

MINUTES OF MEETING – JUNE 7, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 7th day of June, 2005, the Commissioners' Court convened the regular Voting Session at 9:19 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 11:51 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:43 PM and adjourned at 1:44 PM.

The Commissioners Court reconvened the regular Voting Session at 1:44 PM.

The Commissioners Court retired to Executive Session at 1:53 PM.

The Commissioners Court reconvened the Voting Session at 2:40 PM.

The Commissioners Court adjourned the Voting Session at 2:49 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LAKE POINTE PHASE IV-A AND IV-B, BLOCK A, LOTS 62 AND 63 AND LAKE POINTE PHASE 1A, BLOCK N, LOT 13 (SHORT FORM PLAT – 3 LOTS – 0.816 ACRES – FORTUNA DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – VILLAGE OF BEE CAVE ETJ). (ACTION ITEM 29) (COMMISSIONER DAUGHERTY) (9:21 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 29 for a summary of the Court’s action.

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	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: Carol Joseph, Assistant Director, 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	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 2. RECEIVE COMMENTS ON A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT OFF D-K RANCH ROAD TO BE KNOWN AS “D-K RANCH COURT” IN PRECINCT THREE. (ACTION ITEM 30)
(COMMISSIONER DAUGHERTY) (9:22 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 30 for a summary of the Court’s action.

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	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: Carol Joseph, Assistant Director, 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	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

RESOLUTIONS & PROCLAMATIONS

- 3.** APPROVE PROCLAMATION RECOGNIZING THE 20TH ANNIVERSARY OF STARFLIGHT IN TRAVIS COUNTY. (JUDGE BISCOE) (9:23 AM)

Members of the Court heard from: Willy Culberson, Director of Aviation Operations, STAR Flight; and Casey Ping, Program Manager, STAR Flight.

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 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: Mona Gonzales, Executive Director, River City Youth Foundation; and Albert Almanza, Chair, River City Youth Advisory Board. (9:33 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C6, and Items 4.A, 5, 7, 8.A&B, 10, 11, 12, 13, 15, 18.A.1-7, 18.B, 19, 20, 21, 22, 23, 24, 25, 27.A&B, 28, 29, 30, 31, 32, 33, 35, 38, 40, and 43. (9:39 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.

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 MAY 17, 2005.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MAY 24, 2005.
- C5.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF JUNE 28, 2005 TO RECEIVE COMMENTS ON REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 10' DRAINAGE EASEMENT ON LOT 2 AND A 5' PUBLIC UTILITY EASEMENT CROSSING LOTS 2 AND 3, ALL OF WHICH ARE LOCATED IN KNOLLWOOD B – A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

PLANNING AND BUDGET DEPT. ITEMS

- 4.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
 - A.** GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMPREHENSIVE ENERGY ASSISTANCE PROGRAM IN HEALTH AND HUMAN SERVICES. THE AMENDMENT ADDS \$243,508 TO THE PROJECT. (9:39 AM)

Clerk's Note: Item 4.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION OF ISSUES REGARDING SOCIAL SERVICES CONTRACT WITH SICKLE CELL ANEMIA ASSOCIATION. (9:19 AM)

Item 6 postponed until June 14, 2005.

ADMINISTRATIVE OPERATIONS ITEMS

7. 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 \$311,278.53 FOR THE PERIOD OF MAY 20 THROUGH MAY 26, 2005. (9:39 AM)

Clerk's Note: Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS: (9:39 AM)

A. ROUTINE PERSONNEL ACTIONS; AND

B. NON-ROUTINE PERSONNEL ACTION – TAX OFFICE – VOLUNTARY JOB CHANGE – TRAVIS COUNTY CODE SECTION 10.03009.

Clerk's Note: Items 8.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.

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROCUREMENT PROCESS FOR A FINANCIAL CONSULTANT WITH EXPERTISE IN 457(b) DEFERRED COMPENSATION PLANS TO ASSIST WITH: (10:31 AM)
 - A. DEVELOPING A REQUEST FOR SERVICES FOR A DEFERRED COMPENSATION ADMINISTRATOR; OR
 - B. NEGOTIATING A NEW AGREEMENT WITH NATIONWIDE RETIREMENT SOLUTIONS INCLUDING LOWER FEES AND IMPROVED SERVICES IN THE ADMINISTRATION OF THE CURRENT TRAVIS COUNTY DEFERRED COMPENSATION PLAN.

