

MINUTES OF MEETING – AUGUST 23, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 23rd day of August, 2005, the Commissioners' Court convened the regular Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 12:01 PM.

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

The Commissioners Court retired to Executive Session at 4:15 PM.

The Commissioners Court reconvened the Voting Session at 6:31 PM.

The Commissioners Court adjourned the Voting Session at 6:42 PM.

SPECIAL RECOGNITION

1. RECOGNIZE TRAVIS COUNTY FOR RECEIVING THE TEXAS ASSOCIATION OF COUNTIES BEST PRACTICES AWARD FOR EXCEPTIONAL DELIVERY OF SERVICE BY THE HISTORICALLY UNDERUTILIZED BUSINESS (HUB) PROGRAM. (PURCHASING) (9:16 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Sylvia Lopez, Historically Underutilized Business (HUB) Program Coordinator, Purchasing Department.

Discussion Only. No formal action taken.

PUBLIC HEARINGS

2. RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PORTION OF FM 973 NEAR MANOR TO BE KNOWN AS "SCHMIDT LOOP" IN PRECINCT ONE. (COMMISSIONER DAVIS) (ACTION ITEM # 5) (9:18 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 5 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, Transportation and Natural Resources (TNR).

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

3. RECEIVE COMMENTS ON ELECTED OFFICIALS' SALARIES FOR FY'06.
(9:19 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 34 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: Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO).

Motion by Commissioner Sonleitner **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

4. RECEIVE COMMENTS REGARDING THE CITIZENS BOND ADVISORY COMMITTEE RECOMMENDATION TO HOLD A NOVEMBER 2005 BOND ELECTION. (9:25 AM) (1:45 PM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 10 for a summary of the Court's action.

Clerk's Note: Items 4 and 10 are associated with one another and were called for concurrent discussion.

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

Clerk's Note: The Court did not Vote on the previous Motion and Second and without objection opened the public hearing.

ITEM 4 CONTINUED

Members of the Court heard from: Charlie McCabe, Executive Director, Austin Parks Foundation; Valarie Bristol, former Travis County Commissioner Precinct 3; Shudde Fath, Save Barton Creek Association; Jill Carpenter, Travis County Resident; Jeb Boyt, President, Austin Metro Trails and Greenways; Sarah Baker, Travis County Resident; Brad Rockwell, Save Our Springs Alliance (SOS); Gene Lowenthal, President, Hamilton Pool Road Scenic Corridor Coalition; Laura Groke, Resident, Travis Settlement; Cindy Nettles, Shady Hollow Resident; John Myrick, President, Central Texas Mountaineers; Bruce Byron, Capital Area Transportation Coalition; Jeff Davis, Waste Permits Division, Texas Commission on Environmental Quality (TCEQ); Colin Clarke, Save Our Springs Alliance (SOS); Ted Siff, Chair, Citizens Advisory Committee, Balcones Canyonlands Preserve (BCP), Co-Founder, Austin Metro Trails and Greenways; Joyce Best, North East Austin Resident; Trek English, President, Northeast Action Group; Joyce Thoresen, Interim President, Walnut Place Neighborhood Association; Christy Muse, Hill Country Alliance; Anjali Kaul, Member, 1997 Citizens Bond Advisory Committee; John Kuhl, Program Manager, Natural Resources, TNR; Jon Beall, Travis County Resident; Terry Tull, Travis County Resident; Kevin Lewis, Board Member, Central Texas Trail Tamers; George Cofer, Executive Director, Hill Country Conservancy; Mark McAfee, Owner, Barr Mansion; Pete Dwyer, Developer, Travis County Resident; Dominic Chavez, Real Estate Council of Austin; Larry Beard, Developer, Travis County Resident; Kathryn Kawazoe, Travis County Resident; Fabian Martinez, Resident, Colonial Place; Scott Isensee, Owner, Austin Rock Gym; John Hutchinson, Walnut Place Neighborhood Association; Kristina Kubeck, Walnut Place Neighborhood Association; Craig Smith, Member, Board of Directors, Save Barton Creek Association; and Susan Spataro, Travis County Auditor.

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

CITIZENS COMMUNICATION

Clerk's Note: No speakers addressed the Court. (9:20 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C8, and Items 5, 6, 7, 8, 9, 11.A, 14, 15, 16, 18, 19, 22, 25, 26, 27, 28, 29, 30, and 33.B. (9:20 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 COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF JULY 26, AND AUGUST 2, 2005.
- C4. APPROVE AUTOMATIC BUDGET TRANSFERS.
- C5. REAPPOINT MARY JO RODRIGUEZ TO THE CHILDRENS' PROTECTIVE SERVICES BOARD EFFECTIVE UNTIL APRIL 2006. (COMMISSIONER GOMEZ)
- C6. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 6, 2005 TO RECEIVE COMMENTS REGARDING REQUEST TO CONSIDER TEMPORARILY CLOSING ALBERT VOELKER ROAD BETWEEN US 290 AND COUNTY LINE ROAD IN PRECINCT ONE, FOR THE REPLACEMENT OF A DAMAGED DRAINAGE CULVERT. (COMMISSIONER DAVIS)
- C7. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 27, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOTS 1-A, 2-A AND 4-A OF THE AMENDED PLAT OF MILWOOD SECTION 24 (SHORT FORM – 6 LOTS – 10.095 ACRES – PARMER LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1 – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER)

CONSENT ITEMS CONTINUED

- C8. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 27, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: JOSHUA SUBDIVISION, A RESUBDIVISION OF LOTS 1 AND 2, BLOCK C OF BUFFALO GAP SUBDIVISION (SHORT FORM PLAT - 2 LOTS – 2.373 ACRES – BUFFALO GAP ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED STREET NAME ASSIGNMENT FOR A PORTION OF FM 973 NEAR MANOR TO BE KNOWN AS “SCHMIDT LOOP” IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:20 AM)

Clerk’s Note: Item 5 is the action item for the public hearing on Agenda Item 2.

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

6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE RIGHT OF WAY AGREEMENT BETWEEN TRAVIS COUNTY AND WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 TO INSTALL WATER AND WASTEWATER UTILITY LINES ALONG OASIS BLUFF ROAD AND THE OASIS BLUFF RIDGE. (COMMISSIONER DAUGHERTY) (9:20 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. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR VILLAS OF THE HILLS, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:20 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 ACCEPTANCE OF A FENCE EASEMENT FROM ROUND ROCK INDEPENDENT SCHOOL DISTRICT FOR A COUNTY FENCE ON SCHOOL PROPERTY TO PROTECT THE BALCONES CANYONLANDS PRESERVE (BCP) LAND. (COMMISSIONER DAUGHERTY) (9:20 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 A PRELIMINARY PLAN IN PRECINCT ONE: WILDHORSE PARKSIDE PRELIMINARY PLAN (294 LOTS – 68.48 ACRES – LINDELL LANE – NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ) (COMMISSIONER DAVIS) (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM THE CITIZENS BOND ADVISORY COMMITTEE, INCLUDING THE FOLLOWING: (9:25 AM) (1:45 PM) (2:02 PM) (4:15 PM) (6:31 PM)
 - A. LIST OF SPECIFIC PROJECTS AND ASSUMED IMPLEMENTATION SCHEDULE (CASH FLOW);
 - B. PROPOSED PROPOSITIONS;
 - C. IMPACT ON DEBT POLICY AND FUTURE ANNUAL OPERATING BUDGETS;
 - D. PUBLIC-PRIVATE PARTNERSHIPS;
 - E. PROPOSED BOND CONVENANTS;
 - F. ELECTION SCHEDULE; AND
 - G. RELATED ISSUES.

Clerk's Note: Items 4 and 10 are associated with one another and were called for concurrent discussion. Please refer to Item 4 for a summary of the action taken.

ITEM 10 CONTINUED

Clerk's Note: Item 10 was further discussed at 2:02 PM.

Clerk's Note: Item 10 is the action item for the public hearing on Agenda Item 4.

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Jessica Rio, Budget Analyst, PBO; Joe Gieselman, Executive Manager, TNR; and John Kuhl, Program Manager, Natural Resources, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to include \$30 million for mobility and \$30 million for open space.

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

Motion by Judge Biscoe and seconded by Commissioner Davis to have a stand-alone for \$60 million in open space.

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

Motion by Commissioner Davis to have \$60 million set aside for mobility projects on this particular bond election.

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

Motion by Commissioner Davis and seconded by Judge Biscoe that we come up with \$40 million for the open space and \$20 million for the mobility projects.

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

ITEM 10 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the strategy that Commissioner Daugherty and I have put out as what's being called boldly, "a Commissioner's Subcommittee recommendation," which basically, has a reconfiguration of the \$120 million; and embedded within parks and open space, to make it very clear, that between Reimers Ranch and Southwest open space, there would be embedded with no tax increase, \$25.5 million for critical needs in western Travis County.

