

MINUTES OF MEETING – OCTOBER 19, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 19th day of October, 2004, the Commissioners' Court convened the regular Voting Session at 9:15 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 record notes that Precinct One Commissioner Ron Davis was 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 Housing Finance Corporation, convened the Voting Session at 1:52 PM and adjourned at 1:59 PM.

The Commissioners Court reconvened the regular Voting Session at 1:59 PM.

The Commissioners Court retired to Executive Session at 2:52 PM.

The Commissioners Court reconvened the Voting Session at 3:54 PM.

The Commissioners Court adjourned the Voting Session at 4:00 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 & 7, DAVENPORT WEST P.U.D. TRACT C-3, SECTION TWO, THE POINT AT ROB ROY (SHORT FORM PLAT – 2 LOTS – 6.551 ACRES – PASCAL LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WCID NO. 10 – CITY OF AUSTIN LIMITED PURPOSE ETJ). (ACTION ITEM 8) (COMMISSIONER DAUGHERTY) (9:17 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 Gómez to open the public hearing.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

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

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

RESOLUTIONS & PROCLAMATIONS

2. APPROVE RESOLUTION HONORING THE LATE MARINE LANCE CORPORAL NICHOLAS SAMUEL VALDEZ PEREZ FOR DISTINGUISHED AND HEROIC MILITARY SERVICE IN IRAQ. (JUDGE BISCOE) (9:18 AM)

Members of the Court heard from: Cheryl Brown, Executive Assistant, Travis County Judge's Office; Yolanda Valdez, Mother of Nicholas Perez; Ed Leo, Former Principal, Sanchez Elementary; and Tim Powledge, Weapons Company Commander, Twentynine Palms, United States Marines.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution in Item 2.

Motion carried:

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

3. APPROVE PROCLAMATION RECOGNIZING "LIGHTS ON AFTER SCHOOL!" (JUDGE BISCOE) (9:29 AM)

Members of the Court heard from: Debra Britton, Travis County Health and Human Services (TCHHS); and Shirleen Justice, Austin Independent School District.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proclamation in Item 3.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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: Don Smith, Chief, Travis County Emergency Services District 4; Chief Reynolds, Travis County Emergency Services District 4; and the Travis County Fire Academy Cadet Class 4: Ricky Virgne, Clint Peterson, Travis Janda, Ricardo Sandoval, Jodi Ford, Arista Blouin, Miguel Walters, La Juan Jackson, Trent Meng, Richard Reyes, Greg Mehaffey, Charles Christopher, Tommy Weeks, Keith Eberly, Thomas Castruita, David Rodriguez, Tyrone Parks, Elex Williams, Warren Langston, Brandon Barkley, and Mark Morales. (9:35 AM)

Clerk's Note: Judge Biscoe announced that on October 29, 2004, from 11am to 2pm, Travis County would conduct a Halloween Carnival for the Combined Charities Campaign.

Clerk's Note: Commissioner Daugherty challenged each and every office on the 5th floor of the Ned Granger Administration Building to donate \$1,000.00 towards the Combined Charities Campaign.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C10, and Items 4, 5, 7, 8, 9, 10, 11, 14.A and B, 15, 16, 17.A, 19, 20, 22, 23, A1, and A3. (9:48 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR BUDGET VOTING SESSION OF SEPTEMBER 8, 2004.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR BUDGET VOTING SESSION OF SEPTEMBER 9, 2004.

CONSENT ITEMS CONTINUED

- C5.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF OCTOBER 5, 2004.
- C6.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 2, 2004 TO RECEIVE COMMENTS REGARDING A TRAFFIC REGULATION PROHIBITING THROUGH TRUCKS ON YAGER LANE BETWEEN CAMERON ROAD AND PARMER LANE IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:43 AM)

Clerk's Note: The Court without objection agreed to change the public hearing date to November 9, 2004.

