

## **MINUTES OF MEETING – SEPTEMBER 7, 2004**

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

On Tuesday, the 7<sup>th</sup> day of September, 2004, the Commissioners' Court convened the regular Voting Session at 9:15 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 12:00 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:39 PM and adjourned at 1:39 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:39 PM and adjourned at 2:11 PM.

The Commissioners Court reconvened the regular Voting Session at 2:11 PM.

The Commissioners Court retired to Executive Session at 2:19 PM.

The Commissioners Court reconvened the Voting Session at 3:35 PM.

The Commissioners Court adjourned the Voting Session at 3:38 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS ON ELECTED OFFICIALS' SALARIES FOR FY 05.  
(ACTION ITEM 2) (9:15 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 2 for the Court's Motion and Vote.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to open the public hearing.

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

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

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

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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Jimmy Castro, Travis County Resident.  
(9:18 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3, and Items 8.A and B, 11, 12.A, 13, 14, 15, 16.A-D, 17, 18, 19, 20.A-E, 21, 22, 23.A and B, 24, 25, 26, 27, 28, 29, 30, 31, 33, A1, and A2. (9:22 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 AUTOMATIC BUDGET TRANSFERS.

## PLANNING AND BUDGET DEPT. ITEMS

- 2.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO SET ELECTED OFFICIALS' SALARIES FOR FY 05. (9:25 AM)

**Clerk's Note:** Item 2 is the action item for the public hearing on Agenda Item 1.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the request to set elected officials' salaries for FY 05.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AGENDA REQUEST FORMS FROM MEMBERS OF THE COMMISSIONERS COURT FOR USE DURING MARK-UP. (9:26 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

Discussion Only. No formal action taken.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REVENUE OPPORTUNITIES AND OBLIGATIONS THAT IMPACT THE FY05 BUDGET PROCESS. (9:33 AM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; Christian Smith, Executive Manager, PBO; Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR); Alicia Perez, Executive Manager, Administrative Operations; Jessica Rio, Budget Analyst, PBO; Valerie Spinelli, Budget Analyst, PBO; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to move the \$996,000.00 surplus from the Risk Reserve to be used for one-time expenditures during budget markup.

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

5. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED CHANGES TO BUDGET RULES FOR FY05. (11:02 AM)

**Members of the Court heard from:** Alan Miller, Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; and Linda Smith, Director, Human Resources Management Department (HRMD).

Discussion Only. No action taken.

Item 5 to be reposted on September 14, 2004.

**6. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:55 AM)**

**Members of the Court heard from:** Jessica Rio, Budget Analyst, PBO; Alan Miller, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; and Roger El Khoury, Director, Facilities Management.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve all of the budget amendments and transfers, excluding budget item DS1.

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

**Motion by Commissioner Sonleitner and seconded by Commissioner Gómez** to approve budget discussion item DS1.

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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 05 COMPENSATION FOR EMPLOYEES:

A. COST OF LIVING INCREASE FOR TRAVIS COUNTY RETIREES;  
(10:06 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the amount of 3%, which is contained in the preliminary budget, as a cost of living increase for Travis County retirees.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 05 COMPENSATION FOR EMPLOYEES:

B. PEACE OFFICERS PAY SCALE: (10:09 AM)

1. LAW ENFORCEMENT OFFICERS;
2. CORRECTIONS OFFICERS;
3. SUPERVISORS IN CORRECTIONS; AND
4. PEACE OFFICERS OUTSIDE THE SHERIFF'S OFFICE.

**Members of the Court heard from:** Bill Derryberry, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; Margo Frasier, Travis County Sheriff; and Susan Spataro, Travis County Auditor.

**Clerk's Note:** The Commissioners' Court discussed Judge Biscoe's strategy regarding the peace officers pay scale. Judge Biscoe stated that for Corrections Supervisors the Court would add 1.25% to the 2.75% already in the preliminary budget to get them to 4% at a cost of \$64,696.00, and that the Court would budget 50% of what has been recommended, which is parity with Law Enforcement, which would cost \$253,917.00. For Corrections Staff, the Court would add 2.25% to the 2.75% already in the preliminary budget to get them to 5%, at a cost of \$715,150.00. For Law Enforcement positions in the Sheriff's Office, the Peace Officers in the Constable Offices Precincts 1, 3, 4, and 5, the Investigators, and the Rangers, the Court would add 1.25% to the 2.75% already in the preliminary budget to get them to 4% at a cost of \$248,951.00, for a total cost of \$1,282,714.00.

**ITEM 7.B CONTINUED**

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Judge Biscoe's strategy on Peace Officer Compensation.

**Clerk's Note:** The Court did not take a Vote on the Standing Motion.

**A Substitute Motion was made by** Commissioner Davis **and seconded by** Commissioner Daugherty to increase the Corrections lieutenants and sergeants parity amount, from \$507,834.00 to \$572,530.00, and an incremental movement of 1.25% on the Correctional officers. Instead of the 5%, it would be 6.25%. This would total \$1,601,327.00.

<b>Motion failed:</b>	County Judge Samuel T. Biscoe	no
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	no
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	no

**Clerk's Note:** The Court took a Vote on the Standing Motion.

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

8. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:22 AM)
- A. GRANT CONTRACT WITH THE ONE-STAR FOUNDATION FOR AN AMERICORPS GRANT PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05; AND
- B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A COMPREHENSIVE UNDERAGE DRINKING PREVENTION PROGRAM IN THE COUNTY ATTORNEY'S OFFICE. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05.

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

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION RELATED TO BUDGET SHORTAGE WITH THE FEDERALLY QUALIFIED HEALTH CENTER (FQHC) PROGRAM FOR FY 04. (11:15 AM)

**Members of the Court heard from:** Sherri Fleming, Interim Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); David Norman, Clinic Administrator, City of Austin; Phil DeFalco, Financial Manager, Federally Qualified Health Center, City of Austin; and Leroy Nellis, Budget Manager, PBO.

Discussion Only. No action taken.

Item 9 to be reposted on September 21, 2004.



10. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT. (2:11 PM)

**Members of the Court heard from:** Jim Collins, Executive Assistant County Attorney.

Discussion Only. No action taken.

Item 10 to be reposted on September 14, 2004.

### **ADMINISTRATIVE OPERATIONS ITEMS**

11. 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 \$562,086.58 FOR THE PERIOD OF AUGUST 20 THROUGH AUGUST 26, 2004. (9:22 AM)

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS:

**A. ROUTINE PERSONNEL ACTIONS;** (9:22 AM)

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

**12. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS:**

**B. NON-ROUTINE PERSONNEL ACTIONS: PROMOTION – MEDICAL EXAMINER’S OFFICE; (11:31 AM)**

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the non-routine personnel action in the Medical Examiners’ Office.

**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 THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS:**

**C. NON-ROUTINE PERSONNEL ACTIONS: REQUEST FOR TEMPORARY PAY FOR (1) RECORDS MANAGEMENT & COMMUNICATION RESOURCES; (2) CRIMINAL JUSTICE PLANNING; AND (3) EMERGENCY SERVICES. (11:32 AM)**

**Members of the Court heard from:** Linda Smith, Director, HRMD; Danny Hobby, Emergency Services Coordinator, Travis County Department of Emergency Services; Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); Steven Broberg, Director, Records Management Communication Resources (RMCR); and Christian Smith, Executive Manager, PBO.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the non-routine personnel actions requested in Item 12.C.

**Motion carried:**

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

## PURCHASING OFFICE ITEMS

13. APPROVE CONTRACT AWARD FOR PURCHASE OF UNIFORMS, IFB NO. B040125LD, TO THE LOW BIDDER, ARAMARK UNIFORM SERVICE. (FM) (COMMISSIONER GÓMEZ) (9:22 AM)

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

14. DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:22 AM)

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

15. APPROVE MODIFICATION NO. 9 TO CONTRACT NO. PS960275JG, THE COMMITTEE FOR WILD BASIN WILDERNESS, INC., FOR MANAGEMENT OF WILD BASIN WILDERNESS PRESERVE. (TNR) (COMMISSIONER GÓMEZ) (9:22 AM)

**Clerk's Note:** Judge Biscoe noted that the modification in Item 15 is to add 12 months to the contract.

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

16. APPROVE THREE-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR TELEPHONE EQUIPMENT: (9:22 AM)

- A. NO. 03T000002RG, SOUTHWEST CENTURY COMMUNICATIONS;
- B. NO. 03T00004RG, AERO-TECH COMMUNICATIONS, INC.;
- C. NO. 03T00005RG, CALL ONE, INC.;
- D. NO. 03T00006RG, AMERITEL CORPORATION. (ITS) (COMMISSIONER GÓMEZ)

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

17. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS020281LB, JOHN S. FORD, FOR PSYCHIATRIC SERVICES. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:22 AM)

**Clerk's Note:** Judge Biscoe noted that the modification in Item 17 is to reduce the contract by \$5,000.00.

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

18. APPROVE 12-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS980044LB, FAMILY ELDERCARE, INC., FOR GUARDIANSHIP SERVICES. (PROBATE COURT) (COMMISSIONER GÓMEZ) (9:22 AM)

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

19. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS030313LB, DRUG AND ALCOHOL TESTING SERVICES, WITH PRORESULTS. (JUVENILE PROBATION DEPT.) (COMMISSIONER GÓMEZ) (9:22 AM)

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

20. APPROVE 12-MONTH EXTENSIONS (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR PROFESSIONAL DRUG AND ALCOHOL TESTING SERVICES: (9:22 AM)

- A. NO. PS030310LB, PINNACLE MEDICAL MANAGEMENT;
- B. NO. PS030311LB, SOURCE 1 SOLUTIONS;
- C. NO. PS030312LB, PROMED MEDICAL CARE;
- D. NO. PS030314LB, ALLIANT DIAGNOSTICS;
- E. NO. PS030315LB, CONCENTRA MEDICAL. (COUNTYWIDE) (COMMISSIONER GÓMEZ)

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

21. APPROVE CONTRACT NO. PS040257JW WITH ALLIANCE CHILDRENS SERVICES, INC. DBA ALLIANCE ADOLESCENT AND CHILDREN'S SERVICES TO PROVIDE RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:22 AM)

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

22. APPROVE 12-MONTH RENEWAL OF 75 INTERLOCAL AGREEMENTS AND 136 CONTRACTS WITH VARIOUS AGENCIES AND CONTRACTORS. (COMMISSIONER GÓMEZ) (9:22 AM)

**Clerk's Note:** Judge Biscoe noted that the Purchasing Department is authorized to sign the documents on behalf of the Commissioners' Court.

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

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR WINDERMERE TERRACE: (9:22 AM)
- A. A VARIANCE TO CHAPTER 82.202(d) OF STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS IN TRAVIS COUNTY, TO ALLOW FOR A LOT IN A SUBDIVISION WITHOUT FRONTAGE ONTO A STREET (LOT 7);
  - B. A PLAT FOR RECORDING IN PRECINCT TWO: WINDERMERE TERRACE – SHORT FORM PLAT – 7 LOTS -- .40 ACRES – GRAVESEND ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY CO., INC – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)

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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: TWIN CREEKS COUNTY CLUB, SECTION 10B (LONG FORM PLAT – 37 LOTS – 7.813 ACRES – TWIN CREEKS COUNTY CLUB DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:22 AM)

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR A PORTION OF AUSTIN LAKE HILLS SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:22 AM)

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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR SCHMIDT LANE, A ROAD IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:22 AM)

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

27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO ADOPT DOCUMENTS IN SUPPORT OF SMALL TOWNS ENVIRONMENT PROGRAM (STEP) GRANTS TO INSTALL WATER FACILITIES AT KENNEDY RIDGE. (COMMISSIONER DAVIS) (9:22 AM)

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: TRAVIS VISTA BUSINESS PARK (SHORT FORM PLAT – 7 LOTS – 9.228 ACRES – US 290 – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEMS – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:22 AM)

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

29. BUDGET TRANSFER AND USE OF COUNTY FUNDS TO REIMBURSE TRAVEL EXPENDITURES FOR OUT-OF-STATE APPLICANT FOR ENGINEERING DIVISION MANAGER (CIP PROJECT MANAGER). (9:22 AM)

**Clerk's Note:** Judge Biscoe noted that this is reimbursement of up to \$1,000.00, based on actual invoices.

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

### OTHER ITEMS

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:22 AM)

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

31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE DESIGNATION OF RECOMMENDED MAIN EARLY VOTING, TEMPORARY EARLY VOTING, MOBILE EARLY VOTING AND ELECTION DAY POLLING LOCATIONS FOR THE NOVEMBER 2, 2004 GENERAL ELECTION. (9:22 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 IMPLEMENT CALENDAR YEAR 2005 TRAVIS COUNTY COMBINED CHARITIES DRIVE. (2:17 PM)

**Clerk's Note:** Judge Biscoe noted that the Agenda Item should read “. . . calendar year 2004 . . .” The Court without objection, decided to proceed with discussions on the Item.

Discussion Only. No action taken.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH A&A, INC. TO PHOTOGRAPH TCSO TRANSPORT BUSES FOR ALBUM COVER FOR RECORDING ARTIST “BIG TEX”. (9:22 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

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING OUTSIDE COUNSEL REPRESENTATION ISSUES IN JESSIE BISHOP V. MARGO FRASIER, ET AL. (BISHOP; FRASIER; CIVIL RIGHTS). <sup>1</sup> (9:15 AM)

Item 34 postponed until September 14, 2004.



- 35.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PURCHASE OF RIGHT-OF-WAY FROM ALTON MOBLEY ESTATE FOR THE BLAKE MANOR ROAD IMPROVEMENT PROJECT LOCATED IN PRECINCT ONE.  
(COMMISSIONER DAVIS) <sup>1 & 2</sup> (2:19 PM) (3:35 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.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to accept the counter-offer of \$18,956.70, from the Alton Mobley estate, approximately .747 acres of right-of-way, for the Blake Manor Road project.

**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.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER RECEIVED IN JODI MARSHALL V. TRAVIS COUNTY ET AL (MARSHALL, TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY DEFENDANT). <sup>1</sup> (9:15 AM)

Item 36 postponed until September 14, 2004.

- 37.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING SETTLEMENT NEGOTIATIONS IN RICHARD MCCAIN V. TRAVIS COUNTY. <sup>1</sup> (2:19 PM)

Item 37 postponed until September 14, 2004.

38. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON FERGUSON AND TUSCANY WAY EXTENSION PROJECT. (COMMISSIONER DAVIS) <sup>1</sup> (2:19 PM) (3:36 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.

**Clerk's Note:** The Court directed Staff to continue to do due diligence on this project, which includes contacting Mr. Nalle and his attorney, and trying to get a final response to the County's last offer; and that we discuss with the Walnut Place Neighborhood Association the various options under consideration; and to have this Item back on the Court's Agenda on October 5, 2004.

Discussion only. No action taken.

Item 38 to be reposted on October 5, 2004.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON REPLY FROM PASTOR STERLING LANDS TO COUNTY'S RESPONSE TO REQUEST FOR INVESTIGATION OF VARIOUS MATTERS IN THE MEDICAL EXAMINER'S OFFICE. <sup>1</sup> (2:19 PM) (3:37 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.

No action required on Item 39.

Item 39 to be reposted on September 14, 2004.

40. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON PROPERTY USE ADJACENT TO 4001 MCKINNEY FALLS PARKWAY. (COMMISSIONER GÓMEZ) <sup>1</sup> (2:19 PM) (3:37 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.

No action required on Item 40.

- 41.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN CITY OF SUNSET VALLEY V. CITY OF AUSTIN; GV4-0101. <sup>1</sup>  
(2:19 PM) (3:38 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.

No action required on Item 41.

### ADDED ITEMS

- A1.** APPROVE MODIFICATION NO. 4, TO CONTRACT NO. 02C00118LC WITH FRANK SOLUTIONS, A DIVISION OF GOVONE SOLUTIONS, LP, FOR INTERACTIVE VOICE RESPONSE/INTERACTIVE WEB RESPONSE SYSTEMS. (DRO/ITS) (COMMISSIONER GÓMEZ) (9:22 AM)

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

- A2.** APPROVE CONTRACT, CONTRACT MODIFICATION AND MAKING OF CONTRACT TO PROVIDE, INSTALL AND RELOCATE SECURITY CAMERAS, MONITORS AND READER CARDS AT THE TRAVIS COUNTY CRIMINAL JUSTICE CENTER AND 5501 AIRPORT BLVD. BUILDING, IFB NO. B040122SI, TO THE LOW BIDDER, EBM SECURITY INC. (FAC. MGMT.) (COMMISSIONER GÓMEZ) (9:22 AM)

**Clerk's Note:** Item A2 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

## ADJOURNMENT

**Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (3:38 PM)**

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Karen Sonleitner	yes
	Precinct 3, Commissioner 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**