY 04;**
- C. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THROUGH THE CITY OF AUSTIN FOR THE 2003 COMMUNITY SERVICES BLOCK GRANT IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE CONTRACT CONTINUES THE PROGRAM FOR FY 03;**
- D. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A IMPAIRED DRIVING MOBILIZATION SELECTIVE TRAFFIC ENFORCEMENT PROGRAM IN THE SHERIFF'S OFFICE. THE GRANT FUNDS ADDITIONAL OVERTIME TO ALLOW ADDITIONAL TRAFFIC DUTY; AND**
- E. GRANT APPLICATION TO THE TEXAS DEPARTMENT ON AGING FOR A RETIRED SENIOR VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES. THE GRANT CONTINUES THE PROGRAM FOR FY 04.**

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

22. APPROVE BUDGET AMENDMENTS AND TRANSFERS. (9:21 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

23. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$470,173.48 FOR THE PERIOD OF JUNE 27, 2003 THROUGH JULY 3, 2003. (9:21 AM)

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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ASSIGNMENT OF THE OPTION TO LICENSE FOR USE OF THE TRAVIS COUNTY EXPOSITION CENTER FROM K&J ICE, LTD. TO CAPITAL HOCKEY VENTURES, LTD. (COMMISSIONER DAVIS) (11:07 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Jeff Buck, General Partner, Capital Hockey Ventures Ltd.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 24.

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

- 25. APPROVE NEWSPAPER ADVERTISING TO COMPLY WITH TEXAS LOCAL GOVERNMENT CODE § 157.002 (E) TO AMEND TRAVIS COUNTY CODE, CHAPTER 17 – HOSPITAL AND INSURANCE FUND – COUNTY EMPLOYEES TO ALLOW CLOSED SESSION APPEALS OF HEALTH COVERAGE. (9:24 AM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the newspaper advertisement to allow closed session appeals of health coverage and to delay action on the Community Supervision and Corrections Department (CSCD) issue until next year.

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

- 26. APPROVE PERSONNEL AMENDMENTS. (9:21 AM)

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

OTHER ITEMS

- 27. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:30 AM)

Item 27 pulled from the Agenda.

- 28. APPOINT COMMISSIONER GERALD DAUGHERTY TO THE EXECUTIVE COMMITTEE OF THE REGIONAL PLANNING COMMITTEE FOR THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER. (COMMISSIONER DAUGHERTY) (9:21 AM)

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT MODIFICATION AND EXTENSION OF CONTRACT 696-PD-0-1-L-L0306 TRAVIS COUNTY BETWEEN TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND TRAVIS COUNTY FOR THE HOUSING OF RELEASEES FOR THE 2003-2004 CONTRACT TERM. (9:21 AM)

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

30. CONSIDER REQUEST FROM ENDEAVOR REAL ESTATE GROUP LLC. FOR FINANCIAL INCENTIVES ON "THE DOMAIN" DEVELOPMENT PROJECT, AND TAKE APPROPRIATE ACTION. (9:15 AM)

Item 30 postponed until July 29, 2003.

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:21 AM)

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

32. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE RESOLUTION REGARDING APPROVAL FOR THE ISSUANCE OF OBLIGATIONS FOR THE FINANCING OF EDUCATIONAL FACILITIES WITHIN TRAVIS COUNTY, TEXAS FOR SOUTHWEST AUSTIN CATHOLIC SCHOOL D/B/A ST. GABRIEL'S CATHOLIC SCHOOL UNDER SECTION 147(f) OF THE INTERNAL REVENUE CODE. (1:49 PM)

Members of the Court heard from: Cliff Blount, Attorney for the Corporations.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 32 and authorize the County Judge, on behalf of the Commissioners' Court, to sign the resolution presented to 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

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER FOR SETTLEMENT AND TAKE APPROPRIATE ACTION TO SETTLE THE CLAIM OF DARLA ROBERSON. ¹ (3:12 PM) (4:44 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to reject the offer to settle, and counter in the amount of \$10,000.00; and that we ask Staff to communicate to Ms. Roberson the specific documentation we have of hours worked, so we can show her how we arrived at this amount.

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	no

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON LAWS RELATED TO UNMARKED GRAVES WITHIN COUNTY ROAD RIGHTS OF WAY, ISSUES RELATED TO LOCKWOOD ROAD AND LOCKWOOD ROAD CEMETERY, AND TAKE APPROPRIATE ACTION. ¹ (3:12 PM) (4:43 PM)

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

Item 34 to be reposted on July 22, 2003.

- 35. CONSIDER REQUEST TO THE TEXAS TURNPIKE AUTHORITY TO DESIGN AND CONSTRUCT AN INTERCHANGE AT THE PROPOSED HOWARD LANE ARTERIAL DURING THE INITIAL CONSTRUCTION OF STATE HIGHWAY 130, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAVIS) ^{1 & 2}
(3:12 PM) (4:44 PM)

Clerk’s Note: Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney, and Gov’t. Code Ann. 551.072, Real Property.

Item 35 to be reposted on July 22, 2003.

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING GRACE S. ELMORE AND THE TONAHILL FIRM, P.C. V. ESQUIRE DEPOSITION SERVICE, LLC.; NO. A-167,911; IN THE 58TH DISTRICT COURT OF JEFFERSON COUNTY, TEXAS. ¹ (3:12 PM) (4:44 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.

Item 36 to be reposted on July 22, 2003.

- 37. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON CLAIM FOR COMPENSATION FOR “ON CALL” AND “CALL BACK” HOURS WORKED BY CERTAIN EMPLOYEES OF THE TRAVIS COUNTY SHERIFF’S OFFICE. ¹ (3:12 PM) (4:43 PM)

Clerk’s Note: Judge Biscoe announced that Item 37 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 make an appropriate communication to attorney Madison, who represents these employees, consistent with commitments the County Judge made to him.

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** Judge Biscoe to adjourn the Voting Session. (4:45 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