

## **MINUTES OF MEETING – SEPTEMBER 13, 2005**

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

On Tuesday, the 13<sup>th</sup> day of September, 2005, the Commissioners' Court convened the regular Voting Session at 9:18 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 retired to Executive Session at 9:41 AM.

The Commissioners Court reconvened the Voting Session at 10:04 AM.

The Commissioners Court recessed the Voting Session at 12:02 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:48 PM and adjourned at 1:49 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:49 PM and adjourned at 1:49 PM.

The Commissioners Court reconvened the regular Voting Session at 1:50 PM.

The Commissioners Court retired to Executive Session at 3:54 PM.

The Commissioners Court reconvened the Voting Session at 5:00 PM.

The Commissioners Court adjourned the Voting Session at 5:04 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING PROPOSED ELECTION PRECINCT REALIGNMENTS PURSUANT TO SECTION 42.031 (b)(3) OF THE ELECTION CODE. (ACTION ITEM # 34) (9:20 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 34 for a summary of the action item.

**Motion by** Commissioner Sonleitner **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:** Dolores Lopez, Director, Voter Registration, Travis County Tax Assessor Collector's Office; Melinda Avey, Supervisor, Voter Registration, Travis County Tax Assessor Collector's Office; Gail Fisher, Division Manager, Elections Division, Travis County Clerk's Office; Kim Dilling, Elections Management Coordinator, Elections Division, Travis County Clerk's Office; Ken Trethewey, Site Coordinator, Elections Division, Travis County Clerk's Office; Louri O'Leary, Chair, Precinct 244; Jack Porter, Election Judge, Precinct 244; and Julie Joe, Assistant County Attorney.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis 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

2. RECEIVE COMMENTS REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 5, BLOCK 6, HUDSON BEND, COLONY NO. 2 (SHORT FORM PLAT 2 LOTS – 3.443 ACRES – POOL CANYON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (ACTION ITEM #16) (9:37 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 16 for a summary of the action item.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez 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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Carol Joseph, Assistant Director, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis 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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

3. RECEIVE PUBLIC COMMENTS ON FY'06 TAX INCREASE AND BUDGET.  
(9:38 AM) (9:41 AM) (3:54 PM) (5:00 PM)

**Clerk's Note:** This Item is a public hearing to receive comments.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis 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:** Christian Smith, Executive Manager, Planning and Budget Office (PBO).

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to close the public hearing.

**Motion carried:**

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

**Clerk's Note:** The Court further discussed Item 3 at 9:41 AM.

**Clerk's Note:** Judge Biscoe announced that Item 3 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Clerk's Note:** The Court further discussed Item 3 at 3:54 PM.

**Clerk's Note:** Judge Biscoe announced that Item 3 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Clerk's Note:** The Court further discussed Item 3 at 5:00 PM.

Discussion Only. No formal action required on Item 3.

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Trek English, President, Northeast Action Group; and Joyce Best, Resident, Northeast Austin. (10:04 AM)

## SPECIAL ITEM

4. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ASSISTANCE TO PERSONS AFFECTED BY HURRICANE KATRINA, INCLUDING: (10:33 AM)

- A. REQUEST FROM THE STATE OF MISSISSIPPI FOR COUNTY SURPLUS VEHICLES AND HEAVY EQUIPMENT TO ASSIST WITH RECOVERY, RESCUE AND RESTORATION IN AREAS AFFECTED BY HURRICANE KATRINA; AND

**Members of the Court heard from:** Bonnie Floyd, Assistant Purchasing Agent; Mike Hemby, Travis County Sheriff's Office (TCSO); and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to donate from the list, the vehicles that the Mississippi officials notify us that they would like to receive and use; and to effect delivery unless it cost a huge sum of money.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ASSISTANCE TO PERSONS AFFECTED BY HURRICANE KATRINA, INCLUDING: (10:37 AM)
  - B. UPDATE ON EFFORTS TO CONNECT EVACUEES WITH LOCAL AGENCIES FOR HOUSING, EMPLOYMENT AND OTHER HEALTH AND HUMAN SERVICES.

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS); Shirley Knox, Executive Director, WorkSource; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Steve Broberg, Director, Records Management and Communication Resources (RMCR); Alicia Perez, Executive Manager, Administrative Operations; Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Susan Spataro, Travis County Auditor.

**Clerk's Note:** The Court received an update on Travis County's efforts to assist those affected by Hurricane Katrina.

Discussion Only. No formal action taken.

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C4, and Items 5, 6, 10, 12, 13, 14, 16, 17, 18, 19, 21, 22, 24.A&B, 29, 31, 33, and A1. (10:10 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 AUTOMATIC BUDGET TRANSFERS.

