

## **MINUTES OF MEETING – JULY 19, 2005**

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

On Tuesday, the 19<sup>th</sup> day of July, 2005, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 12:58 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, the Capital Industrial Development Corporation, and the Capital Health Facilities Development Corporation, convened at 1:55 PM and adjourned at 2:03 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 2:03 PM and adjourned at 2:06 PM.

The Commissioners Court reconvened the regular Voting Session at 2:07 PM.

The Commissioners Court retired to Executive Session at 4:26 PM.

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

The Commissioners Court adjourned the Voting Session at 5:49 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS ON REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 25' DRAINAGE EASEMENT ON THE SOUTH SIDE OF LOTS 22 THROUGH 30 LOCATED IN STONEY RIDGE SECTION 5B – A SUBDIVISION IN PRECINCT FOUR. (ACTION ITEM 18)  
(COMMISSIONER GÓMEZ) (9:15 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 Gómez and seconded by Commissioner Davis** to open the public hearing.

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

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

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

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

## RESOLUTIONS & PROCLAMATIONS

2. APPROVE PROCLAMATION RECOGNIZING THE 22<sup>ND</sup> ANNUAL “NATIONAL NIGHT OUT” IN TRAVIS COUNTY ON AUGUST 2, 2005. (9:16 AM)

**Members of the Court heard from:** Mary Rodriguez, Deputy, Travis County Sheriff's Office (TCSO); and Doyne Bailey, Chief Deputy, TCSO.

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

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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** John Hutchinson, Walnut Place Neighborhood Association; Kristina Kubeck, Walnut Place Neighborhood Association; Bob Barstow, Owner, Windy Point Park; Karen Paup, Co-Director, Texas Low Income Housing Information Service; and Scott Johnson, Travis County Resident. (9:21 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C4, and Items 4, 5.A&B, 8, 9.A, 11, 14, 15, 16, 17, 18, 19, 24, 25, and 28.A-D. (9:37 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 5, 2005.
- C4.** APPROVE AUTOMATIC BUDGET TRANSFERS.

## SPECIAL ITEM

3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:40 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

**Clerk's Note:** Judge Biscoe indicated that by taking no action on Item 3, the burning ban remains in place.

Discussion Only. No formal action taken.

**PLANNING AND BUDGET DEPT. ITEMS**

4. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:37 AM)

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

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:37 AM)

A. GRANT APPLICATION TO THE CORPORATION FOR NATIONAL & COMMUNITY SERVICE FOR THE RETIRED SENIORS VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. GRANT CONTINUES THE PROGRAM FOR FY 06; AND

B. GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGING FOR THE RETIRED SENIORS VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES DEPARTMENT. GRANT CONTINUES THE PROGRAM FOR FY 06.

**Clerk's Note:** Items 5.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.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON: (3:20 PM)
- A. REPORT OF CITIZENS ADVISORY COMMITTEE ON ELECTED OFFICIALS' SALARIES; AND
  - B. CONTENT OF AND SCHEDULE FOR PUBLISHING ADVERTISEMENT REGARDING TRAVIS COUNTY ELECTED OFFICIALS' SALARIES FOR FISCAL YEAR 2006.

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

**Members of the Court heard from:** Dr. Woodard Springstube, Member, Citizens Advisory Committee on Elected Officials Salaries; Greg Powell, Member, Citizens Advisory Committee on Elected Officials Salaries; Maxine Barkan, Member, Citizens Advisory Committee on Elected Officials Salaries; Walter Timberlake, Member, Citizens Advisory Committee on Elected Officials Salaries; and Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to formally receive the report and formally express our great appreciation to the committee for assisting us.

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

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING MATTERS RELATED TO THE TRAVIS COUNTY HOSPITAL DISTRICT BOARD OF MANAGERS: (9:42 AM)
- A. A PROCESS FOR APPOINTING OR REAPPOINTING INDIVIDUALS TO THE TRAVIS COUNTY HOSPITAL DISTRICT BOARD OF MANAGERS;
- B. REAPPOINTMENT OF MANAGER CLARKE HEIDRICK TO A FOUR-YEAR TERM.

**Clerk's Note:** Items 7.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Stacey Wilson, Assistant County Attorney; and Clarke Heidrick, Chair, Travis County Hospital District Board of Managers.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to reappoint Clarke Heidrick to the Board of Managers of the Travis County Hospital District.