- C8.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 2, 2004 TO RECEIVE COMMENTS REGARDING TEMPORARILY CLOSING PINNACLE ROAD AND ALLEN DRIVE FROM WESTBANK DRIVE TO 200' SOUTH OF RIPPLE CREEK (AUSTIN CITY LIMITS) IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C9.** POST ADVANCED NOTICE OF ROAD CLOSURE AND CONDUCT PUBLIC HEARING ON TUESDAY, NOVEMBER 2, 2004 REGARDING TEMPORARY CLOSURE OF GREGG LANE IN SEPTEMBER 2005 FOR ROAD CONSTRUCTION FROM CAMERON ROAD TO A POINT APPROXIMATELY 600 FEET WEST OF CAMERON ROAD IN PRECINCT ONE. (COMMISSIONER DAVIS)
- C10.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 9, 2004 TO RECEIVE COMMENTS REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A DRAINAGE AND PUBLIC UTILITY EASEMENT ALONG THE COMMON LOT LINE OF LOTS 52 AND 53, VISTA GRANDE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

PURCHASING OFFICE ITEMS

4. APPROVE CONTRACT NO. PS040276ML FOR INMATE MEDICAL SERVICES WITH DANIEL MACKAY, MD. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:48 AM)

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

5. APPROVE MODIFICATION NOS. 8 AND 9 TO CONTRACT NO. 03K00150JJ, CHASCO CONTRACTING, NORTHEAST METRO PARK CONSTRUCTION PROJECT, PHASE II, PROJECT 2. (TNR) (COMMISSIONER SONLEITNER) (9:48 AM)

Clerk's Note: Item 5 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON EVALUATION COMMITTEE RANKINGS OF THE ARCHITECTURAL/ ENGINEERING PROPOSALS SUBMITTED FOR RFQ NO. Q040113JJ, PROFESSIONAL ENGINEERING SERVICES FOR FIVE ROADWAY DESIGN PROJECTS AND REQUEST FOR AUTHORIZATION TO COMMENCE CONTRACT NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRMS. (TNR) (9:16 AM)

Item 6 postponed until October 26, 2004.

7. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00024RV, ECOLAB, INC., FOR DISHWASHING AND LAUNDRY CHEMICALS. (SHERIFF, GARDNER BETTS) (COMMISSIONER GÓMEZ) (9:48 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

8. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 & 7, DAVENPORT WEST P.U.D. TRACT C-3, SECTION TWO, THE POINT AT ROB ROY (SHORT FORM PLAT – 2 LOTS – 6.551 ACRES – PASCAL LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WCID NO. 10 – CITY OF AUSTIN LIMITED PURPOSE ETJ). (COMMISSIONER DAUGHERTY) (9:48 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 1.

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 A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT ONE: MANOR COMMERCIAL PARK III (LONG FORM PLAT – 10 LOTS – 29.13 ACRES – US 290 – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC SYSTEMS – NO MUNICIPAL ETJ). (COMMISSIONER DAVIS) (9:48 AM)

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: EANES CANYON ESTATES (SHORT-FORM PLAT – 3 LOTS – 12.840 ACRES – TUMBLEWEED TRAIL – FISCAL POSTED WITH THE CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:48 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.
(9:48 AM)

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

12. A. CONSIDER ADOPTION OF AMENDMENT #3 TO THE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN RELATING TO THE PLATTING OF SUBDIVISIONS WITHIN THE EXTRATERRITORIAL JURISDICTION (ETJ), AND TAKE APPROPRIATE ACTION; (9:53 AM) (3:56 PM)
- B. CONSIDER AMENDMENT TO FY 05 GENERAL FUND BUDGET AND THE ADOPTION OF THE FY 05 FEE SCHEDULE FOR THE REVIEW AND INSPECTION OF SUBDIVISIONS WITHIN THE CITY OF AUSTIN ETJ, AND TAKE APPROPRIATE ACTION.

Clerk's Note: Items 12.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; Tom Nuckols, Assistant County Attorney; and Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to adopt amendment number 3 to the interlocal agreement as listed under Item 12.A.

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

Item 12.B to be reposted on October 26, 2004.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PLAN TO CHANNELIZE AND LEVEE THE 100-YEAR FLOODPLAIN OF ONION CREEK ADJACENT TO AND UPSTREAM OF TRAVIS COUNTY'S SOUTHEAST METROPOLITAN PARK. (9:15 AM)

Item 13 postponed until October 26, 2004.

PLANNING AND BUDGET DEPT. ITEMS

14. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:48 AM)
- A. GRANT APPLICATION AND RESOLUTION WITH THE TEXAS SECRETARY OF STATE FOR THE HELP AMERICA VOTE ACT GRANT IN THE COUNTY CLERK'S OFFICE. GRANT PROVIDES REIMBURSEMENT FOR ELECTION EQUIPMENT AND TRAINING DESIGNED TO IMPROVE THE VOTING PROCESS IN TRAVIS COUNTY; AND
 - B. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE JUVENILE ACCOUNTABILITY INCENTIVES BLOCK GRANT PROGRAM IN JUVENILE PROBATION. GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05.

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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:48 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

16. 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 \$594,438.17 FOR THE PERIOD OF OCTOBER 1 THROUGH OCTOBER 7, 2004. (9:48 AM)

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

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING
PROPOSED PERSONNEL AMENDMENTS: (9:48 AM)

A. ROUTINE PERSONNEL ACTIONS – FY05 TEMPORARY POSITION
EXTENSIONS – ELECTIONS; AND

B. NON-ROUTINE PERSONNEL ACTIONS – NONE.

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

18. REVIEW AND APPROVE THE FOLLOWING PROPERTY CLAIM RECOMMENDATIONS: (10:19 AM)

- A. CONSTABLE 5 – SETTLE;**
- B. TCSO UNIT 1805 – SETTLE;**
- C. TCSO UNIT 1952 – SETTLE;**
- D. TCSO UNIT 1945 – SETTLE;**
- E. TCSO UNIT 2378 – SETTLE;**
- F. TCSO UNIT 2175 – SETTLE;**
- G. TCSO UNIT 2281 – SETTLE; AND**
- H. FACILITIES MANAGEMENT – SETTLE.**

Clerk's Note: Items 18.A-H are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); and Sherine Thomas, Assistant County Attorney.

Clerk's Note: The Court without objection announced that Items 18.C, D, and G are to be postponed until November 9, 2004.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Risk Manager's recommendations to settle on Items 18.A, B, E, and F.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 the property claim recommendation in Item 18.H.

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

Items 18.C, D, and G postponed until November 9, 2004.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON WEBSITE LICENSE AND LINKING AGREEMENT BETWEEN TRAVIS COUNTY AND WHITE LODGING SERVICES CORP. FOR TRAVIS COUNTY EXPOSITION CENTER WEBSITE.
(9:48 AM)

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

OTHER ITEMS

20. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:48 AM)

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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS RELATED TO A COMPREHENSIVE STUDY ON COMPENSATION FOR VARIOUS CATEGORIES OF PEACE OFFICERS: (10:38 AM)
- A. THE COMPOSITION OF A WORKING GROUP TO FORMULATE A REQUEST FOR PROPOSAL/SERVICES FOR PROFESSIONAL SERVICES ON PEACE OFFICER COMPENSATION;
 - B. A STATEMENT OF COMMISSIONERS COURTS' EXPECTATIONS FROM THE COMPREHENSIVE STUDY;
 - C. GUIDELINES TO PROMOTE AN OBJECTIVE, FAIR AND INCLUSIVE PROCESS; AND
 - D. A WRITTEN OVERVIEW OF THE PROCESS, INCLUDING IN-HOUSE INITIATIVES, CONTRACTED SERVICES, APPROPRIATE MILESTONES AND SCHEDULE.

Clerk's Note: Items 21.A-D are associated with one another and were called for concurrent discussion.

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to appoint representatives from the Planning and Budget Office, the County Attorney's Office, the Purchasing Office, Human Resources, and a person appointed by the Travis County Sheriff, to the working group in Item 21.A.

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the schedule and timelines in Item 21.D, with the change that recommendations be presented to the Commissioners Court no later than May 15, 2005.

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

Discussion only on Items 21.B and C. No formal action taken.