## CONSENT ITEMS CONTINUED

- C4. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 27, 2005 TO RECEIVE COMMENTS REGARDING A REQUEST TO CONSIDER TEMPORARILY CLOSING IVEAN PEARSON ROAD FOR CONSTRUCTION BEGINNING NO SOONER THAN NOVEMBER 1, 2005 FOR A PERIOD OF EIGHT WEEKS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

## ADMINISTRATIVE OPERATIONS ITEMS

5. 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 \$299,817.02 FOR THE PERIOD OF AUGUST 26, 2005 THROUGH SEPTEMBER 1, 2005. (10:10 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:10 AM)

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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CONCERT PROMOTER DAVID ARIAS FOR WAIVER OF EXPOSITION CENTER RENT FOR HURRICANE KATRINA RELIEF CONCERT. (10:11 AM)

Item 7 pulled from the Agenda.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(3:36 PM)
  - A. REVISION TO THE TRAVIS COUNTY CLASSIFIED PAY SCALE BY WIDENING THE PAY RANGE WIDTHS AND INCREASING THE OVERALL PAY SCALE BY 3 PERCENT TO ACHIEVE MARKET COMPETITIVENESS;
  - B. RECOMMENDED JOB TITLES AND PAY GRADES THAT RESULTED FROM THE ABBREVIATED JOB ANALYSIS PROJECT ON SELECTED TITLES IN THE EQUIPMENT ROAD/GENERAL MAINTENANCE AND TECHNICAL/SKILLED TRADES JOB FAMILIES; AND
  - C. REASSIGNMENT OF BUILDING SERVICE MANAGER AND BUILDING MAINTENANCE DIVISION MANAGER JOB CLASSIFICATIONS TO MORE APPROPRIATE JOB FAMILY.

**Clerk's Note:** Items 8.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, HRMD; Luane Shull, Compensation Manager, HRMD; and Travis Gatlin, Budget Analyst, PBO.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Items 8.A-C.

<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	absent

## JUSTICE AND PUBLIC SAFETY ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM OUTSIDE CONSULTANT'S ADMINISTRATIVE REVIEW INCLUDING STAFFING, ORGANIZATONAL STRUCTURE, ACCREDITATION AND PROCEDURES IN MEDICAL EXAMINER'S OFFICE. (5:02 PM)

Item 9 pulled from the Agenda.



## PURCHASING OFFICE ITEMS

10. APPROVE CONTRACT FOR RUBBER STAMPS AND NAME PLATES, IFB B050095-RG, TO THE LOW BIDDER, RODZINA INDUSTRIES, INC. (COUNTYWIDE) (10:10 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 MODIFICATION NO. 1 TO CONTRACT NO. 05K00232LP FOR HMAC OVERLAY PROJECT. (TNR) (3:36 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the contract modification in Item 11.

**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

12. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 04K00263JJ FOR EAST METRO PARK WITH CC CARLTON INDUSTRIES, LTD. FOR CONSTRUCTION PHASE I, PROJECT I. (COMMISSIONER DAVIS) (10:10 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 MODIFICATION TO THE PURCHASE OF THREE (3) AMBULANCES FROM THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL AGREEMENT, ILA98-858. (JUSTICE & PUBLIC SAFETY DIVISION) (10:10 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. APPROVE LOW INCOME REPAIR ASSISTANCE PROGRAM PARTICIPATION AGREEMENT TEMPLATE AND AUTHORIZE THE PURCHASING AGENT TO SIGN AGREEMENTS. (TNR) (10:10 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.

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(10:13 AM)
  - A. THE FILING OF AN INSTRUMENT TO VACATE A PART OF THE CEDAR STREET RIGHT OF WAY BETWEEN LOTS 104 AND 105 LOCATED IN THE HUGHES PARK LAKE SUBDIVISION #1 IN PRECINCT THREE.  
(COMMISSIONER DAUGHERTY)
  - B. THE FILING OF AN INSTRUMENT TO VACATE HALF OF THE CEDAR STREET RIGHT OF WAY FRONTING ONLY LOT 105 LOCATED IN THE HUGHES PARK LAKE SUBDIVISION #1 IN PRECINCT THREE.  
(COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 15.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR; Jay Johnson, Travis County Resident; Caley Callahan, Attorney for Ms. Allen; Tom Nuckols, Assistant County Attorney; and Ms. Williams, Travis County Resident.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to accept Item 15.B, the filing of an instrument to vacate half of the Cedar Street right of way fronting only lot 105 located in the Hughes Park Lake Subdivision #1 in Precinct Three.

