

## **MINUTES OF MEETING – OCTOBER 12, 2004**

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

On Tuesday, the 12<sup>th</sup> day of October, 2004, the Commissioners' Court convened the regular Voting Session at 9:10 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 record notes that Precinct Four Commissioner Margaret J. Gómez was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 12:04 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:38 PM and adjourned at 1:39 PM.

The Commissioners Court, meeting as the Southwest Travis County Road District #1 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 1:45 PM.

The Commissioners Court reconvened the regular Voting Session at 1:45 PM.

The Commissioners Court retired to Executive Session at 3:02 PM.

The Commissioners Court reconvened the Voting Session at 4:54 PM.

The Commissioners Court adjourned the Voting Session at 5:19 PM.

## RESOLUTIONS & PROCLAMATIONS

1. APPROVE PROCLAMATION RECOGNIZING OCTOBER 20, 2004 AS "DISABILITY MENTORING DAY" IN TRAVIS COUNTY. (COMMISSIONER SONLEITNER) (9:13 PM)

**Members of the Court heard from:** Denise Sonleitner, Commissioner, Mayor's Committee for People with Disabilities; and Bryson McCall, Travis County Resident.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the proclamation in Item 1.

**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

## CITIZENS COMMUNICATION

**Clerk's Note:** No speakers addressed the Court. (9:18 AM)

## CONSENT ITEMS

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C11, and Items 2, 3, 4, 7, 8, 9, 10, 12, 15, 16.A-G, 18.A, 19, 20.A, 21, and 23. (9:18 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	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

**CONSENT ITEMS CONTINUED**

- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 14, 2004.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 21, 2004.
- C5.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 28, 2004.
- C6.** APPROVE COMMISSIONERS COURT MINUTES FOR SPECIAL SESSION OF SEPTEMBER 30, 2004.
- C7.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C8.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 26, 2004 TO RECEIVE COMMENTS REGARDING PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO "VORWERK ROAD" SOUTH OFF CELE ROAD IN PRECINCT ONE. (COMMISSIONER DAVIS)
- C9.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 26, 2004 TO RECEIVE COMMENTS REGARDING PROPOSED STREET NAME ASSIGNMENTS FOR TWO PRIVATE EASEMENTS TO "ADRIAN WAY" AND "TYLER TRAIL" OFF FM 1431 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C10.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 26, 2004 TO RECEIVE COMMENTS REGARDING PROPOSED STREET NAME CHANGE FOR A PRIVATE ROAD FROM WYNTON PLACE TO "CARRANZO DRIVE" EAST OF BARTON CREEK BLVD. IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C11.** APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 26, 2004 TO RECEIVE COMMENTS REGARDING PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO "MOUNTAINSIDE DRIVE" NORTH OF FM 1431 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**PURCHASING OFFICE ITEMS**

- 2. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 01T0015RG, ELEVATOR MAINTENANCE, WITH TEJAS ELEVATOR CO. (FM) (COMMISSIONER GÓMEZ) (9:18 AM)

**Clerk's Note:** Item 2 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 3. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00040LD, SOUTHWEST CONSTRUCTORS FOR ABATEMENT/DEMOLITION SERVICES. (TNR) (COMMISSIONER GÓMEZ) (9:18 AM)

**Clerk's Note:** Item 3 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 4. APPROVE SIXTY-DAY EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 01T0026TF, AVNET ENTERPRISE SOLUTIONS, FOR CISCO NETWORKING PRODUCTS/SERVICES (ITS) (COMMISSIONER GÓMEZ) (9:18 AM)

**Clerk's Note:** Item 4 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 5. APPROVE CONTRACT TO PROVIDE SECURITY UPGRADES AT THE TRAVIS COUNTY DOMESTIC RELATIONS OFFICE AND THE COUNTY CLERK/TAX OFFICE BUILDING, IFB NO. B040132SI, TO THE LOW BIDDER, EBM SECURITY INC. (FM) (COMMISSIONER DAVIS) (9:26 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Roger El Khoury, Director, Facilities Management.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve the contract in Item 5.

**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

- 6. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO INTERLOCAL AGREEMENT NO. IL000273EF WITH AUSTIN INDEPENDENT SCHOOL DISTRICT TO PROVIDE ADULT BASIC EDUCATION SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (9:31 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 6.

