

## **MINUTES OF MEETING – MAY 10, 2005**

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

On Tuesday, the 10<sup>th</sup> day of May, 2005, the Commissioners' Court convened the regular Voting Session at 9:14 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 One Commissioner Ron Davis was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 12:14 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:54 PM and adjourned at 2:03 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 2:03 PM and adjourned at 2:14 PM.

The Commissioners Court reconvened the regular Voting Session at 2:14 PM.

The Commissioners Court retired to Executive Session at 2:18 PM.

The Commissioners Court reconvened the Voting Session at 4:15 PM.

The Commissioners Court adjourned the Voting Session at 4:25 PM.

**RESOLUTIONS & PROCLAMATIONS**

1. APPROVE PROCLAMATION RECOGNIZING THE MAY 18, 2005 GARDNER-BETTS ART AUCTION AND ONGOING LEAD SPONSORSHIP BY THE REAL ESTATE COUNCIL OF AUSTIN. (COMMISSIONER SONLEITNER) (9:14 AM)

**Members of the Court heard from:** Janice Cartwright, Real Estate Council of Austin (RECA); Margaret Owens, Travis County Juvenile Probation Department; Shauntecka, Travis County Juvenile Probation Department's Leadership Academy; Julius, Travis County Juvenile Probation Department's Leadership Academy; and Jeanne Meurer, District Judge, 98<sup>th</sup> District Court.

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

**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

2. APPROVE PROCLAMATION RECOGNIZING LAW DAY IN TRAVIS COUNTY. (JUDGE BISCOE) (9:24 AM)

**Members of the Court heard from:** Randy Howry, President-Elect, Austin Bar Association.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the proclamation 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 RESOLUTION HONORING THE RIVER CITY YOUTH FOUNDATION ON ITS 22<sup>nd</sup> ANNUAL YOUTH RECOGNITION DAY AWARDS CEREMONY. (COMMISSIONER GÓMEZ) (9:28 AM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the resolution 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:** Katy Kappel, Retired Travis County Employee and Executive Director, Services for the Elderly; Jennifer Gale, Travis County Resident; and Dusty Knight, Chief Deputy, Tax Assessor Collector's Office. (9:29 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 4, 5, 9, 10, 11, 12.A-D, 13, 14, 15.A-D, 16.A-E, 17, 18, 19, 20.A&B, 21, 23, 24, 25, 27.A-C, 30, and 31. (9:39 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.

**CONSENT ITEMS CONTINUED**

- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF APRIL 19, 2005.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF APRIL 26, 2005.
- C5.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 14, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 22 AND 23, BLOCK MM, VALLEY LAKE HILLS SECTION ONE (SHORT FORM PLAT – 2 LOTS – 0.499 ACRES- JANET LOOP - NO FISCAL REQUIRED – SEWAGE SERVICE TO BE ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)
- C7.** APPROVE SETTING A PUBLIC HEARING ON JUNE 14, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOT 1, BLOCK H, NORTH PARK, SECTION 5 (SHORT FORM PLAT – 1 LOT – 0.762 ACRES – GRAND AVENUE PARKWAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE WATER SUPPLY CORPORATION – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)

**ADMINISTRATIVE OPERATIONS ITEMS**

- 4.** 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 \$373,098.51 FOR THE PERIOD OF APRIL 22 THROUGH APRIL 28, 2005. (9:39 AM)

**Clerk's Note:** Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 5.** CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:39 AM)

**Clerk's Note:** Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (9:42 AM) (4:22 PM)**

- A. A DEDICATION PLAQUE FOR THE TRAVIS COUNTY PRECINCT THREE OFFICE BUILDINGS AT OAK HILL; AND**
- B. A DATE FOR THE DEDICATION CEREMONY FOR THE TRAVIS COUNTY PRECINCT THREE OFFICE BUILDINGS AT OAK HILL. (COMMISSIONER DAUGHERTY)**

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

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations.