**An Addition to the previous Motion was made by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner that the Public Utility Easement be filed in the deed records along with the Order of Vacation.

<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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 5, BLOCK 6, HUDSON BEND, COLONY NO. 2 (SHORT FORM PLAT 2 LOTS – 3.443 ACRES – POOL CANYON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (10:10 AM)

**Clerk's Note:** Item 16 is the action item for the public hearing on Agenda Item 2.

**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 A PLAT FOR RECORDING IN PRECINCT ONE: WILLOW CREEK FARMS (SHORT FORM PLAT – 12 LOTS – 67.799 ACRES – BALLERSTEDT ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY ON-SITE – NO MUNICIPAL JURISDICTION. (COMMISSIONER DAVIS) (10:10 AM)

**Clerk's Note:** Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT ONE: HIDDEN LAKE ESTATES SECTION 1 SUBDIVISION (LONG FORM PLAT – 96 LOTS – 126.07 ACRES – PARSONS ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – CITY OF AUSTIN ETJ) (COMMISSIONER DAVIS) (10:10 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.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT ONE: PARSONS MEADOWS SECTION 1 SUBDIVISION (LONG FORM PLAT – 57 LOTS – 16.174 ACRES – PARSONS ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – CITY OF AUSTIN ETJ) (COMMISSIONER DAVIS) (10:10 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 A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT ONE: PARSONS MEADOWS SECTION 2 SUBDIVISION (LONG FORM PLAT – 81 LOTS – 27.98 ACRES – SUMMER LAKE DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY AQUASOURCE – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (3:46 PM)

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR.

**Clerk's Note:** The Court discussed correcting the language in Agenda Item 20 to read "27.98 acres" instead of "81 acres".

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 20, with the correction.

**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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT ONE: STONEWATER SUBDIVISION, PHASE ONE - (LONG FORM PLAT – 244 LOTS – 51.54 ACRES – TOWER ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF MANOR – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (10:10 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 PRELIMINARY PLAN IN PRECINCT THREE: RIVER DANCE, PHASES 3-6 PRELIMINARY PLAN (844 LOTS – 682.12 ACRES – QUINLAN PARK ROAD - NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 WASTEWATER SYSTEM - CITY OF AUSTIN ETJ. (COMMISSIONER DAUGHERTY) (10:10 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 GRANTING AN EXEMPTION FROM PLATTING REQUIREMENTS FOR A CONDOMINIUM PROJECT IN PRECINCT ONE: CHAPARRAL CROSSING (APPROXIMATELY 500 DETACHED UNITS - 72.82 ACRES LOCATED AT HUNTERS BEND ROAD AND DUNLAP ROAD - SEWAGE SERVICE TO BE PROVIDED BY HORNSBY BEND UTILITY COMPANY - AUSTIN 5-MILE ETJ). (COMMISSIONER DAVIS) (3:29 PM)

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR; and Tom Nuckols, Assistant County Attorney.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 23, the exemption from platting requirements.

**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

## PLANNING AND BUDGET DEPT. ITEMS

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:10 AM)
- A. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A DRUG COURT GRANT IN THE CRIMINAL COURTS TO CONTINUE THE EXISTING PROGRAM FOR FY 06.
  - B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN UNDERAGE DRINKING PROGRAM IN THE COUNTY ATTORNEY'S OFFICE TO CONTINUE THE EXISTING PROGRAM FOR FY 06.

**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 ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (3:11 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO.

**Clerk's Note:** The Court discussed a correction to Budget Amendment A1. The correct dollar amount should read "\$771,769" instead of "\$771,000". The Court also discussed authorizing the immediate disbursement of the transfer to the Travis County Hospital District.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the Budget Amendments and Transfers, and to authorize the immediate payment of the money to 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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTINUATION OF FY '06 BUDGET MARK-UP. (11:54 AM) (1:50 PM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; and Leroy Nellis, Budget Manager, PBO.

**Clerk's Note:** The Court received an update on the FY 2006 County Budget.

**Clerk's Note:** The Court further discussed Item 26 at 1:50 PM.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the memo from Leroy Nellis, Budget Manager, PBO, entitled "Changes to the Preliminary Budget", including the recommended corrections to the preliminary budget.

**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 26 CONTINUED

**Clerk's Note:** The Court discussed the liquidating of encumbrances that would free up \$130,000.00 in resources from the Health and Human Services (HHS) Budget, and with the liquidation, the HHS Department would request that the one-time funds be applied to the Children's Partnership to fund services.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; and Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to liquidate the \$130,000.00, let it fall to ending fund balance, and be rebudgeted in the FY 2006 budget for purposes of the embedded County expenditures related to the Children's Partnership.

<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

**Clerk's Note:** The Court discussed the memo from Jessica Rio, Budget Analyst, PBO, entitled "Using Existing Certificates of Obligation for the FY 06 Capital Items". The recommendations from Planning and Budget will leave the FY 06 CO at a revised total of \$1,700,000, and the CAR at the currently approved \$8,822,888. The CAR Reserve would also be increased to \$732,076 before any changes approved on September 13, 2005. The following are the project recommendations:

\$252,206 for ADA sidewalk projects was moved from a less restrictive Fund 456 to Fund 435 to provide more flexibility in Fund 456.

\$441,000 for a variety of mostly replacement Countywide vehicles was moved from the FY 06 Preliminary Budget CO to existing CO Fund 456.

\$1,313,000 for replacement patrol vehicles was moved from FY 06 CAR to existing CO Fund 456.

\$440,000 for a Smoke Evacuation System at the Travis County Jail was moved from the FY 06 Preliminary Budget CO to existing CO Fund 458.

\$46,500 for the Courthouse 1<sup>st</sup> – 3<sup>rd</sup> floor ADA corrections was moved from FY 06 Preliminary Budget CO to existing CO Fund 463.

## ITEM 26 CONTINUED

\$281,000 for File Server Upgrades was moved from the FY 06 Preliminary Budget CO to existing CO Fund 463.

\$110,000 for Xerox Printer Upgrades was moved from the FY 06 Preliminary Budget CO to existing CO Fund 463.

\$400,000 for Disaster Recovery – AS/400 was moved from the FY 06 Preliminary Budget CO to existing CO Fund 463.

\$1,308,000 for various Major System Upgrades was moved from the FY 06 Preliminary Budget CO to existing CO Fund 463.

\$259,750 for various Countywide vehicles was moved from the FY 06 Preliminary Budget CO to FY 06 CAR.

\$67,737 for the Collier East Command Center ADA Corrections was moved from the FY 06 Preliminary Budget CO to FY 06 CAR.

\$39,000 for the eSlate Unites (to be deleted on corrections list) was moved from the FY 06 Preliminary Budget CO to the FY 06 CAR.

\$85,000 for the Kitchen Return Air Modification was moved from the FY 06 Preliminary Budget CO to the FY 06 CAR.

\$50,000 for Medical Examiner equipment was moved from the FY 06 Preliminary Budget CO to FY 06 CAR.

\$518,340 for ambulances was moved from the FY 06 Preliminary Budget CO to the FY 06 CAR.

**Members of the Court heard from:** Jessica Rio, Budget Analyst, PBO; Doyne Bailey, Chief Deputy, TCSO; Bill Derryberry, Budget Analyst, PBO; Carol Joseph, Assistant Director, TNR; Leroy Nellis, Budget Manager, PBO; and Christian Smith, Executive Manager, PBO;

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe to approve the scrubs.

<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



## ITEM 26 CONTINUED

### **Law Enforcement Deputies – Traffic Patrol** (Sheriff's Department)

**Clerk's Note:** The Court discussed the budget request by the Sheriff's Office regarding the 10 Law Enforcement Deputies for Traffic Patrol and the effect the request would have on the Justices of the Peace and their Staffs.

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Christian Smith, Executive Manager, PBO; Blain Keith, Chief Assistant County Auditor, Travis County Auditor's Office; Diana Ramirez, Budget Analyst, PBO; and Susan Spataro, Travis County Auditor.

Discussion Only. No formal action taken.

### **Council for at Risk Youth** (Health & Human Services)

**Clerk's Note:** The Court discussed the budget request for additional funding by the Council for at Risk Youth.

**Members of the Court heard from:** Adrian Moore, Council for at Risk Youth; and Jackie Goodman, former Council Member, City of Austin.

Discussion Only. No formal action taken.

Item 26 to be reposted on September 20, 2005.

## 27. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED FY'06 BUDGET RULES. (3:12 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 27.

<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

28. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE AN ORDER REVISING THE HOURLY RATE OF \$10.00 CHARGED FOR VEHICLE USAGE FOR NON-TRAVIS COUNTY SERVICES BY EMPLOYEES OF THE SHERIFF'S OFFICE. (3:13 PM) (3:54 PM) (5:01 PM)

**Members of the Court heard from:** Bill Derryberry, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; Bill Campbell, TCSO; Scott Burroughs, Major, TCSO; Stacy Suits, Chief Deputy, Travis County Constable Precinct 3; and Jim Connolly, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the increase in the hourly rate to \$21.00.