**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 Sonleitner **and seconded by** Commissioner Gómez to approve the framework that we talked about today with Commissioner Gómez's suggestion about adding the following language: "The ability to collaborate with public officials, staff, and board colleagues," and that we share our framework with the City of Austin so that we come back with an addendum related to how we deal with joint appointees.

**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

**ADMINISTRATIVE OPERATIONS ITEMS**

8. 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 \$262,660.82 FOR THE PERIOD OF JULY 1 THROUGH JULY 7, 2005. (9:37 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PERSONNEL AMENDMENTS:

**A. ROUTINE PERSONNEL ACTIONS; (9:37 AM)**

**Clerk's Note:** Item 9.A 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 PROPOSED PERSONNEL AMENDMENTS:

**B. NON-ROUTINE – SALARY ADJUSTMENT FOR CRIMINAL JUSTICE PLANNING AND EMERGENCY SERVICES COORDINATORS. (4:26 PM)  
(5:42 PM)**

**Clerk's Note:** Judge Biscoe announced that Item 9.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the non-routine recommendations with the exception of one change, and that is for Caryl Colburn, Director, Travis County Counseling and Education, instead of the increase being 5%, that it be 8%.

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



- 10.** CONSIDER AND TAKE APPROPRIATE ACTION ON PHASE 2 OPTIONS FOR THE 5501 AIRPORT BLVD. BUILDING: (9:38 AM)
- A.** RELOCATE COUNSELING AND EDUCATION SERVICES SERVICE CENTER, CRIMINAL JUSTICE PLANNING, EMERGENCY MANAGEMENT SERVICES AND FIRE MARSHAL DIVISIONS;
  - B.** RELOCATE CRIMINAL JUSTICE PLANNING, EMERGENCY MANAGEMENT SERVICES AND FIRE MARSHAL DIVISIONS;
  - C.** RELOCATE HEALTH AND HUMAN SERVICES DIVISIONS FROM PALM SQUARE;
  - D.** DEVELOP AN OFFICE SPACE AREA FOR TRANSITIONAL USE; OR
  - E.** NONE OF THE ABOVE.

Items 10.A-E postponed until the Work Session on July 21, 2005.

### **JUSTICE AND PUBLIC SAFETY ITEMS**

- 11.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE LETTER OF SUPPORT FOR THE TRAVIS COUNTY SCHOOL SAFETY CONSORTIUM GRANT APPLICATION. (9:37 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 PRESENTATION OF ALTERNATIVE STRATEGIES AND RECOMMENDATIONS ON NEW JAIL CONSTRUCTION. (9:57 AM)

**Members of the Court heard from:** Steve Martin, Member, Citizens Bond Advisory Committee.

**Clerk's Note:** The Court received a presentation regarding alternative strategies to new jail construction.

Discussion Only. No formal action taken.

Item 12 to be reposted on July 26, 2005.

13. RECEIVE REPORT FROM THE CITIZENS BOND ADVISORY COMMITTEE REGARDING THE FY 2005 PROPOSED BOND PROGRAM. (10:51 AM)

**Members of the Court heard from:** Richard Moya, Member, Citizens Bond Advisory Committee; Glen Coleman, Member, Citizens Bond Advisory Committee; Perry Lorenz, Member, Citizens Bond Advisory Committee; Nell Penridge, Member, Citizens Bond Advisory Committee; Diane Akers, Member, Citizens Bond Advisory Committee; and Dr. Charles Akins, Member, Citizens Bond Advisory Committee.

**Clerk's Note:** The Court received a presentation on the recommendations from the Committee. Judge Biscoe, without objection, requested that the public hearing schedule be aired on Travis County Television Channel 17.

Discussion Only. No formal action taken.

Item 13 to be reposted on July 26, 2005.

### **PURCHASING OFFICE ITEMS**

14. APPROVE PURCHASE OF TWO (2) FORD VANS FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT NO. ILA98-858. (TNR) (COMMISSIONER GÓMEZ) (9:37 AM)

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

15. APPROVE CONTRACT AWARD FOR ELECTRONIC MONITORING, RFP NO. P050059-OJ, TO THE BEST-QUALIFIED RESPONDENT, GENERAL SECURITY SERVICES CORPORATION. (PRETRIAL SERVICES, JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:37 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 05T00006RG, VISTA SCAPE, INC., FOR GROUNDS MAINTENANCE. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:37 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 TERMINATION OF CONTRACT NO. 05T00039JT WITH LAKE LBJ MARINELAND FOR BOAT, BOAT MOTOR AND MARINE COMPONENT MAINTENANCE REPAIRS - TIME AND MATERIALS. (SHERIFF'S OFFICE/TNR) (COMMISSIONER GÓMEZ) (9:37 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.