**Clerk's Note:** The Court suggested a change to the dedication plaque by switching the Travis County section and the Precinct 3 section and adding Nelda Wells Spears, Tax Assessor Collector as the first name under the Travis County section, and to have Staff verify with Sherri Fleming, Executive Manager, on the spelling of her name.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to accept Item 6.A, the dedication plaque for the Travis County Precinct Three Office building, with the changes made by the Court.

<b>Motion carried:</b> 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 6.B to be reposted on May 17, 2005.

**ITEM 6 CONTINUED**

**Clerk's Note:** Item 6.B was further discussed at 4:22 PM.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to reconsider Item 6.B.

**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 Daugherty **and seconded by** Commissioner Gómez to set the date for the dedication ceremony for the Travis County Precinct Three Office Building for June 3, 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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION TO RELOCATE THE ITS TRAINING CENTER, COUNSELING AND EDUCATION SERVICES, CRIMINAL JUSTICE PLANNING, EMS AND THE FIRE MARSHAL TO 5501 AIRPORT BLVD. AND INCREASE PROJECT FUNDING IN PHASE 2 OF THE AIRPORT BLVD. PROJECT. (9:48 AM)

Item 7 postponed until May 17, 2005.

8. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON RECRUITMENT EFFORTS AND STRATEGY TO FILL THE EMERGENCY SERVICES COORDINATOR POSITION. (9:48 AM)

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

**Clerk's Note:** The Court directed Human Resources to recruit and advertise in the Professional Associations Publications listed in the Draft Recruitment Plan in the backup, excluding the State Fireman's & Fire Marshals' Association of Texas, The Industry Magazine Category and the Newspapers Category.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the advertising in the list indicated; authorize expenditure of about \$2,275.00, with the understanding that at the appropriate time, the Commissioners Court will identify a source of funding to reimburse the advertising line item for Human Resources; and to forward the five applicants that meet the minimum requirements to the Court.

<b>Motion carried:</b> 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

## PURCHASING OFFICE ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AMENDMENT FORM TO TRANSFER TWENTY PROFESSIONAL SERVICES CONTRACTS TO TRAVIS COUNTY HOSPITAL DISTRICT. (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE, DECLARE CERTAIN PROPERTY AS SURPLUS AND AUTHORIZE SAME TO BE DISPOSED OF THROUGH DELL, INC. (PURCHASING) (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE, DECLARE TWO (2) BOATS AS SURPLUS PROPERTY AND, PURSUANT TO SECTION 263.152(A)(1), TRANSFER PROPERTY TO THE VOLENTE VOLUNTEER FIRE DEPARTMENT (ESD #4). (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. APPROVE CONTRACT AWARDS FOR ASPHALTIC ROAD MATERIALS, DELIVERED AND FOB PLANT, IFB NO. B050078-MP, TO THE FOLLOWING LOW QUALIFIED BIDDERS: (9:39 AM)

- A. VULCAN CONSTRUCTION MATERIALS FOR LINE ITEMS 2A, 2B, 5A THRU 5D;
- B. CAPITOL AGGREGATES, LTD FOR LINE ITEMS 1A THRU 4D;
- C. RTI HOT MIX, FOR LINE ITEMS 2C, 2D, 3A THRU 3D; AND
- D. INDUSTRIAL ASPHALT, INC., FOR LINE ITEM 1A THRU 1D AND 4A THRU 4D. (TNR) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 12.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. APPROVE CONTRACT AWARD FOR GAS CHROMATOGRAPH/MASS SPECTROMETER, IFB NO. B050053-RG, TO THE QUALIFIED LOW BIDDER, THERMO FINNIGAN. (MEDICAL EXAMINERS) (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.



14. APPROVE PURCHASE OF TWO (2) UTILITY TRACTORS AND FIVE (5) BUSH HOG SHREDDERS FROM THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE, BUYBOARD, NO. IL030067OJ. (TNR) (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR NON OEM AUTOMOTIVE PARTS: (9:39 AM)
- A. NO. 03T00251-RG, O'REILLY AUTO PARTS;
  - B. NO. 03T00252-RG, TEXAS ALTERNATOR STARTER SERVICES;
  - C. NO. 03T00253-RG, CARQUEST AUTO PARTS #176; AND
  - D. NO. 03T00254-RG, ARNOLD OIL COMPANY. (TNR) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 15.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. APPROVE CONTRACT AWARDS FOR COUNTYWIDE FURNITURE, IFB NO. B050063-OJ, TO THE FOLLOWING BIDDERS: (9:39 AM)
- A. CORPORATE EXPRESS: HON, GLOBAL, NATIONAL, KIMBALL;
  - B. THE CHAIR MAN: MERIT SEATING, DABREVI DESIGNS, INC.;
  - C. WE BID FURNITURE: LA-Z BOY, MAYLINE, ALLSTEEL;
  - D. JOHN GRIFFIN: NOVA SOLUTIONS, KRUEGER INTERNATIONAL; AND
  - E. J.R., INC.: VIRCO. (HRMD) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 16.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. APPROVE MODIFICATION NO. 3 TO INTERLOCAL NO. IL010019JW, AUSTIN TRAVIS COUNTY MHMR, FOR CHILDREN'S BEHAVIORAL HEALTH SERVICES THROUGH REFERRALS BY THE CHILDREN'S PARTNERSHIP. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. APPROVE MODIFICATION NO. 3, AN ASSIGNMENT OF CONTRACT NO. PS000211JW FROM CEDAR CREST HOSPITAL & RTC TO HMIH CEDAR CREST LLC DBA CEDAR CREST HOSPITAL & RTC. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. APPROVE MODIFICATION NO. 1, AN ASSIGNMENT OF CONTRACT NO. 05AE0139JJ FROM AXIOM-BLAIR ENGINEERING TO AXIOM ENGINEERS, INC. (TNR) (COMMISSIONER GÓMEZ) (9:39 AM)

**Clerk's Note:** Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. APPROVE THE FOLLOWING CONTRACT AWARDS: (9:39 AM)

- A. THE FY 2005 TYPE "C" HMAC OVERLAY PROGRAM, IFB NO. B050061-JJ, TO THE LOW BIDDER, WHEELER COATINGS ASPHALT, INC.; AND
- B. THE FY 2005 TYPE "F" HMAC OVERLAY PROGRAM, IFB NO. B050062-JJ, TO THE LOW BIDDER, J.D. RAMMING PAVING CO., INC. (TNR)

**Clerk's Note:** Items 20.A and B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

21. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE JOINT USE ACCESS EASEMENT LOCATED IN EANES CANYON ESTATES, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:39 AM)

**Clerk's Note:** Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT THREE: RANCHO ALTO PRELIMINARY PLAN (360 LOTS – 76.583 ACRES – FRATE BARKER RD. – NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (10:01 AM)

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

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 22.

<b>Motion carried:</b> 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	abstain

23. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: RIMROCK TRAIL SUBDIVISION (SHORT FORM PLAT – 4 LOTS – 14.39 ACRES – RIMROCK TRAIL – NO FISCAL POSTING REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:39 AM)

**Clerk's Note:** Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN CENTRAL COMMERCE PARK, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:39 AM)

**Clerk's Note:** Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON SALARY REIMBURSEMENT AGREEMENT BETWEEN DONALD WARD AND TRAVIS COUNTY RESULTING FROM AGREEMENT WITH INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION. (9:39 AM)

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

**Clerk's Note:** The Commissioners Court without objection directed that Item 25 include the approval for international travel to Sri Lanka.

**Clerk's Note:** Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON STATUS OF TNR WORK PLAN AND NEED TO ADOPT ALTERNATIVE STRATEGY TO PERFORM TASKS RELATED TO WALNUT CREEK EROSION PLAN. (JUDGE BISCOE) (10:53 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; John Kuhl, Natural Resources Program Manager, TNR; Cindy Magner, Travis County Resident; Kristina Kubeck, Walnut Place Neighborhood Association; and Marie Ingram, Travis County Resident.

**Clerk's Note:** Judge Biscoe gave directions to Staff to talk with the City of Austin and address Walnut Creek, and to contact consultants for views, cost and charges.

Discussion Only. No formal action taken.

Item 26 to be reposted on May 24, 2005.

**PLANNING AND BUDGET DEPT. ITEMS**

- 27.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:39 AM)

- A.** GRANT APPLICATION TO THE COMMUTE SOLUTIONS COALITION FOR A CENTRAL TEXAS COMMUTE SOLUTIONS INNOVATIVE PROGRAM GRANT IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. A NEW GRANT THAT PROVIDES FUNDING TO PURCHASE INCENTIVES AND PROGRAM MATERIAL FOR THE CLEAN AIR CAMPAIGN COMMUTE SOLUTIONS CHALLENGE;
- B.** GRANT CONTRACT AMENDMENT WITH ONESTAR FOUNDATION FOR THE AMERICORPS GRANT PROGRAM IN HEALTH AND HUMAN SERVICES. THE AMENDMENT CHANGES THE END DATE OF THE GRANT TO 08/31/05; AND
- C.** GRANT CONTRACT FOR THE COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT CONTINUES THE EXISTING PROGRAM FOR FY 05.

**Clerk's Note:** Items 27.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**28. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:32 AM) (11:22 AM)**

**Members of the Court heard from:** Jessica Rio, Budget Analyst, Planning and Budget Office (PBO); Diana Ramirez, Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; and Amalia Rodriguez Mendoza, Travis County District Clerk.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve budget amendments and transfers A1-A10.

<b>Motion carried:</b> 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	absent

**Clerk's Note:** The Court without objection gave directions that budget amendments and transfers A11-A23 be sent to Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS) with appropriate documentation.

**Clerk's Note:** Item 28 was further discussed at 11:22 AM with a request by Commissioner Gómez that the Commissioners' Court record show her voting in favor of the Motion on Item 28. Judge Biscoe instructed that the record reflect the Corrected Vote.

**Corrected Vote:**

<b>Motion carried:</b> 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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR GUIDANCE ON THE PROCESS FOR SETTING ELECTED OFFICIALS' SALARIES FOR FISCAL YEAR 2006. (10:19 AM)

**Members of the Court heard from:** Diana Ramirez, Budget Analyst, PBO; and Leroy Nellis, Budget Manager, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to attempt to reconvene the Advisory Committee on Elected Officials Salaries, and that we ask them to take a look at the District Clerk's salary and the salaries of the Constables; that we make clear our intention to keep them engaged at least until all of the Elected Officials are looked at, but that we look at the rest of the Elected Officials after October 1, 2005, giving nine months to a year for that to get done.

<b>Motion carried:</b> 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 29 to be reposted on May 17, 2005.

## OTHER ITEMS

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:39 AM)

**Clerk's Note:** Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF JUDGE MIKE DENTON TO SERVE AS COUNTY COURT-AT-LAW MEMBER OF THE TRAVIS COUNTY BAIL BOND BOARD. (9:39 AM)

**Clerk's Note:** Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON MAYOR'S REQUEST FOR COUNTY APPOINTMENT OF NON-VOTING MEMBER TO CITY OF AUSTIN CITIZENS BOND ADVISORY COMMITTEE. (2:15 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to ask to be part of a mailing list or receive periodic e-mail or hardcopy updates.

**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

**TO BE TAKEN UP AT 11:00 A.M.**

33. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 79<sup>TH</sup> TEXAS LEGISLATURE. (A LIST MAY BE OBTAINED FROM ANY MEMBER OF THE TRAVIS COUNTY COMMISSIONERS COURT.) (11:23 AM)

**Clerk's Note:** The Court discussed **Senate Bill 1266 (SB1266)**: Relating to the administration of a system of community supervision for certain defendants convicted of criminal offenses and to the suspension of driver's licenses for defendants convicted of certain offenses; and **House Bill 2193 (HB2193)**: Relating to the operation of a system of community supervision.

**Members of the Court heard from:** Geraldine Nagy, Director, Community Supervision and Corrections Department (CSCD).

Discussion Only. No formal action taken.



**ITEM 33 CONTINUED**

**Clerk's Note:** The Court discussed **Senate Bill 809 (SB809):** Relating to the Texas Health Insurance Risk Pool.

**Members of the Court heard from:** Dan Mansour, Risk Manager, HRMD; Barbara Wilson, Assistant County Attorney; and Bob Kamm, Travis County Legislative Consultant.

**Clerk's Note:** County Staff indicated that Senate Bill 809 would require the County to contribute to the State's Risk Pool so that they can buy a stop loss coverage that attaches at a lower level and that the fiscal impact on Travis County could be an additional \$86,000.00 to \$100,000.00.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to draft a letter opposing Senate Bill 809 and that the letter should target the section of the bill that we find issue with.

<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

**Clerk's Note:** The Court received an update from the Legislative Consultants on the following priority legislation:

**House Bill 1492 (HB1492):** Relating to work-related exposure to a reportable disease; and its companion legislation **Senate Bill 665 (SB665):** Relating to work-related exposure to a reportable disease.

**House Bill 2759 (HB2759):** Relating to the maximum number of registered voters that may be contained in a county election precinct.

**Senate Bill 1272 (SB1272):** Relating to requirements for county election precincts.

**House Bill 3025 (HB3025):** Relating to the length of confinement in county jail as a condition of community supervision that may be imposed on certain defendants; and its companion legislation **Senate Bill 1675 (SB1675):** Relating to the length of confinement in county jail as a condition of community supervision that may be imposed on certain defendants.

**House Bill 3519 (HB3519):** Relating to the appointment of temporary justices of the peace in certain counties.

**Senate Bill 230 (SB230):** Relating to regional funding of indigent health care services.

**Senate Bill 767 (SB767):** Relating to the appraisal for ad valorem tax purposes of certain land included in a habitat preserve and subject to a conservation easement.

**Senate Bill 875 (SB875):** Relating to the reimbursement by certain defendants for the cost of confinement in county jail.

## ITEM 33 CONTINUED

**Senate Bill 1214** Relating to the authority of certain counties to select an insurance broker.

**House Bill 2666 (HB2666):** Relating to the criminal and civil enforcement of the required payment of a toll for the use of certain turnpike projects.

**House Bill 2 (HB2):** Relating to public education, public school finance matters, and the imposition of a state ad valorem tax; imposing criminal penalties.

**House Bill 3 (HB3):** Relating to financing public schools in this state and reducing school property taxes.

**House Bill 1006 (HB1006):** Relating to certain limitations on the ad valorem tax rates of certain taxing units.

**Senate Bill 18 (SB18):** Relating to the adoption of an ad valorem tax rate by a taxing unit other than a school district.

**House Bill 470 (HB470):** Relating to local delivery of aging, disability, behavioral health, and mental retardation services.

**House Bill 2572 (HB2572):** Relating to the functions of local mental health and mental retardation authorities.

**House Bill 3071 (HB3071):** Relating to the administration and collection of ad valorem taxes; making procedural and technical corrections and clarifications to the Tax Code, Property Code, and Civil Practice and Remedies Code.

**House Bill 2491 (HB2491):** Relating to the administration and collection of ad valorem taxes, including the transfer of an ad valorem tax lien and a contract for foreclosure of an ad valorem tax lien; amending, correcting, and clarifying the Tax Code, Property Code, and Civil Practice and Remedies Code.

**Members of the Court heard from:** Bob Kamm, Travis County Legislative Consultant; and Chris Shields, Travis County Legislative Consultant.

Discussion Only. No formal action taken.

**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 EXCESSIVE FORCE CLAIM AGAINST MICHAEL BOTELLO. <sup>1</sup> (2:18 PM) (4:15 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to re-urge the \$15,000.00 counter offer to settle.

<b>Motion carried:</b> 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

- 35.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING SETTLEMENT OFFER RECEIVED AND TAKE APPROPRIATE ACTION IN KYLE AND SANDRA KINCAID V. COUNTY OF TRAVIS AND RGM CONTRACTORS, IN THE U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, AUSTIN DIVISION NO. A05CA226\_LY (1983 FIFTH AMENDMENT TAKINGS). <sup>1</sup> (2:18 PM) (4:16 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.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to reject the offer.

**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

- 36.** RECEIVE BRIEFING FROM COUNTY ATTORNEY ON OPTIONS FOR SATISFYING JUDGMENTS AGAINST ROEL ZAMORA DBA AAA BAIL BONDS IN FAVOR OF THE STATE OF TEXAS, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:18 PM) (4:16 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.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that we authorize the County Attorney to submit a minimum bid in the amount of \$75,000.00 on behalf of Travis County, and that if the County becomes owner of this property, we put it back on the Court's Agenda to decide how to proceed in the future.

**A Friendly Amendment to the previous Motion was offered** by Commissioner Sonleitner that we are only looking at one bid, and if we get outbid we are done.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

**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

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN MICHAEL GALBERT V. OFFICER CASTILLO ET AL. <sup>1</sup> (2:18 PM) (4:17 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 Gómez to offer to reimburse Travis County the sum of \$3,984.85 plus \$12.00, for a total just under \$4,000.00; and to offer to pay Mr. Galbert the sum of just over \$1,000.00, so that the total of those three figures is \$5,000.00, in an effort to settle this matter; and to repost this Item on May 17, 2005.

<b>Motion carried:</b> 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 37 to be reposted on May 17, 2005.

38. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON REQUEST FROM CITY OF AUSTIN REGARDING COUNTY OWNED PROPERTY LOCATED ON TANNEHILL LANE IN AUSTIN, TEXAS. <sup>1 & 2</sup> (2:18 PM) (4:18 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 and Gov't. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that we authorize Staff to report back to the City of Austin that we are agreeable to either swapping this County owned land for the land that the Travis County Exposition Center currently sits on, and if this swap is carried out, then we would continue to use that as parkland and meet the other requirements of the bond covenants; or that we would be agreeable to entering into a long term lease with the City so that they can comfortably make the improvements that they anticipate on Tannehill.

**A Friendly Amendment to the previous Motion was offered** by Commissioner Sonleitner to make sure that with any kind of extension of the lease, that Travis County receive commiserate extension of our lease as well at the Travis County Exposition Center.

**Acceptance of the Friendly Amendment was made by** Judge Biscoe.

<b>Motion carried:</b> 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

- 39.** DISCUSS AND TAKE APPROPRIATE ACTION ON CONTRACT WITH REPUBLIC OF TEXAS BIKER RALLY FOR 2005 EVENT, AND REQUEST TO NEGOTIATE LONG TERM CONTRACT AFTER 2005. <sup>1</sup> (2:18 PM) (4:20 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve the contract in the amount of \$30,000.00, and that we indicate to the Rally representatives that we are agreeable to negotiating a long term contract immediately after this year's rally, the first part of June 2005; that at the appropriate time the Court would designate a subcommittee to negotiate with them, and that the best way to proceed is probably us responding to a wish list or a list of items that they would like to discuss.

<b>Motion carried:</b> 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

- 40.** RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING STATUS OF MANAGEMENT AGREEMENT OF THE FARMERS MARKET WITH RYLANDER INVESTMENT CO. <sup>1</sup> (2:18 PM) (4:21 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.

Discussion Only. No formal action taken.

Item 40 to be reposted on May 17, 2005.

- 41.** CONSIDER DEVELOPMENT AND REPAIR CLAIMS RECEIVED FROM TENANTS AT THE FARMERS MARKET, AND TAKE APPROPRIATE ACTION.<sup>1</sup> (2:18 PM) (4:21 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.

Discussion Only. No formal action taken.

Item 41 to be reposted on May 17, 2005.

42. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN OPPORTUNITY TO LEASE OR PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. <sup>2</sup> (2:18 PM) (4:22 PM)

**Clerk's Note:** Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to authorize appropriate County Staff to continue lease negotiations and an option to purchase the real estate in question; and to have this item back on the Agenda in the event follow-up action is required.

<b>Motion carried:</b> 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 42 to be reposted on May 17, 2005.

## ADJOURNMENT

**Motion by** Commissioner Gómez **seconded by** Commissioner Daugherty to adjourn the Voting Session. (4:25 PM)

<b>Motion carried:</b> 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

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**Date of Approval**

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