22. RECEIVE THE FORFEITED PROPERTY ACCOUNT BUDGET FROM THE DISTRICT ATTORNEY AND AUTHORIZE THE APPROPRIATE FILING WITH THE COUNTY CLERK. (9:48 AM)

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE REVISED FY05 ADOPTED PEACE OFFICER PAY SCALE (POPS). (9:48 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 TRAVIS COUNTY TO PARTICIPATE IN PUBLIC HEARINGS ON THE ALIGNMENT OF IH-35 BETWEEN MEXICO AND OKLAHOMA. (2:34 PM)

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

Discussion Only. No action taken.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER AUTHORIZING THE ISSUANCE OF TRAVIS COUNTY, TEXAS, LIMITED TAX REFUNDING BONDS, SERIES 2004; PROVIDING FOR THE AWARD OF THE SALE THEREOF; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT AND A BOND PURCHASE AGREEMENT; APPROVING THE FORM OF THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. (10:25 AM)

Members of the Court heard from: Ladd Pattillo, Travis County Financial Advisor; David Potter, First Albany Capital; and Glenn Opel, Travis County Bond Counsel.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the order in Item 25.

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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 2004 JOINT GENERAL AND SPECIAL ELECTION, INCLUDING THE DESIGNATION OF ELECTION DAY POLLING PLACES. (2:49 PM)

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

Clerk's Note: The County Clerk advised the Court that we will be conducting Hash Code testing related to counting the ballots for the November 2, 2004 Joint General and Special Election. The Court was also updated on the huge voter turnout for the election, and the Help America Vote Act (HAVA) grant.

Discussion Only. No action taken.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED INTERLOCAL WITH TEXAS WILDLIFE SERVICES, A DEPARTMENT OF TEXAS COOPERATIVE EXTENSION, TO ADDRESS A COYOTE PROBLEM IN TRAVIS COUNTY BY COST SHARING A WILDLIFE MANAGEMENT SPECIALIST. (11:02 AM)

Members of the Court heard from: Jeff Ripley, Texas Cooperative Extension; Bruce Leland, Assistant State Director, Texas Wildlife Services Program; Annie Gillespie, Travis County Resident; Mary Helen McFarland, Travis County Resident; Kim De La Santos, Travis County Resident; Rich Lambert, Travis County Resident; Jimmy Johnson, Travis County Resident; Kara Snelson, Travis County Resident; Gary Cohen, Travis County Resident; Larry Greenhaw, Travis County Resident; Dottie Goodman, Principal, Hill Elementary; Lisa Wilson, Travis County Resident; Kathy O'Brien, Travis County Resident; Didi Wilson, Travis County Resident; Sally Webber, Travis County Resident; and Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Discussion Only. No action taken.

Item 27 to be reposted on November 2, 2004.

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.

- 28.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN PAUL KOEN V. MARGO FRASIER, ET AL (KOEN; FRASIER; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF). ¹ (2:52 PM) (3:54 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.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to reject the offer to settle and counter in the amount of \$15,000.00, and offer that as an offer of judgment.

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

- 29.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN JODI MARSHALL V. TRAVIS COUNTY, ET AL (MARSHALL; TRAVIS COUNTY; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF). ¹ (2:52 PM) (3:55 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 Sonleitner to reject the offer to participate in the settlement of the nurse's part of this lawsuit.

Motion carried:

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

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN OPPORTUNITY TO PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. ² (2:52 PM) (3:55 PM)

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

No action taken on Item 30.

- 31.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SALARY FOR EXECUTIVE MANAGER OF HEALTH AND HUMAN SERVICES. ³ (2:52 PM) (3:55 PM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion Only. No action taken.

Item 31 to be reposted on October 26, 2004.

ADDED ITEMS

- A1.** APPROVE MODIFICATION NO. 1 TO CONTRACT NO. MA040180LC, MICROFILM SCANNING AND INDEXING SERVICES, WITH NEUBUS, INC. (COUNTY CLERK) (9:48 AM)

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

- A2.** DISCUSS NEED AND VARIOUS OPTIONS FOR NEW JAIL CONSTRUCTION AT DEL VALLE CORRECTIONAL COMPLEX. (1:59 PM)

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); and David Balagia, Major, Travis County Sheriff's Office (TCSO).

Discussion Only. No action taken.

Item A2 to be reposted on October 26, 2004.

- A3.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$100.00 RECEIVED FROM THE LONG CANYON HOMEOWNERS ASSOCIATION, TO BE USED BY LAW ENFORCEMENT FOR EQUIPMENT AND SUPPLIES. (9:48 AM)

Clerk's Note: Item A3 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

ADJOURNMENT

Motion by Commissioner Gómez and seconded by Commissioner Sonleitner to adjourn the Voting Session. (4:00 PM)

Motion carried:	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	absent
	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