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 25' DRAINAGE EASEMENT ON THE SOUTH SIDE OF LOTS 22 THROUGH 30 LOCATED IN STONEY RIDGE SECTION 5B – A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:37 AM)

**Clerk's Note:** Item 18 is the action item for the public hearing on Agenda Item 1.

**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 A PLAT FOR RECORDING IN PRECINCT THREE: COMANCHE CANYON RANCH SECTION ONE (LONG FORM PLAT – 103 LOTS – 48.344 ACRES – OASIS BLUFF DRIVE – FISCAL POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY WATER CONTROL AND IMPROVEMENT DISTRICT #17 – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:37 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE CITY OF AUSTIN LONG RANGE SOLID WASTE PLANNING TASK FORCE:**

**A. TRAVIS COUNTY PARTICIPATION IN THE TASK FORCE; (2:13 PM)**

**Members of the Court heard from:** J.D. Porter, Vice Chair, City of Austin Long Range Solid Waste Planning Task Force; John Kuhl, Program Manager, Natural Resources, TNR; and Melinda Mallia, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to appoint Melinda Mallia, TNR, as the primary member, and John Kuhl, TNR, as the secondary member on the City of Austin Long Range Solid Waste Planning Task Force; and to extend an offer of membership to the Capital Area Council of Governments (CAPCOG).

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

**20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE CITY OF AUSTIN LONG RANGE SOLID WASTE PLANNING TASK FORCE:**

**B. TRAVIS COUNTY DELAYING FURTHER ACTION ON SOLID WASTE ISSUES UNTIL COMPLETION OF TASK FORCE WORK. (2:26 PM)**

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; John Kuhl, Program Manager, Natural Resources, TNR; John Joseph, Attorney representing Waste Management; Adrian Neely, Member, City of Austin Long Range Solid Waste Planning Task Force; J.D. Porter, Vice Chair, City of Austin Long Range Solid Waste Planning Task Force; Trek English, President, Northeast Action Group; Mark McAfee, Owner, Barr Mansion; Melanie McAfee, Owner, Barr Mansion; and Marie Ingram, Travis County Resident.

**Clerk's Note:** Judge Biscoe indicated that the Court would repost the discussion on the roadway Arterial A on August 9, 2005.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to draft a letter to be approved by next Tuesday, July 26, 2005, talking about the cooperation, collaboration, and not acting on things we don't need to; and to volunteer the services of Ms. Mallia and Mr. Kuhl in terms of this; and that there be absolute open lines of communication.

<b>Motion carried:</b> 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

21. RECEIVE BRIEFING ON INTERIM RULES ON WATER QUALITY, THE ENVIRONMENT, AND PROCEDURES FOR REVIEW OF APPLICATIONS SUBMITTED UNDER CHAPTER 82, TRAVIS COUNTY CODE, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS. (11:09 AM) (4:26 PM) (5:43 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Anna Bowlin, Program Manager, Planning and Engineering, TNR; Tom Nuckols, Assistant County Attorney; Brad Rockwell, Save Our Springs (SOS) Alliance; Andrew Bucknall, Travis County Resident; Bill Gunn, Developer, Sweet Water Subdivision; Larry Niemann, Retired Attorney, Travis County Resident; Ted Stewart, Member, Texas Landowners Conservancy; Dominic Chavez, Real Estate Council of Austin; and Ken Manning, Travis County Resident.

**Clerk's Note:** Judge Biscoe announced that Item 21 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken on Item 21.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE IMPLEMENTATION PLAN FOR THE TEXAS HEAVY-DUTY VEHICLE IDLING RULE, A COMPONENT OF THE EARLY ACTION COMPACT (EAC). (4:03 PM)

**Members of the Court heard from:** Scheleen Walker, Travis County Air Quality Project Manager, TNR; and Tom Nuckols, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the Memorandum of Agreement with the Texas Commission on Environmental Quality and a Resolution authorizing the County Judge to sign the Memorandum of Agreement.

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

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO CONDUCT ABBREVIATED MARKET SALARY SURVEY FOR CERTAIN EMPLOYEES IN THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT, INCLUDING ROAD MAINTENANCE WORKERS AND EQUIPMENT OPERATORS. (3:45 PM)**

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Greg Powell, AFSCME Local 1624.

**Motion by Judge Biscoe and seconded by** Commissioner Sonleitner to take Joe Gieselman, Executive Manager, TNR up on the use of Transportation and Natural Resources dollars, and the offer of Transportation and Natural Resources Human Resources personnel to the extent possible, to assist without compromising this study; and Human Resources Management Department (HRMD) dedicating whatever is necessary to help retain outside assistance to look at the three groups that we mentioned - parks maintenance, road and bridge maintenance, and facilities maintenance; and if Alicia Perez, Executive Manager, Administrative Operations has a little money, she can put that in, too.

**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

## OTHER ITEMS

- 24. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:37 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JUNE 2005. (9:37 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 THE APPOINTMENT OF A TRAVIS COUNTY COMMITTEE ON SECURITY ISSUES, INCLUDING APPOINTMENT OF MEMBERS AND AN APPROPRIATE CHARGE. (4:14 PM)

**Members of the Court heard from:** Dana DeBeauvoir, Travis County Clerk; Alicia Perez, Executive Manager, Administrative Operations; and Jim Sylvester, TCSO.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to appoint Chuck Watt, ROCIP Safety Specialist, HRMD; Lloyd Evans, Division Director, Facilities Management; Roger El Khoury, Director, Facilities Management; Walter Lagrone, Director, Operations and Technology, Information and Telecommunications Systems (ITS); Bennie Cureton, Sergeant, Travis County Sheriff's Office (TCSO); Mike Hemby, Research Analyst, TCSO; Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Simon Broussard, Travis County Fire Marshall, to the Travis County Committee on Security Issues; that the Commissioners Court extend a special invitation to Doyne Bailey, Chief Deputy, TCSO to serve on the committee; and that we ask our Sheriff's Office chair of the committee to ask Doyne Bailey, Chief Deputy, to serve, and also appoint a user member to the committee.

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



27. CONSIDER AND TAKE APPROPRIATE ACTION ON REPORT ON THE FY05 JUSTICE OF THE PEACE PRECINCT THREE PILOT PROJECT WITH MUNICIPAL SERVICES BUREAU FOR COLLECTION SERVICES, INCLUDING REQUEST TO EXTEND PILOT AN ADDITIONAL 12 MONTHS. (2:07 PM)

**Members of the Court heard from:** Melissa Goodwin, Justice of the Peace Precinct 3; and Diana Ramirez, Budget Analyst, PBO.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to extend the contract with MSB (Municipal Services Bureau) for 12 months.

**A Friendly Amendment to the previous Motion was offered by** Judge Biscoe to ask Judge Goodwin to share with the other Justices of the Peace her experiences, and the Commissioners Court suggestion that the other Justices of the Peace ought to participate, in which case we would issue a Request for Proposals (RFP) for a vendor.

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

**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

28. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING REQUESTS REGARDING THE COMBINED CHARITIES CAMPAIGN: (9:37 AM)
- A. THE PRINTING OF THE COMBINED CHARITIES BOOKLETS;
  - B. DISTRIBUTION OF A LETTER ANNOUNCING THE CAMPAIGN WITH THE AUGUST 15, 2005 EMPLOYEE PAYCHECKS;
  - C. PERIODICALLY POSTING OF A COMBINED CHARITIES NEWSLETTER ON THE TRAVIS COUNTY INTRANET; AND
  - D. DISTRIBUTION OF NEWSLETTER WITH PAYCHECKS FOR COUNTY EMPLOYEES THAT DO NOT HAVE ACCESS TO COUNTY INTRANET.

**Clerk's Note:** Items 28.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 29.** CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES UNDER CONSIDERATION DURING THE SPECIAL SESSION OF THE 79<sup>TH</sup> TEXAS LEGISLATURE. (A LIST MAY BE OBTAINED FROM ANY MEMBER OF THE TRAVIS COUNTY COMMISSIONERS COURT.) (11:09 AM)

Item 29 postponed until July 26, 2005.

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION TO ADOPT STRATEGY AND SCHEDULE TO SELECT EMERGENCY SERVICES COORDINATOR. (3:43 PM)

**Clerk's Note:** The Court without objection directed Commissioner Sonleitner and Commissioner Daugherty to look at the applications for the position of Emergency Services Coordinator and shorten the list of applicants to six at the most; and to obtain the assistance of Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP) and Danny Hobby, former Emergency Services Coordinator to narrow the list of applicants.

Discussion Only. No formal action taken.

**EXECUTIVE SESSION ITEMS**

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

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

- 31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY V. DOWER, CAUSE NO. 2544 (REQUESTED BY COUNTY ATTORNEY). <sup>1</sup> (4:26 PM) (5:43 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** Judge Biscoe **and seconded by** Commissioner Daugherty to approve the proposed settlement, conditioned upon our being able to reach an agreement on the wall requested by the homeowner.

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

32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. DEFENDANTS UNKNOWN (MILTON RAY CULWELL RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:26 PM) (5:44 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 Sonleitner to authorize the County Judge to sign the proposed deed on behalf of the Travis County Commissioners Court, to Milton Ray Culwell, who has paid to Travis County the sum of \$9,000.00 in cash.

**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 BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. WILLIAM B. COTTON (TRACY R. NELSON RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:26 PM) (5:44 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** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Judge to sign the proposed deed on behalf of the Travis County Commissioners Court, to Tracy R. Nelson, who has paid to Travis County the sum of \$3,654.84 in cash for tract 2, \$3,000.00 in cash for tract 3, and \$3,000.00 in cash for tract 4.

**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 THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. COST PEARSON (JOHN MICHAEL POPE, ANDREW J. MARYE AND WILLIAM CORY RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:26 PM) (5:45 PM)

**Clerk's Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Judge to sign the proposed deed on behalf of the Travis County Commissioners Court, to John Michael Pope, Andrew J. Marye, and William Cory, who have paid to Travis County the sum of \$33,900.00.

**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

35. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. RICKY AND NELL MATHIS (GLORIA A. GUZMAN/CARLOS MOLINA RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:26 PM) (5:46 PM)

**Clerk's Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Judge to sign the proposed deed on behalf of the Travis County Commissioners Court, to Gloria Guzman and Carlos Molina, who have paid to Travis County the sum of \$2,713.46.

**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

36. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. ANTONIO TREVINO AND CINDA A. CALDERON (HAGGERTY INVESTMENT PROPERTIES RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:26 PM) (5:46 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Judge to sign the proposed deed on behalf of the Travis County Commissioners Court, to Haggerty Investment Properties, which has paid to Travis County the sum of \$2,711.62.

**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

37. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CRAZYHORSE LAND CORPORATION (LOUIE HAUSMAN RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:26 PM) (5:46 PM)

**Clerk's Note:** Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Judge to sign the proposed deed on behalf of the Travis County Commissioners Court, to Louie Hausman, who has paid to Travis County the sum of \$700.00 in cash.

**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

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING A TRAVIS COUNTY PRECINCT TWO CONSTABLE OFFICE EMPLOYEE, SLOT 7. <sup>1</sup> & <sup>3</sup> (4:26 PM) (5:47 PM)

**Clerk's Note:** Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

**Members of the Court heard from:** Tony Nelson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed settlement for the position that has been agreed to, and a payment of \$20,000.00, plus a letter of apology from the Elected Official who was the employer of the employee in question.

**Clerk's Note:** The County Attorney's Office clarified that this settlement would be the position with Health and Human Services (HHS) and \$20,000.00. That would be the counter offer from the employees' attorney.

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

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE MATTER OF THE APPLICATION OF MAGNA-FLOW INTERNATIONAL, INC., PERMIT NO. WQ04484-000, TCEQ DOCKET NO. 2005-0199-SLG. <sup>1</sup> (4:26 PM)

Item 39 postponed until July 26, 2005.

40. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON ISSUES RELATING TO THE TRAVIS COUNTY ECONOMIC DEVELOPMENT PROGRAM POLICY AND/OR TAX ABATEMENT POLICY. <sup>1</sup> (4:26 PM) (5:48 PM)

**Clerk's Note:** Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 40 to be reposted on July 26, 2005.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR FINANCIAL INCENTIVES FOR HOME DEPOT. <sup>1</sup> (4:26 PM)

Item 41 postponed until July 26, 2005.

### ADDED ITEMS

- A1. RECEIVE LEGAL BRIEFING ON RECENT COURT RULING REGARDING REGIONAL MOBILITY AUTHORITIES AND RELATED ISSUES, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (EXECUTIVE SESSION) (4:26 PM) (5:49 PM)

**Clerk's Note:** Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item A1 not needed.

### ADJOURNMENT

**Motion by** Commissioner Davis **seconded by** Commissioner Sonleitner to adjourn the Voting Session. (5:49 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

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Date of Approval

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Samuel T. Biscoe, Travis County Judge