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

**Clerk's Note:** The Court further discussed Item 28 at 3:54 PM.

**Clerk's Note:** Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Clerk's Note:** The Court further discussed Item 28 at 5:01 PM.

Discussion Only. No formal action required on Item 28.

Item 28 to be reposted on September 20, 2005.

## OTHER ITEMS

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:10 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. RECEIVE AND CONSIDER PETITION FOR THE CREATION OF TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 IN NORTHEAST TRAVIS COUNTY. (3:48 PM)

**Members of the Court heard from:** Dan Smith, Executive Assistant, Travis County Judge's Office.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to formally receive the petition and file the petition with the Clerk.

**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

31. CONSIDER AND TAKE APPROPRIATE ACTION TO REAPPOINT MARGARET J. GÓMEZ TO SERVE ON CAPITAL METRO BOARD OF DIRECTORS. (10:10 AM)

**Clerk's Note:** Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(11:18 AM)
- A. THE TRAVIS COUNTY HOSPITAL DISTRICT'S FY'06 BUDGET;
  - B. THE TRAVIS COUNTY HOSPITAL DISTRICT'S 2005 TAX RATE;
  - C. OTHER HEALTH-RELATED FUNDING MATTERS PERTAINING TO THE HOSPITAL DISTRICT; AND
  - D. A REQUEST TO ASSIST WITH THE PURCHASE OF MENTAL HEALTH SERVICES FROM THE CHILDREN'S PARTNERSHIP.

**Clerk's Note:** Items 32.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Stacy Wilson, Assistant County Attorney; Patricia Young Brown, President/CEO, Travis County Hospital District; Tom Young, Manager, Travis County Hospital District; Don Zimmerman, Travis County Resident; Sherri Fleming, Executive Manager, TCHHS&VS; Guy Herman, Travis County Probate Judge; and Clarke Heidrick, Chair, Travis County Hospital District.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 32.A, the Travis County Hospital District's FY 06 Budget.

**Motion carried:**

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 32.B, the Travis County Hospital District's 2005 Tax Rate set at \$.0779 per \$100.00 of valuation.

**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

Discussion Only. No formal action taken on Items 32.C and D.

Item 32.D to be reposted on September 27, 2005.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN TO PROVIDE FUNDING FOR AN ORGANIZED CRIME ATTORNEY. (10:10 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 PROPOSED ELECTION PRECINCT REALIGNMENTS PURSUANT TO SECTION 42.031 (b)(3) OF THE ELECTION CODE. (11:15 AM)

**Clerk's Note:** Item 34 is the action item for the public hearing on Agenda Item 1.

**Members of the Court heard from:** Dolores Lopez, Director, Voter Registration, Travis County Tax Assessor Collector's Office; Diana Ramirez, Budget Analyst, PBO; and Gail Fisher, Division Manager, Elections Division, Travis County Clerk's Office.

**Clerk's Note:** The Court discussed the recommendation that Precincts 244 and 245 be combined with Precinct 242 at the Crestview United Methodist Church.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommendations including the changes made today; that if there is money in the Records Management's Postage Account, we continue the practice of sending out the notice of polling place changes; and to sign the appropriate orders.

<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

## 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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT DEMAND REGARDING ANGELA D. STEADTLER V. TRAVIS COUNTY, ET AL. <sup>1</sup> (3:54 PM)

Item 35 pulled from the Agenda.

36. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON COUNTY POLICY AND LEGAL STANDARDS REGARDING SPEECH ACTIVITIES ON TRAVIS COUNTY PROPERTY AND FACILITIES. (COMMISSIONER DAUGHERTY) <sup>1</sup> (3:54 PM) (5:01 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.

Discussion Only. No formal action taken on Item 36.

Item 36 to be reposted on September 20, 2005.

37. 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) <sup>1</sup> (3:54 PM) (5:01 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.

Item 37 pulled from the Agenda.

**ADDENDUM ITEMS:**

- A1. APPROVE AN EXEMPTION ORDER FOR A CONTRACT TO RELOCATE UTILITIES IN THE KENNEDY RIDGE SUBDIVISION FROM THE COMPETITIVE PROCUREMENT PROCESS AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE CONTRACT. (10:10 AM)

**Clerk's Note:** Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- A2. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON LEASE AT 2501 SOUTH CONGRESS AND TAKE APPROPRIATE ACTION. (3:54 PM) (5:02 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. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the requested extension of the due diligence period through September 30, 2005, which includes the first amendment to the lease.

<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

## ADJOURNMENT

**Motion by** Commissioner Davis **seconded by** Commissioner Gómez to adjourn the Voting Session. (5:04 PM)

<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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

**Date of Approval**

**Samuel T. Biscoe, Travis County Judge**