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

A Substitute Motion was made by Commissioner Daugherty **and seconded by** Judge Biscoe to issue an additional \$20 million for open space and \$20 million for mobility.

Withdrawal of the Substitute Motion was made by Commissioner Daugherty.

A Substitute Motion was made by Judge Biscoe **and seconded by** Commissioner Davis to issue an additional \$20 million for open space and \$20 million for mobility.

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

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

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

Clerk's Note: Item 10 was further discussed at 4:15 PM.

Clerk's Note: Judge Biscoe announced that Item 10 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

ITEM 10 CONTINUED

Clerk's Note: Item 10 was further discussed at 6:31 PM.

Members of the Court heard from: John Hille, Assistant County Attorney.

Discussion Only. No formal action taken.

Item 10 to be reposted on August 30, 2005.

PLANNING AND BUDGET DEPT. ITEMS

11. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:

- A. GRANT CONTRACT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A LOW INCOME REPAIR, RETROFIT, AND REPLACEMENT ASSISTANCE PROGRAM IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO FUND EMISSION RELATED REPAIRS. (9:20 AM)

Clerk's Note: Item 11.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (3:28 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Budget Amendments and Transfers in Item 12.

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

13. RECEIVE UPDATE ON EXPENSES AND REVENUE FOR FY '06 BUDGET.
(3:29 PM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; Travis Gatlin, Budget Analyst, PBO; Diana Ramirez, Budget Analyst, PBO.

Discussion Only. No formal action taken.

ADMINISTRATIVE OPERATIONS ITEMS

14. 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 \$540,149.86 FOR THE PERIOD OF AUGUST 5, 2005 THROUGH AUGUST 11, 2005. (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:20 AM)

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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH DENNIS FAGAN TO TAKE PHOTOGRAPHS IN THE OLD JAIL.
(9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON CHAPTER 17, HOSPITAL AND INSURANCE FUND-COUNTY EMPLOYEES: (3:35 PM)
- A. DISSOLVE CHAPTER 17, HOSPITAL AND INSURANCE FUND-COUNTY EMPLOYEES, EFFECTIVE 12:01 A.M., OCTOBER 1, 2005; AND
- B. AMEND TRAVIS COUNTY CODE TO CREATE NEW CHAPTER 17, EMPLOYEE HEALTH BENEFIT FUND RULE, EFFECTIVE OCTOBER 1, 2005.

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

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Items 17.A and B.

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

JUSTICE AND PUBLIC SAFETY ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CENTRAL BOOKING INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN. (9:20 AM)

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

PURCHASING OFFICE ITEMS

19. DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (9:20 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.

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

23. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS050089RE WITH CARITAS OF AUSTIN FOR BASIC NEEDS COALITION. (HHSD) (4:02 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS); Cyd Grimes, Travis County Purchasing Agent; and Alan Miller, Budget Analyst, PBO.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the contract modification in Item 23.

Motion carried:

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

24. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL020019EF WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION FOR COMMUNITY ACTION NETWORK COORDINATOR SERVICES. (HHSD) (4:10 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item 24.

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

25. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. 02T00292OJ, SAFE GUARD HEALTH PLANS, INC. AND SAFE HEALTH LIFE INS. CO., FOR THE PROVISION OF DENTAL COVERAGE FOR TRAVIS COUNTY EMPLOYEES AND TRAVIS COUNTY HOSPITAL DISTRICT EMPLOYEES. (HRMD) (9:20 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. APPROVE AWARD OF A CATALOG INFORMATION SYSTEMS VENDOR STATE CATALOG PURCHASE, RFO #O050113-LD, FOR VEHICLE EMISSIONS INSPECTION EQUIPMENT FROM WORLDWIDE ENVIRONMENTAL PRODUCTS. (TNR) (9:20 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. APPROVE CONTRACT NO. PS050172JW WITH KIM TARLA-RASH FOR NURSE EXAMINER SERVICES. (SHERIFF'S OFFICE) (9:20 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.

