

MINUTES OF MEETING – JUNE 28, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 28th day of June, 2005, the Commissioners' Court convened the regular Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court record notes that Precinct Two Commissioner Karen Sonleitner was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:11 AM.

The Commissioners Court reconvened the Voting Session at 12:22 PM.

The Commissioners Court adjourned the Voting Session at 12:26 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 22, 23 AND 24, BEE CREEK HILL, SECTION ONE (REVISED PLAT – 1 LOT – 0.763 ACRES – BUMBLE BEE DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (ACTION ITEM 17) (COMMISSIONER DAUGHERTY) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 17 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	absent
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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. 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, LOCATED IN KNOLLWOOD B – A SUBDIVISION IN PRECINCT THREE. (ACTION ITEM 18) (COMMISSIONER DAUGHERTY) (9:16 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 18 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	absent
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 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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

3. RECEIVE COMMENTS REGARDING REQUEST TO TEMPORARILY CLOSE SADDLE MOUNTAIN TRAIL AND CAPISTRANO TRAIL FOR A YEARLY JULY 4TH PARADE IN PRECINCT THREE. (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	absent
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 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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Bob Barstow, Owner, Windy Point Park.
(9:18 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5, and Items 4.A-E, 5, 6.A&B, 7, 8, 9, 10, 11, 12, 13, 14.A&B, 15.A&B, 16, 17, 18, 19, 20.A&B, 21, 22, 23, 24.A&B, 26, 27, 28, 31, 32, 33, 35, 36, 37, and 38. (9:26 AM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	absent
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 JULY 12, 2005 FOR A PROPOSED STREET NAME ASSIGNMENT FOR A PORTION OF FM 973 NEAR MANOR TO BE KNOWN AS “SUNCREST ROAD” IN PRECINCT ONE. (COMMISSIONER DAVIS)
- C5.** APPROVE SETTING A PUBLIC HEARING ON JULY 19, 2005 TO RECEIVE COMMENTS ON REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 25’ DRAINAGE EASEMENT LYING ON THE SOUTH SIDE OF LOTS 22 THROUGH 30 LOCATED IN STONEY RIDGE SECTION 5B – A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ)

JUSTICE AND PUBLIC SAFETY ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION ON CANDIDATES FOR COUNTY FIRE CODE BOARD OF REVIEW: (9:26 AM)
 - A. JOSEPH ZUPAN;
 - B. CURTIS CLINE;
 - C. PHILIP HAUGHT;
 - D. JOHN EKERT; AND
 - E. WILLIAM WISKO.

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

PURCHASING OFFICE ITEMS

5. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. IL030144RE WITH THE CITY OF AUSTIN FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM. (HHS & VS) (COMMISSIONER GÓMEZ) (9:26 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.
 - A. PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE, DECLARE LIST OF CERTAIN AUTOMATIC EXTERNAL DEFIBRILLATORS AS SURPLUS PROPERTY AND AUTHORIZE SAME AS TRADE-IN ON NEW AUTOMATIC EXTERNAL DEFIBRILLATORS; (9:26 AM)
 - B. APPROVE ORDER EXEMPTING THE PURCHASE OF AUTOMATIC EXTERNAL DEFIBRILLATORS FROM PHILIPS MEDICAL SYSTEMS FROM THE COMPETITIVE PROCUREMENT PROCESS, PURSUANT TO SECTION 262.024(A)(2) OF THE COUNTY PURCHASING ACT. (HRMD) (COMMISSIONER GÓMEZ)

Clerk's Note: Items 6.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.

7. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00277LD, PRECISION BUILDING MAINTENANCE, FOR JANITORIAL SERVICES - TNR SATELLITES. (TNR) (COMMISSIONER GÓMEZ) (9:26 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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00266JT, DALE COOK BACKHOE SERVICE, INC., FOR SEPTIC SYSTEMS SERVICE. (HHS & VS) (COMMISSIONER GÓMEZ) (9:26 AM)

Clerk's Note: Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. APPROVE MODIFICATION NO. 1, TO CONTRACT NO. 05T00040DR, ASPEN AIR INC., FOR RESIDENTIAL HVAC SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (9:26 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. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS050146ML, PEACE OFFICER COMPENSATION STUDY, WITH MGT OF AMERICA. (HRMD) (COMMISSIONER GÓMEZ) (9:26 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. APPROVE CONTRACT AWARD FOR WATERPROOF CART COVERS, IFB NO.B050088-RG, TO THE LOW QUALIFIED LOW BIDDER, AUSTIN MATERIAL HANDLING. (COUNTY CLERK ELECTIONS) (COMMISSIONER GÓMEZ) (9:26 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 INTERLOCAL NO. IL050226JW, AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR THE DISTRIBUTION OF UNITIZED MEALS AT THE AUSTIN LEARNING CENTER TO JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM STUDENTS. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:26 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. APPROVE ASSIGNMENT OF CONTRACT NO. PS000307JJ, FEMA ONION CREEK BUYOUT (MODIFICATION NO. 9) FROM DONALD WARD & ASSOCIATES TO JEFFREY S. WARD & ASSOCIATES, INC. (TNR) (COMMISSIONER GÓMEZ) (9:26 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. A. PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE, DECLARE CURRENT UNINTERRUPTIBLE POWER SYSTEM (UPS) AS SURPLUS PROPERTY AND AUTHORIZE SAME AS TRADE -IN ON NEW UPS; (9:26 AM)
- B. APPROVE AWARD OF A CATALOG INFORMATION SYSTEMS VENDOR STATE PURCHASE, RFO NO. O050094-JT, FOR UPS REPLACEMENT TO MARK III SYSTEMS. (ITS) (COMMISSIONER GÓMEZ)

Clerk's Note: Items 14.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.

15. APPROVE SOLE SOURCE EXEMPTION FOR A 9-MONTH EXTENSION, WITH OPTION TO CONTINUE MONTHLY, WITH UNISYS CORPORATIONS TO THE FOLLOWING CONTRACTS: (9:26 AM)
- A. NO. MA000042, FOR SYSTEM HARDWARE AND SOFTWARE MAINTENANCE SUPPORT SERVICES; AND
- B. NO. 95C0150-CG, FOR UNISYS SYSTEM LICENSES. (ITS) (COMMISSIONER GÓMEZ)

Clerk's Note: Items 15.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.

16. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. MA040180LC, MICROFILM SCANNING AND INDEXING SERVICES, WITH NEUBUS, INC. (COUNTY CLERK) (COMMISSIONER GÓMEZ) (9:26 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 22, 23 AND 24, BEE CREEK HILL, SECTION ONE (REVISED PLAT – 1 LOT – 0.763 ACRES – BUMBLE BEE DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:26 AM)

Clerk's Note: Item 17 is the action item for the public hearing on Agenda Item 1.

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. CONSIDER AND TAKE APPROPRIATE ACTION 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, LOCATED IN KNOLLWOOD B – A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:26 AM)

Clerk's Note: Item 18 is the action item for the public hearing on Agenda Item 2.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY CLOSE SADDLE MOUNTAIN TRAIL AND CAPISTRANO TRAIL FOR A YEARLY JULY 4TH PARADE IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:26 AM)

Clerk's Note: Item 19 is the action item for the public hearing on Agenda Item 3.

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 THE FOLLOWING REQUESTS REGARDING THE RESERVE AT TWIN CREEKS SECTION 15, A SUBDIVISION IN PRECINCT THREE: (9:26 AM)

A. ALTERNATIVE FISCAL; AND

B. CASH SECURITY AGREEMENT. (COMMISSIONER DAUGHERTY)

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.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: SCANLON ADDITION (SHORT FORM PLAT – 1 LOT – 1.07 ACRES – HAZY HILLS DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:26 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 PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE ONE, SECTION 7A (LONG FORM PLAT – 192 LOTS – 130.44 ACRES – QUINLAN PARK ROAD – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: RIVER DANCE PHASE 2 (LONG FORM PLAT – 54 LOTS – 147.49 ACRES – QUINLAN PARK RD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:26 AM)

Clerk's Note: Judge Biscoe announced that the Agenda language in Item 23 should read "Trust Deed with Travis County" instead of "Fiscal posted with Travis County", and that actually, Travis County holds the deed of trust, basically, in lieu of a fiscal.

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 FOLLOWING ITEMS FOR MELBER CREEK, SECTION 1A PRELIMINARY PLAN, A SUBDIVISION IN PRECINCT TWO: (9:26 AM)
- A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, KB3, L.C., C/O HAL KUEMPEL; AND
 - B. A PRELIMINARY PLAN (17 LOTS – 23.637 ACRES – MELBER LANE – NO FISCAL POSTING IS REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)

Clerk's Note: Items 24.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.

25. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING IMPLEMENTATION OF AND PUBLIC OUTREACH EFFORTS ASSOCIATED WITH A NEW COUNTY LOW INCOME REPAIR ASSISTANCE (LIRAP), RETROFIT AND ACCELERATED VEHICLE RETIREMENT PROGRAMS AND ASSOCIATED FY 05 BUDGET TRANSFERS. (9:49 AM)

Members of the Court heard from: Scheleen Walker, Travis County Air Quality Project Manager, TNR; and Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the use of a total of \$25,000.00 of the \$50,000.00, to cover the \$14,844.00. That would give Staff another \$10,000.00 to use as creatively they can; and then a month from now, the Court will look at it and see how we are looking; and that we transfer the \$30,000.00 from the Allocated Reserve, from the \$50,000.00 earmarked.

A Division of the Vote was requested by Commissioner Daugherty on Item 25.

First Division of the Vote:

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the transfer of \$14,844.00 from the Allocated Reserve.

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

Second Division of the Vote:

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the transfer of \$10,156.00 from Allocated Reserve to use as creatively as possible to implement the program over the next 30 days and report back to the Court to look at the status and decide how to proceed from there.

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

26. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN STONEY RIDGE SECTION 5B, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:26 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.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE AMENDMENT TO THE INTERLOCAL AGREEMENT WITH LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT FOR SCHOOL CROSSING GUARD SERVICES. (COMMISSIONER DAUGHERTY) (9:26 AM)

Clerk's Note: Item 27 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 TO WIDEN AN EXISTING INFRASTRUCTURE CORRIDOR OF THE BALCONES CANYONLANDS CONSERVATION PLAN (BCCP) LOCATED IN BARTON CREEK WILDERNESS PARK. (COMMISSIONER DAUGHERTY) (9:26 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.

PLANNING AND BUDGET DEPT. ITEMS

- 29.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:

A. GRANT APPLICATION TO THE TEXAS HISTORICAL COMMISSION FOR A CERTIFIED LOCAL GOVERNMENT GRANT IN THE HISTORICAL COMMISSION DEPARTMENT. A NEW GRANT WITH A \$4,000 TRAVIS COUNTY MATCH FOR A \$10,000 GRANT TO SURVEY HISTORIC PROPERTIES. (10:21 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the grant application, and if we receive the grant, to ask the City of Manor for a contribution.

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

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:31 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the budget amendments and transfers A1-A4 and T1-T6.

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

31. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR ON-SITE PROGRAM ELIGIBILITY/ ENROLLMENT SERVICES AND CLINIC LEASE PAYMENTS. (9:26 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.

ADMINISTRATIVE OPERATIONS ITEMS

32. 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 \$446,109.07 FOR THE PERIOD OF JUNE 10 THROUGH JUNE 16, 2005. (9:26 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 06 EMPLOYEES' HEALTH CARE COVERAGE ISSUES: (10:36 AM)
- A. SELECT BENEFIT PLAN FUNDING OPTION 7 OR 8;
 - B. INCREASE THE VOLUNTARY SUPPLEMENTAL LIFE MAXIMUM FROM \$125,000 TO \$200,000;
 - C. AMENDMENT TO THE T-FLEX PLAN TO PROVIDE PARTICIPANTS WITH A 2½ MONTH GRACE PERIOD AT THE END OF EACH PLAN YEAR AS NOW ALLOWED BY THE IRS REGULATIONS.

Clerk's Note: Items 34.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney; Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Cindy Purinton, Benefit Contract Administrator, HRMD; and Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 34.B, to increase the voluntary supplemental life maximum from \$125,000.00 to \$200,000.00.

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

ITEM 34 CONTINUED

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Option 7, in Item 34.A-the benefit plan funding.

Clerk's Note: Staff indicated that with Option 7, the active employee composite rate would be \$609.00, the under-65 retiree rate would be \$1,010.00, and the over-65 rate would be \$286.00. The composite rate is the amount that Travis County pays per employee that covers all the subsidies to dependents and the employee healthcare.

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

Item 34.A to be reposted on July 5, 2005.

Discussion Only on Item 34.C. Item 34.C to be reposted on July 12, 2005.

- 35.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR LIVE CABLECAST OF THE SPECIAL LEGISLATIVE SESSION THAT RUNS JUNE 21 TO JULY 20, 2005, ON DAYS SPECIFIED BY THE COURT. (9:26 AM)

Clerk's Note: Item 35 is a request to allow the Texas House of Representatives to use Travis County Channel 17 for cablecasting the Special Legislative Session on Mondays and Fridays from June 21, 2005 to July 20, 2005.

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.

OTHER ITEMS

- 36.** APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 AM)

Clerk's Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. RECEIVE AND CONSIDER SECOND REVENUE ESTIMATE FOR FISCAL YEAR 2006 BUDGET PROCESS. (9:26 AM)

Clerk's Note: Item 37 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

38. APPROVE CONFIRMATION OF JESSICA HORTA AND RODRIGO R. REYNA AS LICENSED PEACE OFFICERS, PRECINCT TWO CONSTABLE'S OFFICE, PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (9:26 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 ISSUES REGARDING THE 79TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:10 AM)

A. A REVIEW OF LEGISLATION CONSIDERED AND ACTED UPON DURING THE REGULAR SESSION; AND

B. THE GOVERNOR'S PROCLAMATION CALLING FOR A SPECIAL SESSION AND ISSUES LIKELY TO BE CONSIDERED.

Clerk's Note: Items 39.A and B are associated with one another and were called for concurrent discussion.

Discussion Only. No formal action taken.

Items 39.A and B to be reposted on July 5, 2005.

40. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY COMMENTS TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REGARDING PROPOSED REVISIONS TO THE MUNICIPAL SOLID WASTE RULES, 30 TAC, CHAPTER 330, PARTICULARLY AS IT PERTAINS TO THE PASSAGE OF HB 1609. (COMMISSIONER DAVIS) (9:38 AM)

Members of the Court heard from: John Kuhl, Program Manager, Natural Resources, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve and submit the comments to the Texas Commission on Environmental Quality (TCEQ).

An Addition to the previous Motion was made by Commissioner Davis to include in the Motion that this particular letter be sent to the Travis County Legislative Delegation.

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

41. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:29 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Jim Connolly, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommended order prohibiting outdoor burning in unincorporated areas.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	absent
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.

- 42.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING A TRAVIS COUNTY PRECINCT TWO CONSTABLE OFFICE EMPLOYEE SLOT 7. ^{1 & 4} (11:11 AM) (12:22 PM)

Clerk's Note: Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

Discussion Only. No formal action taken.

Item 42 to be reposted on July 12, 2005.

- 43.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN VELMA POWE V. TRAVIS COUNTY. ^{1 & 4} (11:11 AM) (12:23 PM)

Clerk's Note: Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.076, Security.

Discussion Only. No formal action taken.

Item 43 to be reposted on July 12, 2005.

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN KEN RUSH V. TRAVIS COUNTY. ^{1 & 4} (11:11 AM) (12:23 PM)

Clerk's Note: Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.076, Security.

Discussion Only. No formal action taken.

Item 44 to be reposted on July 12, 2005.

45. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, EL AL V. ALVIN AND GEORGIA M. DAVIDSON (76 ARTLAND INVESTMENTS, LLC RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:11 AM) (12:23 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to authorize the County Judge to sign the proposed resale deed on behalf of the Travis County Commissioners Court, to 76 Artland Investments LLC, which has paid to Travis County the sum of \$6,436.00 in cash.

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

46. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, EL AL V. GENE FRANCIS MILLER (SHANNON SLACHTER RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:11 AM) (12:24 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 Judge Biscoe **and seconded by** Commissioner Daugherty to authorize the County Judge to sign the drafted resale deed on behalf of the Travis County Commissioners Court, to Shannon Slachter, who has paid to Travis County the sum of \$5,498.02.

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

47. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, EL AL V. NORRIS T. HENRY (BRIAN THOMAS MURPHY RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:11 AM) (12:24 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 to authorize the County Judge to sign the proposed resale deed on behalf of the Travis County Commissioners Court, to Bryan Thomas Murphy, who has paid to Travis County the sum of \$22,685.00 in cash.

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

48. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, EL AL V. WILLIAM ANNIE MAY (JACQUELINE STONE RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:11 AM) (12:24 PM)

Clerk's Note: Judge Biscoe announced that Item 48 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 proposed resale deed on behalf of the Travis County Commissioners Court, to Jacqueline Stone, who has paid to Travis County the sum of \$8,214.65 in cash.

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

49. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, EL AL V. EVERETT F. AND JEANETTE M. WYNKOOP (MUNIRA HUSSAIN RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:11 AM) (12:25 PM)

Clerk's Note: Judge Biscoe announced that Item 49 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 proposed resale deed on behalf of the Travis County Commissioners Court, to Munira Hussain, who has paid to Travis County the sum of \$4,775.00 in cash.

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

50. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING MEDIATION BY TCEQ ON JUNE 30, 2005 REGARDING IN THE MATTER OF THE APPLICATION OF MAGNA-FLOW INTERNATIONAL, INC., PERMIT NO. WQ04484-000, TCEQ DOCKET NO. 2005-0199-SLG. ¹ (11:11 AM) (12:25 PM)

Clerk's Note: Judge Biscoe announced that Item 50 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to authorize the County Attorney and Staff to attend mediation and indicate a willingness to settle on terms discussed in Executive Session.

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

51. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ROSENBAUM V. TRAVIS COUNTY (REQUESTED BY COUNTY ATTORNEY). ¹ (11:11 AM) (12:26 PM)

Clerk's Note: Judge Biscoe announced that Item 51 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 51 to be reposted on July 12, 2005.

ADJOURNMENT

Motion by Commissioner Davis **seconded by** Commissioner Daugherty to adjourn the Voting Session. (12:26 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge