

MINUTES OF MEETING – JUNE 14, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th day of June, 2005, the Commissioners' Court convened the regular Voting Session at 9:16 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 retired to Executive Session at 10:40 AM.

The Commissioners Court reconvened the Voting Session at 11:03 AM.

The Commissioners Court recessed the Voting Session at 12:17 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:42 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:42 PM and adjourned at 1:44 PM.

The Commissioners Court, meeting as the Capital Health Facilities Development Corporation, convened at 1:45 PM and adjourned at 1:45 PM.

The Commissioners Court, meeting as the Travis County Cultural Education Facilities Finance Corporation, convened at 1:46 PM and adjourned at 1:47 PM.

The Commissioners Court reconvened the regular Voting Session at 1:47 PM.

The Commissioners Court retired to Executive Session at 4:14 PM.

The Commissioners Court reconvened the Voting Session at 5:37 PM.

The Commissioners Court adjourned the Voting Session at 5:42 PM.

PUBLIC HEARINGS

1. 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). (ACTION ITEM 19) (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 19 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: 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	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. 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). (ACTION ITEM 20) (COMMISSIONER SONLEITNER) (9:18 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 20 for a summary of the Court's action.

Motion by Commissioner Sonleitner **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: Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis 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

3. RECEIVE COMMENTS REGARDING TEMPORARILY CLOSING TOWER ROAD BETWEEN FM 973 AND BOIS D'ARC IN PRECINCT ONE FOR A 90-DAY PERIOD FOR THE INSTALLATION OF A 10" FORCE MAIN AND A 30" STORM SEWER, AS WELL AS RECONSTRUCTION AND WIDENING OF ROADWAY. (ACTION ITEM 21) (COMMISSIONER DAVIS) (9:20 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 21 for a summary of the Court's action.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner 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: Joe Gieselman, Executive Manager, TNR; and Tom Jennings, Travis County Resident.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner 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

4. RECEIVE COMMENTS ON AN ORDER OF REJECTION OF DEDICATION OF PUBLIC STREETS AND ACCEPT THE SECOND AMENDMENT TO DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE ROB ROY, A SUBDIVISION IN PRECINCT THREE (BEECHER LANE, BOARDMAN LANE, CHAPIN LANE, CICERO LANE, CLARENDON LANE, COLERIDGE LANE, COUSTAEAU LANE, EHRLICH ROAD, HUMBOLT LANE, LEOPOLD LANE, MUIR LANE, PASCAL COURT, ROB ROY ROAD, ST. STEPHENS COVE, STEGNER LANE, THOUREAU LANE, PASCAL LANE AND ST. STEPHENS SCHOOL ROAD). (ACTION ITEM 22) (COMMISSIONER DAUGHERTY) (9:41 AM) (10:40 AM) (11:03 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 22 for a summary of the Court's action.

Motion by Judge Biscoe **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: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Jeff Connally, Travis County Resident; Bob Burton, Attorney, Armbrust & Brown, representing the Board of Directors, Rob Roy Homeowners Association; Claire Herlin, Travis County Resident; Nancy Herlin, Travis County Resident; Michael Weyland, Attorney, representing Mike Laosa; Dan Gillean, Travis County Resident; George Dibrell, Travis County Resident; David Laffrey, Travis County Resident; and Terry Scarborough, Travis County Resident.

Clerk's Note: Judge Biscoe announced that Item 4 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 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

5. APPROVE PROCLAMATION RECOGNIZING THE 16TH ANNUAL “JUNETEENTH – EMANCIPATION DAY” CELEBRATION TO BE HELD ON FRIDAY, JUNE 17, 2005. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:31 AM)

Members of the Court heard from: Cheryl Brown, Executive Assistant, Travis County Judge’s Office; Jacqui Cross, Administrative Assistant, Travis County Judge’s Office; and Chris Fanuel, Executive Assistant, Travis County Commissioner Precinct One Office.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the proclamation in Item 5.

Motion carried:

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

CITIZENS COMMUNICATION

Clerk’s Note: No speakers addressed the Court. (9:30 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C4, and Items 6, 7, 10.A&B, 15, 16, 17, 19, 20, 23, 24, 25, 26, and 30. (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.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C4.** APPROVE SETTING A PUBLIC HEARING ON TUESDAY, JUNE 28, 2005 TO RECEIVE COMMENTS REGARDING TEMPORARILY CLOSING SADDLE MOUNTAIN TRAIL AND CAPISTRANO TRAIL FOR A YEARLY JULY 4TH PARADE IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

ADMINISTRATIVE OPERATIONS ITEMS

- 6.** 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 \$397,847.64 FOR THE PERIOD OF MAY 27 THROUGH JUNE 2, 2005. (9:39 AM)

Clerk's Note: Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (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 FY 05 INFORMATION TECHNOLOGY (IT) JOB ANALYSIS PROJECT FOR POSITIONS THAT REPORT TO THE COMMISSIONERS COURT, INCLUDING RECOMMENDED JOB TITLES, PAY GRADE MARKET AND SHIFT DIFFERENTIALS, AND FLSA DESIGNATIONS. (9:16 AM)

Item 8 postponed until June 28, 2005.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(1:47 PM)
- A. ADDITIONAL WORK COMPLETED BY MGT OF AMERICA, INCLUDING PEACE OFFICER COMPENSATION STUDY AND PARK RANGER TITLES;
 - B. DISCUSS PEACE OFFICER COMPENSATION STUDY METHODOLOGY RELATED TO USE OF A SALARY STRUCTURE OR WEIGHTED AVERAGE SALARY MARKET COMPARISON APPROACH.

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; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Todd Osborne, MGT of America; Joe Gieselman, Executive Manager, TNR; Patty Eacret, HRMD; Brett Spicer, TCSO; John Curran, Director, PersoNet; and Greg Hamilton, Travis County Sheriff.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe that the Court officially receive the MGT supplemental report on the Park Rangers.

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 9 to be reposted on July 12, 2005.

10. A. APPROVE SETTING ANNUAL EMPLOYEE PUBLIC HEARING REGARDING COMPENSATION AND BENEFITS ON JUNE 22, 2005 AT 4:00 P.M.; AND (9:39 AM)

- B. APPROVE DISTRIBUTION OF NOTICE OF PUBLIC HEARING TO EMPLOYEES WITH JUNE 15, 2005 PAYCHECK.

Clerk's Note: Items 10.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.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM EMPLOYEE BENEFITS COMMITTEE ON FY 2006 COUNTY EMPLOYEE, DEPENDENT AND RETIREE HEALTH CARE BENEFITS. (2:54 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Steve Eschbach, Actuary, Milliman USA Inc.; Dan Mansour, Risk and Benefits Manager, HRMD; Cindy Purinton, Contract Benefits Administrator, HRMD; Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Barbara Wilson, Assistant County Attorney.

Clerk's Note: The Court without objection directed Staff to send both options 7 and 8 of the health insurance premium rate plans to Travis County employees.

Clerk's Note: The Court discussed the following recommendations from the Employee Benefits Committee:

- Co-Insured EPO plan as the default option for employees who do not complete all steps of open enrollment.
- Employees be informed that the EPO plan is not sound long term option and it will not be an option for health care coverage in FY07.
- Switch to the Choice Plus plan effective 10-1-2005.
- Change all plan documents to the more current Choice Plus wording effective 10-1-2005.
- Direct Staff and the County Attorney to prepare the documents needed to terminate the current rule and create a new rule that takes advantage of the exceptions in subchapter 157 Texas Local Government Code and that new rule is to be effective 10-1-2005.
- Change the individual stoploss amount to \$150,000.00 effective 10-1-2005.
- Renewal with Safeguard Dental for FY06 with no rate change.
- Continue to extend the supplemental, dependent, and retiree life contract with Unum with no rate change.
- Continue the extension of the short term and long term disability contract with Unum with no rate change.

ITEM 11 CONTINUED

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve recommendations 3 to 11 from the Employee Benefits Committee.

An Addition to the previous Motion was made by Judge Biscoe to approve the recommendation to retain the 4 options for employee health care coverage, the tiers: EPO, Exclusive Provider Organization; PPO, Preferred Provider Organization; Co-Insured EPO, and the RX-only option for retirees over 65.

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 10:30 A.M.

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION FROM THE TRAVIS COUNTY HISTORICAL COMMISSION ON NAMING THE TRAVIS COUNTY COURTHOUSE. (COMMISSIONER DAVIS) (11:17 AM)**

Members of the Court heard from: Barbara Hankins, Chair, Travis County Historical Commission.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to formally receive the report from the Travis County Historical Commission.

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that we select the name of Heman Marion Sweatt for the old Travis County Courthouse at 1000 Guadalupe Street in Austin, Travis County, Texas.

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

ITEM 12 CONTINUED

A Substitute Motion was made by Judge Biscoe **and seconded by** Commissioner Daugherty to not name the Courthouse after anyone.

Motion failed:

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

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

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

JUSTICE AND PUBLIC SAFETY ITEMS

- 13.** CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION REGARDING FEES CHARGED TO PATIENTS FOR STAR FLIGHT SERVICES. (COMMISSIONER DAUGHERTY AND COMMISSIONER SONLEITNER) (12:15 PM)

Members of the Court heard from: Casey Ping, Program Manager, STAR Flight; and Mike Trimble, Criminal Justice Coordinator, CJP.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the recommendation.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON JAIL OVERCROWDING SITUATION, INCLUDING THE FOLLOWING: (11:43 AM)

- A. REQUEST TO TEXAS COMMISSION ON JAIL STANDARDS TO ADD MORE VARIANCE BEDS AND STAFFING IMPLICATIONS;**
- B. COST FOR HOUSING INMATES OUT OF COUNTY;**
- C. COST FOR LEASING MODULAR BUILDING SYSTEM; AND**
- D. COST AND BENEFIT OF ADDING A VISITING JUDGE'S COURTROOM.**

Clerk's Note: Items 14.A-D are associated with one another and called for concurrent discussion.

Members of the Court heard from: David Balagia, Major, Travis County Sheriff's Office (TCSO); Bill Derryberry, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; Greg Hamilton, Travis County Sheriff; and Debra Hale, Court Administrator, Travis County Criminal Courts.

Discussion Only. No formal action taken.

Item 14 to be reposted on June 21, 2005.

PURCHASING OFFICE ITEMS

15. APPROVE INTERLOCAL AGREEMENT NO. IL050252BF WITH THE CITY OF AUSTIN FOR PARTICIPATION IN A SECOND-GENERATION AVAILABILITY STUDY FOR MINORITY-OWNED AND WOMEN-OWNED BUSINESS ENTERPRISES PROCUREMENT PROGRAMS. (PURCHASING/HUB OFFICE) (COMMISSIONER GÓMEZ) (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. APPROVE PURCHASE OF JANITORIAL SUPPLIES FROM GULF COAST PAPER THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD). (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:39 AM)

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

17. APPROVE CONTRACT AWARD FOR STORM AND MOBILE HOME REPLACEMENT WINDOWS, IFB NO. B050083-DR, TO THE SOLE BIDDER, DON YOUNG CO. INC. (HHS) (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 EXEMPTION ORDER AND CONTRACT AWARD FOR JAIL COST ANALYSIS AND MODEL ASSISTANCE SERVICES WITH DELOITTE CONSULTING, LLP. (AUDITORS OFFICE) (COMMISSIONER GÓMEZ) (11:31 AM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); Greg Hamilton, Travis County Sheriff; and Carey Boethel, Texas Association of Counties (TAC).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the exemption order and the contract award to Deloitte Consulting.

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION ON 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) (9:39 AM)

Clerk's Note: Item 19 is the action item for the public hearing on Agenda Item 1.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON 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) (9:39 AM)

Clerk's Note: Item 20 is the action item for the public hearing on Agenda Item 2.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY CLOSE TOWER ROAD BETWEEN FM 973 AND BOIS D'ARC IN PRECINCT ONE FOR A 90-DAY PERIOD FOR THE INSTALLATION OF A 10" FORCE MAIN AND A 30" STORM SEWER, AS WELL AS RECONSTRUCTION AND WIDENING OF ROADWAY. (COMMISSIONER DAVIS) (4:09 PM)

Clerk's Note: Item 21 is the action item for the public hearing on Agenda Item 3.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the road closure.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

22. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER OF REJECTION OF DEDICATION OF PUBLIC STREETS AND ACCEPT THE SECOND AMENDMENT TO DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE ROB ROY, A SUBDIVISION IN PRECINCT THREE (BEECHER LANE, BOARDMAN LANE, CHAPIN LANE, CICERO LANE, CLARENDON LANE, COLERIDGE LANE, COUSTAEAU LANE, EHRlich ROAD, HUMBOLT LANE, LEOPOLD LANE, MUIR LANE, PASCAL COURT, ROB ROY ROAD, ST. STEPHENS COVE, STEGNER LANE, THOUREAU LANE, PASCAL LANE AND ST. STEPHENS SCHOOL ROAD). (COMMISSIONER DAUGHERTY) (ITEM MAY BE TAKEN UP IN EXECUTIVE SESSION FOR LEGAL ADVICE) (11:03 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 4.

Discussion Only. No formal action taken.

Item 22 to be reposted on June 21, 2005.

- 23.** CONSIDER AND TAKE APPROPRIATE ACTION ON A DIRECT MAILING OF INFORMATION REGARDING THE U.S. ARMY CORPS OF ENGINEERS PUBLIC WORKSHOPS CONCERNING THE FLOOD DAMAGE REDUCTION STUDY OF ONION CREEK. (COMMISSIONER GÓMEZ) (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 REGARDING THE REQUEST TO USE ALTERNATIVE FISCAL FOR FOREST BLUFF SUBDIVISION SECTION 6, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (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 A PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE ONE, SECTION 10C (LONG FORM PLAT – 129 LOTS – 48.16 ACRES – UNIVERSITY CLUB DRIVE – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (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.** CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO CHARTER OF THE TRAVIS COUNTY CITIZENS BOND ADVISORY COMMITTEE. (9:39 AM)

Clerk's Note: Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

PLANNING AND BUDGET DEPT. ITEMS

- 27.** CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (3:44 PM)

Item 27 not needed.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(3:40 PM)

- A. ORDER DESIGNATING JP MORGAN CHASE BANK AS COUNTY DEPOSITORY;**
- B. CONTRACT FOR DEPOSITORY SERVICES BETWEEN TRAVIS COUNTY AND JP MORGAN CHASE; AND**
- C. PLEDGEE AGREEMENT FORM AUTHORIZING COLLATERAL FOR COUNTY DEPOSITS TO BE KEPT AT THE FEDERAL RESERVE BANK OF BOSTON.**

Clerk's Note: Items 28.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Mary Mayes, Investment Manager, Cash/Investment Manager; and Larnell Camus, JP Morgan Chase.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the order under Item 28.A, the contract under Item 28.B, and the agreement and authorizations under Item 28.C.

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

OTHER ITEMS

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (3:42 PM)

Members of the Court heard from: Frank Holder, Assistant Purchasing Agent.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve the claims and investments with the change that has been laid out related to a direct payment to C.C. Carlton.

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

30. APPROVE MODIFICATION TO CONTRACT NO. 04-C0165 WITH THE OFFICE OF THE ATTORNEY GENERAL FOR DOMESTIC RELATIONS TO PERFORM CUSTOMER SERVICE AND STATE CASE REGISTRY FUNCTIONS PURSUANT TO FEDERAL MANDATE. (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.

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.

- 31. CONSIDER DEVELOPMENT AND REPAIR CLAIMS RECEIVED FROM TENANTS AT THE FARMERS MARKET, AND TAKE APPROPRIATE ACTION.¹**
(4:14 PM) (5:37 PM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe that we would be amenable to a \$200.00 claim that was presented to us by Dog Almighty, which is tied to an outside gas regulator; and that in relation to the Brentwood Tavern, they are going to need to get us a breakout number of a one-line item related to an outdoor gas line, but, with the exception of those 2 claims, all the rest would be rejected, because unfortunately, the lease makes it clear that things were done in an "as is" condition, and we're taking responsibility for things that are related to the outside of the premises, related to utilities; and to ask the claimants to present the claims to Mr. Rylander, the Manager.

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to reconsider the Motion in Item 31.

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 31 CONTINUED

Motion by Commissioner Sonleitner and seconded by Judge Biscoe that we would be amenable to a \$200.00 claim that was presented to us by Dog Almighty, which is tied to an outside gas regulator; and that in relation to the Brentwood Tavern, they are going to need to get us a breakout number of a one-line item related to an outdoor gas line, but, with the exception of those 2 claims, all the rest would be rejected, because unfortunately, the lease makes it clear that things were done in an “as is” condition, and we’re taking responsibility for things that are related to the outside of the premises, related to utilities; and to ask the claimants to present the claims to Mr. Rylander, the Manager; and to add that we are seeking releases related to the 2 claims we are willing to pay and that the County Judge be authorized to sign those releases.

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

- 32.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM NERO ALVARADO FOR REFUND OF DEPOSIT (EXPOSITION CENTER FUND). ¹
(4:14 PM) (5:39 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we notify Mr. Alvarado that his claim has been rejected, and to indicate the reasons.

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

- 33.** RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO CENTRAL BOOKING INTERLOCAL WITH CITY OF AUSTIN. ¹
(4:14 PM) (5:40 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez that we tell the City of Austin that we are willing to extend the contract, with the notion that we are going to find and determine what the fees will be to continue the interlocal agreement, and that we will pass that along to them. We also would be willing to work that with a true-up consideration, if that be the case, and if we are due money, they pay us, and if they are due money, we pay them.

A Friendly Amendment was offered by Judge Biscoe to continue to work on a cost model that our Staff and City Staff have been negotiating for last 6 to 10 weeks.

Acceptance of the Friendly Amendment was made by Commissioner Daugherty and Commissioner Gómez.

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

- 34.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ROSENBAUM V. TRAVIS COUNTY (REQUESTED BY COUNTY ATTORNEY). ¹ (4:14 PM) (5:41 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.

Discussion Only. No formal action taken.

Item 34 to be reposted on June 21, 2005.

- 35.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN OPPORTUNITY TO LEASE OR PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. ² (4:14 PM) (5:41 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 Daugherty to authorize the County Judge to sign the lease purchase agreement that has been prepared for us by Staff, and our understanding is that the lease does contain an option to purchase at the appropriate time in the future; and the Motion also contains authorization to expend funds for the first month's rent and the \$100.00 for the purchase option, for a total of \$16,020.28, which is due in about 14 days from the day we sign the agreement.

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

ADDED ITEMS

- A1.** RECEIVE UPDATE ON VARIOUS LEGISLATION FROM THE 79TH TEXAS LEGISLATURE, AND TAKE APPROPRIATE ACTION. (3:45 PM)

Item A1 not needed.

A2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING WITH REGARD TO CHAPTER 82, TRAVIS COUNTY CODE, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS:
(3:45 PM)

- A. AMEND SEC. 82.203(A)(4), RELATING TO TEMPORARY SUSPENSION OF PRELIMINARY PLANS.**
- B. PUBLISH NOTICE OF PROPOSED AMENDMENTS RELATING TO INTERIM RULES ON WATER QUALITY, THE ENVIRONMENT AND PROCEDURES FOR REVIEW OF APPLICATIONS.**

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Items A2.A and B and go forward from this stage.

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

ADJOURNMENT

Motion by Commissioner Davis **seconded by** Commissioner Gómez to adjourn the Voting Session. (5:42 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