Clerk’s Note: Items 9.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; Barbara Wilson, Assistant County Attorney; Mary Mayes, Investment Manager, Cash/Investment Management; and Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD).

Motion by Judge Biscoe and seconded by Commissioner Daugherty to do both Items 9.A and B with a consultant.

Clerk’s Note: The Court did not Vote on the Standing Motion and Second.

A Substitute Motion was made by Commissioner Sonleitner that we hire the consultant and go exclusively with Item 9.B, and if we are unable to reach an appropriate accommodation with Nationwide, then we would move very quickly to go with Item 9.A, but not simultaneously.

Clerk’s Note: The Substitute Motion died for lack of a Second.

A Substitute Motion was made by Commissioner Sonleitner and seconded by Commissioner Gómez that we move on Item 9.B, and that a consultant to assist us with this would not be part of the Motion. Simply, we would go toward negotiating a new contract with Nationwide, with the aim of lower fees and improved services.

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

ITEM 9 CONTINUED

A Restatement of the Standing Motion was made by Judge Biscoe and seconded by Commissioner Daugherty to retain a consultant and look at both Items 9.A and B as best as we can, with the conditions that the Court imposed today, and that is that we see what impact it will have on employees. Our goal is to hold them harmless, and if we need to put this back on the agenda for other standards, then that makes more sense too, if the original motion passes.

A Clarification of the Standing Motion was made by Judge Biscoe that “harmless” means having an opportunity to stay home if you want to-no adverse impact.

A Clarification of the Standing Motion was made by Judge Biscoe that the Motion is to invite competition by using a consultant to help us not only draft the document that we need to do that, but to help us analyze and evaluate, and at the same time, use a consultant to negotiate further with Nationwide; and my view early on was that it may well be, that the result of our negotiations with Nationwide could be Nationwide's proposal. I have no problem with them reserving a right to augment that towards the end. We have often sort of focused in on one vendor and directed Staff to go out and try to come back with the best proposal. I have something like that in mind, so in my view, it is a lot more open ended than I am hearing, but my goal is to make sure that county employees are in no worse position than they are now, certainly, and when I say, “hold harmless”, I mean “avoid harmless impact”.

A Clarification of the Standing Motion was made by Judge Biscoe that if we went out for an RFI (Request for Information), it would be for either exclusive or a co-provider with Nationwide, either/or; then bring the information to the Court, and let the Court decide which way to go, given any impact or any gain or loss to the employees.

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

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH NIKKO PRODUCTIONS TO SHOOT A LOW-BUDGET MOVIE IN THE OLD JAIL. (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. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH PASSAGE PRODUCTION TO SHOOT A LOW-BUDGET MOVIE IN THE OLD JAIL. (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. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH THE TRAVIS COUNTY CREDIT UNION AUTHORIZING INSTALLATION OF AN AUTOMATED TELLER MACHINE IN THE LOBBY OF THE PRECINCT THREE OFFICE BUILDING, WITH ALL COSTS ASSOCIATED WITH THE INSTALLATION AND OPERATION PAID BY THE CREDIT UNION. (9:39 AM)

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

13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY CLAIM RECOMMENDATION: TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT – SETTLE. (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.

JUSTICE AND PUBLIC SAFETY ITEMS

14. RECEIVE UPDATE FROM TEXAS COMMISSION ON JAIL STANDARDS REGARDING TRAVIS COUNTY JAIL FACILITIES. (9:43 AM)

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); Brandon Wood, Director of Jail Operations, Texas Commission on Jail Standards; and Susan Spataro, Travis County Auditor.

Discussion Only. No formal action taken.

PURCHASING OFFICE ITEMS

- 15. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 03AE0135JJ, CAMERON RD. EXTENSION, WITH CARTER & BURGESS, INC. (TNR) (9:39 AM)

Clerk’s Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 16. CONSIDER AND TAKE APPROPRIATE ACTION ON DRAFT REQUEST FOR QUALIFICATIONS, Q0500098LP, PROFESSIONAL ENGINEERING SERVICES FOR THE WALNUT CREEK EROSION AND FLOODING PROJECT. (TNR) (11:37 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; John Kuhl, Program Manager, Natural Resources, TNR; and Kristina Kubeck, Walnut Place Neighborhood Association.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the request for qualifications, Q0500098LP, for the Walnut Creek Erosion and Flooding 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

- 17. APPROVE EXEMPTION ORDER AND CONTRACT AWARD FOR JAIL COST ANALYSIS AND MODEL ASSISTANCE SERVICES WITH DELOITTE CONSULTING, LLP. (AUDITORS OFFICE) (9:20 AM)

Item 17 postponed until June 14, 2005.

18. A. APPROVE CONTRACT AWARDS FOR HEAVY DUTY MACHINERY OEM PARTS/ MAINTENANCE, IFB NO. B050089-MP, TO THE FOLLOWING LOW QUALIFIED BIDDERS: (9:39 AM)
1. CENTRAL TEXAS EQUIPMENT CO., FOR LINE ITEMS 1A THROUGH 1F;
 2. COOPER EQUIPMENT, FOR LINE ITEMS 9A THROUGH 9F, 14A THROUGH 14F, AND 17A THROUGH 17F;
 3. HOLT COMPANY OF TEXAS, FOR LINE ITEMS 6A THROUGH 6F;
 4. LONE STAR BMW/TRIUMPH, FOR LINE ITEM 21A THROUGH 21C;
 5. LONGHORN INTERNATIONAL TRUCKS LTD, FOR LINE ITEMS 16A THROUGH 16E;
 6. WAUKESHA-PEARCE, INDUSTRY, FOR LINE ITEMS 13A THROUGH 13F, 18A THROUGH 18F, 19A THROUGH 19F, AND 20A THROUGH 20F;
 7. MAGNUM AUSTIN, FOR LINE ITEMS 5A THROUGH 5C, AND 11A THROUGH 11C;

Clerk's Note: Items 18.A.1-7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. B. REJECT BID RECEIVED FROM CENTRAL TEXAS EQUIPMENT FOR ITEMS 20A THROUGH 20F AND REJECT BID RECEIVED FROM LONGHORN INTERNATIONAL TRUCKS LTD FOR LINE ITEM 16F, AND REBID. (TNR) (9:39 AM)

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

19. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 4T00239JT, ENVIRONMENTAL LIQUID WASTE MANAGEMENT, FOR SEPTIC AND HOLDING TANK SERVICES. (TNR) (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 CONTRACT AWARD FOR RECORDS STORAGE BOXES, IFB NO. B050087-DR, TO THE LOW BIDDER, CAPITAL CITY CONTAINER. (REC MGMT) (9:39 AM)

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

21. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00205DR, VALDEZ REMODELING AND WEATHERIZATION INC., FOR RESIDENTIAL ROOF REPAIR/REPLACEMENT. (HHS) (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. APPROVE AWARD OF A CATALOG INFORMATION SYSTEMS VENDOR, STATE CATALOG PURCHASE, RFO NO. O050043-LC, FOR AN ENTERPRISE TELEPHONY MANAGEMENT SYSTEM FROM OPERATIONAL TECHNOLOGIES CORPORATION. (ITS) (9:39 AM)

Clerk's Note: Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. APPROVE CONTRACT AWARD FOR MECHANICAL, ELECTRICAL AND PLUMBING ENGINEERING SERVICES FOR GARDNER BETTS DETENTION SHELL BUILD-OUT TO HARUTUNIAN ENGINEERING, INC. (FACILITIES MANAGEMENT) (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. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS040035MB, INDOOR AIR QUALITY ASSESSMENT, WITH BECKER ENGINEERING, LTD. (HRMD) (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. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS050084RE WITH COMMUNITY ADVOCATES FOR TEENS AND PARENTS FOR EMERGENCY HOUSING, PARENT EDUCATION AND BASIC NEEDS. (HHS & VS) (9:39 AM)

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. A. DECLARE CURRENT UNINTERRUPTIBLE POWER SYSTEM (UPS) AS SURPLUS PROPERTY AND AUTHORIZE SAME AS TRADE-IN ON NEW UPS, PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE; AND (9:20 AM)
- B. APPROVE AWARD OF A CATALOG INFORMATION SYSTEMS VENDOR STATE PURCHASE, RFO NO. 050094-JT, FOR UPS REPLACEMENT TO MARK III SYSTEMS. (ITS)

Items 26.A and B pulled from the Agenda.

27. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO.1) TO THE FOLLOWING CONTRACTS FOR ELECTRICAL TIME AND MATERIALS: (9:39 AM)

A. CONTRACT NO. 04T00213JT, Z-NON ELECTRIC, INC. (PRIMARY CONTRACTOR); AND

B. CONTRACT NO. 04T00214JT, KANETZKY ELECTRIC, INC. (SECONDARY CONTRACTOR). (FACILITIES MANAGEMENT)

Clerk's Note: Items 27.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.

28. DECLARE TWENTY (20) COMPUTERS AND TWENTY (20) MONITORS AS SURPLUS PROPERTY AND DONATE PROPERTY TO TEENS UNDER GOD, A NON-PROFIT CIVIC ORGANIZATION, PURSUANT TO SECTION 263.152(A)(4) OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (9:39 AM)

Clerk's Note: Item 28 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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: REPLAT OF LAKE POINTE PHASE IV-A AND IV-B, BLOCK A, LOTS 62 AND 63 AND LAKE POINTE PHASE 1A, BLOCK N, LOT 13 (SHORT FORM PLAT – 3 LOTS – 0.816 ACRES – FORTUNA DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – VILLAGE OF BEE CAVE ETJ). (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 29 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT OFF D-K RANCH ROAD TO BE KNOWN AS "D-K RANCH COURT" IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 30 is the action item for the public hearing on Agenda Item 2.

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 A PLAT FOR RECORDING IN PRECINCT THREE: BEE CREEK VISTAS (SHORT FORM PLAT – 5 LOTS – 13.931 ACRES – BEE CREEK ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY) (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 A PLAT OF COUNTY BCP LAND IN PRECINCT THREE: REPLAT OF GRANDVIEW HILLS SECTION 14 (2 LOTS – 69.085 ACRES – RM 620 – NO FISCAL POSTING IS REQUIRED – AUSTIN FULL PURPOSE). (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN BELLA VISTA 3A AND 3B, TWO SUBDIVISIONS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

34. A. DISCUSS AND RECEIVE REPORT FROM THE CITIZEN BOND ACCOUNTABILITY COMMITTEE REGARDING THE FY 2005 PROPOSED BOND PROGRAM; AND (10:15 AM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO CHARTER.

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; Richard Moya, Chair, Citizens Bond Accountability Committee; Dr. Charles Akins, member, Citizens Bond Accountability Committee; and Perry Lorenz, Co-Chair, Citizens Bond Accountability Committee.

Discussion Only. No formal action taken.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: STAR RANCH SECTION 2 (LONG FORM PLAT – 64 LOTS – 15.3210 ACRES – GATTIS SCHOOL ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON COUNTY WATER SEWER IRRIGATION & DRAINAGE DISTRICT NO. 3 – CITY OF HUTTO ETJ). (COMMISSIONER SONLEITNER) (9:39 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 36. CONSIDER AND TAKE APPROPRIATE ACTION ON OPTIONS TO AMEND OR DELETE SECTION 82.203(A)(4), TRAVIS COUNTY CODE, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS, RELATING TO TEMPORARY SUSPENSION OF PRELIMINARY PLANS OUTSIDE OF ETJ OF CITIES. (1:53 PM) (2:42 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.

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR; Don Walden, representing Development, Real Estate, and landowners; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Option 2: “Extend Suspension to July 31, 2005, and then adopt Interim Rules” - extend the suspension for 30 days, post notice of Interim Rules and June 15, 2005, then adopt Interim Rules on July 31, 2005.

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

TO BE TAKEN UP AT 1:30 P.M.

- 37. CONSIDER AND TAKE APPROPRIATE ACTION ON VARIOUS ISSUES RELATED TO SOLID WASTE LANDFILLS IN TRAVIS COUNTY, INCLUDING THE FOLLOWING: (9:20 AM)

- A. A SITING ORDINANCE COVERING TYPES I AND IV LANDFILLS IN TRAVIS COUNTY;

- B. A PERFORMANCE BASED AGREEMENT WITH BROWNING-FERRIS INDUSTRIES;

- C. A PROPOSAL FROM WASTE MANAGEMENT INC. REGARDING ARTERIAL A AND SOLID WASTE ISSUES; AND

- D. OTHER RELATED ISSUES.

Items 37.A-D postponed until June 21, 2005.

OTHER ITEMS

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

Clerk's Note: Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 39.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM FREESCALE SEMICONDUCTOR INC. FOR ECONOMIC INCENTIVES. (11:25 AM)

Members of the Court heard from: Jerry Harris, Attorney representing Freescale Semiconductor; John Holmes, Freescale Semiconductor; and Kirk Watson, Chair, Greater Austin Chamber of Commerce.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the authorization to move towards developing the appropriate contract.