OTHER ITEMS

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:20 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.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT MODIFICATION AND EXTENSION OF CONTRACT 696-PD-0-1-L-L0306 M-005 TRAVIS COUNTY BETWEEN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND TRAVIS COUNTY FOR THE HOUSING OF RELEASEES FOR THE 2005-2006 CONTRACT TERM. (9:20 AM)

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING WITH THE COUNCIL ON SEX OFFENDER TREATMENT TO HOUSE SEX OFFENDERS IN COMMUNITY RESIDENTIAL FACILITIES. (SHERIFFS OFFICE) (9:20 AM)

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

31. DISCUSS REVENUE AND BUDGET ISSUES WITH TRAVIS COUNTY CONSTABLE PCT. 5 REGARDING THE DISABLED PARKING ENFORCEMENT AND PROPOSED PILOT PROJECT FOR FY 06. (COMMISSIONER SONLEITNER) (3:40 PM)

Members of the Court heard from: Bruce Elfant, Travis County Constable Precinct 5; Diana Ramirez, Budget Analyst, PBO; Carlos Lopez, Chief Deputy, Constable Precinct 5 Office; and Blain Keith, Chief Assistant County Auditor, Travis County Auditor's Office.

Discussion Only. No formal action taken.

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POLICY FOR PUBLIC DEMONSTRATIONS ON TRAVIS COUNTY PROPERTY AND FACILITIES. (COMMISSIONER DAUGHERTY) (3:38 PM)

Discussion Only. No formal action taken.

Item 32 to be reposted on August 30, 2005.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
- A. A REQUEST FROM THE TRAVIS COUNTY HOSPITAL DISTRICT TO AMEND THE DISTRICT'S FY'05 BUDGET TO RECOGNIZE ADDITIONAL REVENUE AND AN EQUIVALENT AMOUNT OF ADDITIONAL RELATED EXPENSE PERTAINING TO THE MEDICAID DISPROPORTIONATE SHARE HOSPITAL PROGRAM AND THE MEDICAID UPPER PAYMENT LIMIT PROGRAM; (3:58 PM)

Members of the Court heard from: Stacy Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 33.A.

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

- B. A REQUEST FROM THE TRAVIS COUNTY HOSPITAL DISTRICT TO AMEND THE HOSPITAL DISTRICT'S PURCHASING POLICIES WITH REGARD TO USING A BROKER TO OBTAIN HEALTH INSURANCE OR SIMILAR COVERAGE. (9:20 AM)

Clerk's Note: Item 33.B 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 TO SET ELECTED OFFICIALS' SALARIES FOR FY'06. (3:59 PM)

Clerk's Note: Item 34 is the action item for the public hearing on Agenda Item 3.

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO; and Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to set the salaries for all the Elected Officials, excluding everything related to the Travis County District Attorney, and that this Item be reposted on August 30, 2005.

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

Item 34 to be reposted on August 30, 2005.

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.

35. CONSIDER PURCHASE OFFER RECEIVED FOR PROPERTY AT 6701 BURNET ROAD AND TAKE APPROPRIATE ACTION ON OPTIONS FOR SALE. (COMMISSIONER SONLEITNER) ^{1 & 2} (4:15 PM) (6:32 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, and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that we indicate that we are favorably inclined to have discussions on this particular item related to going with a broker agreement, and so it would include a request to Purchasing to please expedite the RFQ/RFS related to getting a pool of brokers so that indeed, we might be able to take advantage of that technique in relation to this particular property and others.

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. CONSIDER AND TAKE APPROPRIATE ACTION FOR THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. ² (4:15 PM)

Item 36 not needed.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POTENTIAL PURCHASE OF REAL ESTATE ON AIRPORT BOULEVARD. ² (4:15 PM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

No action taken on Item 37.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON FINAL SETTLEMENT OF DISPUTED CHARGES FOR UTILITY SERVICES WITH THE CITY OF AUSTIN. (AUSTIN ENERGY) ¹ (4:15 PM) (6:33 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Judge to sign, on behalf of the Commissioners Court, a full and final mutual settlement and release, which contains the agreement that Travis County owes the City of Austin \$17,870.22, but that the City of Austin owes Travis County \$13,754.78, which means that the difference there is a net that Travis County owes the City of Austin, and it is about \$4,115.44; that in addition to executing this, we send a letter to the City of Austin thanking them for their fine services and expressing our glee in having this matter resolved.

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

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING PROPOSED MEDIATION IN TRAVIS COUNTY V. COTERA, KOLAR & NEGRETE, ET AL. AND TAKE APPROPRIATE ACTION, INCLUDING DESIGNATING A REPRESENTATIVE FROM COMMISSIONERS COURT REGARDING TRAVIS COUNTY MEDICAL EXAMINER'S FACILITY. ¹ (4:15 PM)

Item 39 postponed until August 30, 2005.

40. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH DIANE FINCH GRANT FOR THE ACQUISITION OF APPROXIMATELY 83.404 ACRES OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER DAUGHERTY) ² (4:15 PM) (6:34 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner that we extend the offer through September 13, 2005, at the same price. This would include access through the settlement property, along with access that would be vacated when the City access, off of Pearce Road, comes through; and we have been told that the Mayor is going to work with us on that.

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

41. 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. ¹ (4:15 PM) (6:35 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

42. APPROVE OR REJECT FARMERS MARKET LEASE AGREEMENT WITH LES FEMMES CULINAIRES AND TAKE APPROPRIATE ACTION. ² (4:15 PM) (6:36 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the lease through May 1, 2008.

Motion carried:

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

43. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON ISSUES RELATING TO THE TRAVIS COUNTY ECONOMIC DEVELOPMENT PROGRAM POLICY AND/OR TAX ABATEMENT POLICY. ¹ (4:15 PM) (6:36 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.

Discussion Only. No formal action taken.

Item 43 to be reposted on August 30, 2005.

44. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR FINANCIAL INCENTIVES FOR HOME DEPOT. ¹ (4:15 PM) (6:37 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.

Discussion Only. No formal action taken.

Item 44 to be reposted on August 30, 2005.

45. CONSIDER AND TAKE APPROPRIATE ACTION ON APPLICATION BY SAMSUNG FOR A FINANCIAL INCENTIVE AGREEMENT. ¹ (4:15 PM) (6:37 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 Gómez to indicate to the public that, in exchange for the 700 permanent manufacturing jobs at an average salary of \$60,000.00, plus the 200 permanent contract jobs, and the capital investment of about 3.5 billion dollars, Travis County is willing to consider an 80% abatement on incremental taxes on Real Property and an 80% abatement on new equipment for a period of 20 years; that we further direct Staff to plug these figures and any other appropriate language into a draft agreement with Samsung for Court consideration and action next week.

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 45 to be reposted on August 30, 2005.

46. CONSIDER AND TAKE APPROPRIATE ACTION ON ACQUISITION OF LAND FOR THE DEVELOPMENT OF TRAVIS COUNTY SOUTHWEST METROPOLITAN PARK PROJECT (CIP #01-B02-31-3PA). (COMMISSIONER DAUGHERTY) ^{1 & 2} (4:15 PM) (6:39 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, and Gov't. Code Ann. 551.072, Real Property.

Discussion Only. No action necessary.

47. CONSIDER AND TAKE APPROPRIATE ACTION FOR A THREE-MONTH EXTENSION OF LEASE AT 4920 I.H. 35 LOCATION FOR THE PERIOD OF SEPTEMBER 2005 THROUGH NOVEMBER 2005. ^{1 & 2} (4:15 PM) (6:39 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, and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the lease extension of three months, through November 30, 2005, and that whatever document there is for the Court to execute on behalf of the Travis County Commissioners Court, the County Judge be authorized to sign.

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 BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN: ENTERTAINMENT BY J & J, INC. V. RUFINO CORNEJO AND LUKE MERCER, CONSTABLE, PRECINCT ONE. (REQUESTED BY COUNTY ATTORNEY) (EXECUTIVE SESSION ALSO, PURSUANT TO GOV'T CODE ANN 551.071. (4:15 PM) (6:40 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.

Motion by Judge Biscoe and seconded by Commissioner Gómez to reject the settlement in the amount of \$242,175.00; that we authorize the County Attorney's Office to file Notice of Appeal as necessary; that we authorize the County Attorney to file Amicus Brief and all relevant appellate cases and proceedings; that we authorize the County Attorney and appropriate Staff to forward information regarding this matter to all appropriate State and Local Officials, and that we have this matter back on the Court's Agenda in the event that we need it, next Tuesday, August 30, 2005.

A Friendly Amendment to the previous Motion was offered by Commissioner Sonleitner that one of those that we definitely have interest in discussions taking place with is the Texas Attorney General.

Acceptance of the Friendly Amendment was made by Judge Biscoe 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

Item A1 to be reposted on August 30, 2005.

- A2. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF LEAVE WITH PAY FOR A COUNSELING AND EDUCATION SERVICES EMPLOYEE, SLOT 27. (REQUESTED BY COUNTY ATTORNEY) (EXECUTIVE SESSION ALSO, PURSUANT TO GOV'T CODE ANN 551.071 AND 551.074.) (4:15 PM) (6:41 PM)

Clerk's Note: Judge Biscoe announced that Item A2 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.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner that we authorize five additional days, which should get the department through August 25, 2005.

Motion carried:

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

ADJOURNMENT

Motion by Commissioner Davis **seconded by** Commissioner Gómez to adjourn the Voting Session. (6:42 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