**Motion carried:**

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

### TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: C.C. CARLTON SUBDIVISION (SHORT-FORM PLAT – 1 LOT – 10.436 ACRES – SCHMIDT LANE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY ONSITE SEPTIC FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:18 AM)

**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 A PLAT FOR RECORDING IN PRECINCT THREE: SKY FOREST SUBDIVISION (LONG FORM PLAT – 20 LOTS – 12.39 ACRES – FM 2244 (BEE CAVE) – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE PROVIDE BY ON-SITE SEPTIC SYSTEMS (TCEQ) – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:18 AM)

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

9. APPROVE A CASH SECURITY AGREEMENT FOR DRAINAGE IMPROVEMENTS TO YUCCA MOUNTAIN ROAD IN REFERENCE TO PAUL SUBDIVISION, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:18 AM)

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

10. APPROVE ALTERNATIVE FISCAL AGREEMENTS FOR THE MEADOWS OF BLACKHAWK SECTION 7B, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:18 AM)

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

11. CONSIDER APPROVAL OF AN AGREEMENT BETWEEN TRAVIS COUNTY AND JACOB AND MILDRED LINDGREN FOR A CLEAN FILL DISPOSAL SITE FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT ON THE LINDGREN PROPERTY LOCATED AT 11316 JONES ROAD. (9:12 AM)

Item 11 postponed until October 19, 2004.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR IN-KIND CONTRIBUTION FROM TRAVIS COUNTY TO THE AUSTIN-BASTROP RIVER CORRIDOR PARTNERSHIP NOVEMBER WORKSHOP. (COMMISSIONER DAVIS) (9:18 AM)

**Clerk's Note:** Commissioner Sonleitner announced that the in-kind contribution from Travis County is to provide mail services for distributing the workshop announcement.

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

**13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS:**

**A.** A COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY, CONTINENTAL HOMES OF TEXAS, L.P. AND BELL/NASH RATHGEBER JOINT VENTURE RELATING TO THE DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF A PUBLIC SWIMMING POOL IN THE EAST METRO PARK; (9:34 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 13.A.

**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

**13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS:**

**B.** A USE, OPERATION AND MAINTENANCE AGREEMENT BETWEEN TRAVIS COUNTY, CONTINENTAL HOMES OF TEXAS, L.P., BRIARCREEK OWNERS ASSOCIATION, INC. AND BELL-NATH/RATHGEBER JOINT VENTURE; (9:41 AM)

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 13.B.

**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

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS:

C. A GRANT CONTRACT WITH TEXAS PARKS & WILDLIFE DEPARTMENT FOR AN EAST METROPOLITAN PARK, OUTDOOR RECREATION GRANT PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. A NEW GRANT PROGRAM TO PROVIDE EQUIPMENT FOR THE EAST METROPOLITAN PARK; \$500,000 GRANT MATCH MET BY THE CONSTRUCTION OF A SWIMMING POOL BY A THIRD PARTY DEVELOPER; (9:46 AM)

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the contract in Item 13.C.

<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	absent

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS:

D. A CONTRACT AWARD TO THE LOW BIDDER, C. C. CARLTON INDUSTRIES, LTD., EAST METRO PARK, PHASE I, PROJECT ONE, IFB #B040129-JJ, AND REJECTION OF ALL BIDS FOR ALTERNATE BID ITEMS A AND G. (TNR) (COMMISSIONER DAVIS) (9:48 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Joe Gieselman, Executive Manager, TNR; and Tenley Aldredge, Assistant County Attorney.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 13.D, and award the contract to C.C. Carlton Industries Ltd. as the low bidder, in the amount of \$4,798,929.50; and to reject alternate bids A and G, and to also include the safety issues letter from C.C. Carlton Industries to insure these particular safety measures are followed.

<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	absent



14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING ROCKY CREEK RANCH PRELIMINARY PLAN, A SUBDIVISION IN PRECINCT THREE: (10:31 AM) (1:47 PM) (3:02 PM) (4:54 PM)
- A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, MCHARGUE DEVELOPMENT LTD, REBECCA MCHARGUE HUDSON, PRESIDENT; AND
- B. A PRELIMINARY PLAN: ROCKY CREEK RANCH PRELIMINARY PLAN (486 LOTS – 467.86 ACRES – FM 3238 (HAMILTON POOL ROAD) – NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 14.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Anna Bowlin, Program Manager, Planning and Engineering Services, TNR; Tom Nuckols, Assistant County Attorney; Rebecca McHargue Hudson, President, McHargue Development Ltd; David Armbrust, Attorney Representing Developer; George Murfee, Murfee Engineering Company; Gene Lowenthal, Travis County Resident; Christy Muse, Travis County Resident; Jim Phillips, Travis County Resident; Charles Craft, Travis County Resident; Rick Sternberg, Travis County Resident; Karen Hadden, Stakeholder Member, Lower Colorado River Authority (LCRA) Water Quality Group; Mary Ann Holland, Travis County Resident; Carlotta McClaine, Travis County Resident; Alexander Wood, Travis County Resident; John Hatchet, Travis County Resident; Lisa Railsback, Travis County Resident; Mr. Hudson, Travis County Resident; Miriam Wright, Travis County Resident; Damien Preer, Travis County Resident; Ms. Uhrich, Travis County Resident; Nell Penridge, Travis County Resident; Collin Clark, Save Our Springs Alliance; Tom Smith, Travis County Resident; Becky Combs, Travis County Resident; and Nina Glasco, Travis County Resident.

**Clerk's Note:** Judge Biscoe announced that Items 14.A and B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**ITEM 14 CONTINUED**

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve Items 14.A and B, the phasing agreement and the preliminary plan, with the changes discussed today, adding the appropriate plat note language requiring 15% impervious cover, and a plat note including the LCRA Water Conservation requirements, and that approval is contingent upon these plat notes.

**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

Items 14.A and B to be reposted on October 26, 2004.

**PLANNING AND BUDGET DEPT. ITEMS**

- 15.** CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:18 AM)

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

16. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:18 AM)
- A. GRANT CONTRACT AMENDMENT WITH OFFICE OF RURAL COMMUNITY AFFAIRS FOR KENNEDY RIDGE STEP 2 WATER GRANT IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. AMENDMENT EXTENDS TERMINATION DATE OF THE GRANT THROUGH JUNE 2, 2005;
  - B. GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR A VICTIM COORDINATOR AND LIAISON GRANT IN THE DISTRICT ATTORNEY'S OFFICE. GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05;
  - C. GRANT CONTRACT AMENDMENT WITH THE TEXAS GAS COMPANY TO THE PROJECT CARE ENERGY ASSISTANCE GRANT PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. AMENDMENT PROVIDES AN ADDITIONAL \$14,000 TO THE CURRENT GRANT PROGRAM;
  - D. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF AGING (THROUGH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE) FOR A RETIRED SENIORS AND VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05;
  - E. REVISED GRANT WITH ONESTAR FOUNDATION FOR THE AMERICORPS GRANT PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. REVISION MAKES A MINOR CHANGE TO THE ORIGINAL AGREEMENT APPROVED BY COURT;
  - F. GRANT CONTRACT WITH THE CITY OF AUSTIN FOR A VIOLENCE PROTECTIVE TEAM DETECTIVE IN THE SHERIFF'S OFFICE. A NEW GRANT PROGRAM FOR THE SHERIFF, MATCH MET THROUGH EXISTING SHERIFF'S DEPARTMENT RESOURCES; AND
  - G. AUTHORIZATION FOR JUVENILE PROBATION TO CONTINUE THE JUVENILE ACCOUNTABILITY INCENTIVES BLOCK GRANT THROUGH NOVEMBER 15, 2004, THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM THROUGH DECEMBER 15, 2004 AND THE TEXAS STATE UNIVERSITY RISK ASSESSMENT PROGRAM THROUGH NOVEMBER 15, 2004. THIS ALLOWS CONTINUATION OF THESE PROGRAMS UNTIL CONTRACT EXECUTION.

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

- 17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR AN ECONOMIC INCENTIVES AGREEMENT FOR ADVANCE TECHNOLOGY DEVELOPMENT FACILITY, INC., A FOR-PROFIT SUBSIDIARY OF SEMATECH INC., A NON-PROFIT CORPORATION ENGAGED IN HIGH TECHNOLOGY RESEARCH. (2:59 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the request to develop an economic incentives agreement.

**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

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT:
  - A. INTERLOCAL AGREEMENT WITH THE TRAVIS COUNTY HOSPITAL DISTRICT FOR CASH INVESTMENT MANAGEMENT SERVICES; (9:18 AM)

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

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT:
  - B. MEMORANDUM OF AGREEMENT FOR THE TRAVIS COUNTY AUDITOR TO PROVIDE SERVICES TO THE TRAVIS COUNTY HOSPITAL DISTRICT; (9:12 AM)

Item 18.B postponed until October 26, 2004.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT:

C. OTHER RELEVANT MATTERS. (5:19 PM)

No action necessary on Item 18.C.

### 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 \$210,571.75 FOR THE PERIOD OF SEPTEMBER 24 THROUGH SEPTEMBER 30, 2004. (9:18 AM)

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

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

A. ROUTINE PERSONNEL ACTIONS – FY05 TEMPORARY POSITION EXTENSIONS; (9:18 AM)

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

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

B. NON-ROUTINE PERSONNEL ACTIONS – NONE. (9:20 AM)

No action necessary on Item 20.B.

**OTHER ITEMS**

- 21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:18 AM)

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

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COMPREHENSIVE STUDY ON COMPENSATION FOR VARIOUS CATEGORIES OF PEACE OFFICERS. (10:00 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to indicate to the Peace Officer Compensation Committee, Human Resources (HRMD), and Alicia Perez, Executive Manager, Administrative Operations in writing, what the Commissioners Court wants, and develop a strategy to keep politics out of this public policy determination; and to ask Human Resources to take the September 27, 2004 e-mail to the County Judge, and take into account all of the comments given by the Commissioners Court, and come up with a strategy that sets forth a schedule; all of this is supported by a \$50,000.00 earmark against Allocated Reserve which is a maximum and should not be exceeded.

**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

Item 22 to be reposted on October 19, 2004.

- 23. APPROVE ORDER AMENDING THE ANNUALLY DETERMINED CONTRIBUTION RATE PLAN AND MAKING PLAN SELECTIONS TO INCREASE BENEFITS FOR RETIREES UNDER TEXAS DISTRICT AND COUNTY RETIREMENT SYSTEM. (9:18 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 TO FILL VACANCIES FOR UNEXPIRED TERM OF PRESIDING ELECTION JUDGES AND ALTERNATE PRESIDING ELECTION JUDGES. (9:22 AM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the Order Filling Vacancies in Unexpired Term of Election Judges and Alternate Election Judges.

**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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 2004 JOINT GENERAL AND SPECIAL ELECTION. (9:24 AM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve up to \$3,000.00 in funding for the request to mail out a postcard to active registered voters to communicate changes in Election Day polling places.

**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

**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.

- 26. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. OLIVER HOUSTON, JR. (ROGELIO A. RAYOS RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:02 PM) (5:16 PM)

**Clerk's Note:** Judge Biscoe announced that Item 26 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 approval of the tax resale deed to Rogelio A. Rayos who has paid to Travis County the sum of \$10,000.00 in cash.

<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	absent



27. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. PALAZZO CONSTRUCTION CO. (W. NEWMAN CASEY RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (3:02 PM) (5:16 PM)

**Clerk's Note:** Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to authorize the County Judge to sign the tax resale deed to W. Newman Casey who has paid to Travis County the sum of \$6,522.34.

**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

28. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE OPPORTUNITY TO PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. <sup>2</sup> (3:02 PM) (5:16 PM)

**Clerk's Note:** Judge Biscoe announced that Item 28 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 Judge Biscoe and seconded by Commissioner Sonleitner** to authorize a contract between Travis County and Mike Buls, to serve as broker; that we authorize the County Judge to execute the professional services agreement; and that we also authorize Mr. Buls to send an appropriate letter to the seller containing appropriate provisions for Travis County.

**Motion carried:**

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

Item 28 to be reposted on October 19, 2004.

- 29.** RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON IMPLEMENTATION OF TRAVIS COUNTY HOSPITAL DISTRICT. <sup>1</sup> (3:02 PM) (5:17 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.

Discussion Only. No action taken on Item 29.

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SALARY FOR EXECUTIVE MANAGER OF HEALTH AND HUMAN SERVICES. <sup>3</sup> (3:02 PM) (5:17 PM)

**Clerk's Note:** Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion Only. No action taken on Item 30.

Item 30 to be reposted on October 19, 2004.

- 31.** CONSIDER ACQUISITION OF LAND FOR THE DEVELOPMENT OF TRAVIS COUNTY SOUTHWEST METROPOLITAN PARK PROJECT (CIP #01-B02-31-3PA). (COMMISSIONER DAUGHERTY) <sup>1&2</sup> (3:02 PM) (5:17 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 and Gov't. Code Ann. 551.072, Real Property.

Discussion Only. No action taken on Item 31.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON SECURITY ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 2004 JOINT GENERAL AND SPECIAL ELECTION. <sup>4</sup> (3:02 PM) (5:18 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.076, Security.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize the sum of \$5,250.00 to cover the cost of security personnel; that we further authorize the County Clerk to work with the Sheriff’s Office to make sure that appropriate personnel are available at the times they are needed; that we authorize this amount from Allocated Reserve; and that it be put as an automatic budget transfer.

**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

**ADJOURNMENT**

**Motion by Commissioner Sonleitner and seconded by Commissioner Davis** to adjourn the Voting Session. (5:19 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   absent

**MINUTES APPROVED BY THE COMMISSIONERS’ COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**