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

- 40.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DISTRIBUTE FLIERS WITH THE JUNE 15TH PAYROLL CHECKS ANNOUNCING THE TRAVIS COUNTY/CITY OF AUSTIN EMANCIPATION DAY - JUNETEENTH CELEBRATION ON JUNE 17, 2005. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:39 AM)

Clerk's Note: Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COMMISSIONERS COURT TO SET A PARCEL RATE FOR TAX YEAR 2005. (9:41 AM)

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Assessor Collector's Office.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to set the parcel rate for tax year 2005 at \$0.95 cents.

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

42. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COMMISSIONERS COURT TO APPROVE AND SIGN A RELEASE ALLOWING IBM TO USE OUR WEBSITE, DEVELOPED BY HAMER ENTERPRISES, AS AN AWARD-WINNING EXAMPLE IN THEIR ADVERTISING. (11:46 AM)

Members of the Court heard from: Dusty Knight, Chief Deputy, Tax Assessor Collector's Office.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the request for a release.

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

43. APPROVE BOND FOR HARRIET MURPHY TO SERVE AS VISITING TRAVIS COUNTY JUSTICE OF THE PEACE. (9:39 AM)

Clerk's Note: Item 43 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

44. RECEIVE UPDATE ON VARIOUS PROPOSED LEGISLATION BEFORE THE 79TH TEXAS LEGISLATURE, AND TAKE APPROPRIATE ACTION. (A LIST MAY BE OBTAINED FROM ANY MEMBER OF THE TRAVIS COUNTY COMMISSIONERS COURT.) (1:44 PM)

Clerk’s Note: The Court discussed **House Bill 1609 (HB1609):** Relating to the allowed wastes and exemptions applicable to certain municipal solid waste landfill units in arid areas and to public meetings held by the Texas Commission on Environmental Quality on permit applications regarding hazardous or municipal solid waste or landfill development permits.

Members of the Court heard from: Ann Denkler, Executive Assistant, Travis County Commissioner Precinct 2; and Scheleen Walker, Travis County Air Quality Project Manager, TNR.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to send a letter to the Governor in opposition to House Bill 1609, and to authorize the Commissioners Court to sign the letter.

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

Clerk’s Note: The Court discussed **House Bill 2572 (HB2572):** Relating to the functions of local mental health and mental retardation authorities.

Members of the Court heard from: Ann Denkler, Executive Assistant, Travis County Commissioner Precinct 2.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to sign and send a letter of support for House Bill 2572, to the Governor.

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

ITEM 44 CONTINUED

Clerk’s Note: The Court discussed **House Bill 2438 (HB2438):** Relating to the acquisition and regulation of manufactured homes.

Members of the Court heard from: Ann Denkler, Executive Assistant, Travis County Commissioner Precinct 2.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve joining the Conference of Urban Counties (CUC) in opposition to House Bill 2438.

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

Clerk’s Note: The Court discussed **Senate Bill 1704 (SB1704):** Relating to jury service.

Members of the Court heard from: Ann Denkler, Executive Assistant, Travis County Commissioner Precinct 2; and Carolyn Damron, Chief Assistant County Auditor, Travis County Auditor’s Office.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve sending a letter of support for Senate Bill 1704 to the Governor.

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

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

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.

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ROSENBAUM V. TRAVIS COUNTY (REQUESTED BY COUNTY ATTORNEY). ¹ (1:53 PM) (2:40 PM)

Clerk's Note: Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 45 to be reposted on June 14, 2005.

- 46. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JOSEPH ALEGRIA V. COUNTY OF TRAVIS (1983 FIFTH AMENDMENT TAKINGS). ¹ (1:53 PM) (2:41 PM)

Clerk's Note: Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to go with another offer of judgment in the amount of \$20,000.00, and to indicate to counsel that this is the Travis County final offer in this matter.

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	yes

- 47.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN OPPORTUNITY TO LEASE OR PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. ² (1:53 PM) (2:42 PM)

Clerk's Note: Judge Biscoe announced that Item 47 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 that we authorize Staff to keep working on this and try to negotiate any additional things of benefit to Travis County; and to deliver to the members of the Commissioners Court, as soon as possible, the documents that we need to review before taking final action; and that we have this matter on the Court's Agenda on June 14, 2005.

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

Item 47 to be reposted on June 14, 2005.

ADJOURNMENT

Motion by Commissioner Davis **seconded by** Commissioner Gómez to adjourn the Voting Session. (2:49 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge