

## **MINUTES OF MEETING – SEPTEMBER 20, 2005**

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

On Tuesday, the 20<sup>th</sup> day of September, 2005, the Commissioners' Court convened the regular Voting Session at 9:19 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 11:55 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:41 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 1:58 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Health Facilities Development Corporation, and the Capital Industrial Development Corporation, convened at 1:58 PM and adjourned at 2:01 PM.

The Commissioners Court reconvened the regular Voting Session at 2:02 PM.

The Commissioners Court retired to Executive Session at 4:01 PM.

The Commissioners Court reconvened the Voting Session at 5:58 PM.

The Commissioners Court adjourned the Voting Session at 6:06 PM.

## PUBLIC HEARINGS

1. RECEIVE PUBLIC COMMENTS ON FY'06 TAX INCREASE AND BUDGET.  
(9:19 AM)

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

**Motion by** Commissioner Sonleitner **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	yes
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); and Bill Childers, Travis County Resident.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez 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 A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK B, RIVER PLACE SECTION 26 (SHORT FORM PLAT – 1 LOT – 9.079 ACRES – BIG VIEW DRIVE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY RIVER PLACE MUNICIPAL UTILITY DISTRICT–CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (ACTION ITEM #24) (9:24 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 24 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	yes
	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 Gómez 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

3. RECEIVE COMMENTS ON THE FOLLOWING ITEMS FOR THE HIDEELL ADDITION, A SUBDIVISION IN PRECINCT ONE: (9:25 AM)
  - A. TOTAL VACATION OF A RECORDED SUBDIVISION: HIDEELL ADDITION, AS RECORDED IN VOL.97, PAGE 167 OF TRAVIS COUNTY RECORDS;
  - B. REPLAT OF HIDEELL ADDITION TWO (SHORT FORM PLAT – 10 LOTS – 93.00 ACRES – CAMERON ROAD – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC- CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (ACTION ITEM # 25)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 25 for a summary of the action item.

**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:** Carol Joseph, Assistant Director, TNR; and Anna Bowlin, Program Manager, Planning and Engineering, 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

4. RECEIVE COMMENTS REGARDING REQUEST TO CONSIDER TEMPORARILY CLOSING BALLERSTEDT ROAD BETWEEN US 290 AND VOELKER LANE FOR THE PURPOSE OF REPLACING A DAMAGED CULVERT IN PRECINCT ONE. (COMMISSIONER DAVIS) (ACTION ITEM #26) (9:27 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 26 for a summary of the action item.

**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:** Carol Joseph, Assistant Director, TNR.

**Motion by** Commissioner Davis **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

## SPECIAL ITEM

5. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ASSISTANCE TO PERSONS AFFECTED BY HURRICANE KATRINA.  
(9:38 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS); and Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to authorize the County Judge to sign the appropriate reimbursement documents required by the Federal Government for reimbursement for Hurricane Katrina assistance.

**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

**Members of the Court heard from:** Ms. Phillip A. Dick, Travis County Resident.  
(9:28 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 6, 7, 9, 10, 11, 12, 13.A.2, 13.A.3, 13.B, 14, 15, 17, 18, 20, 21, 22.A&B, 23, 24, 25.A&B, 26, 27, 29.A-D, 31, 32, 33.A-D, 34, 39, 40, 42, 44, and 46. (9:35 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 AUGUST 30, 2005.
- C4. APPROVE AUTOMATIC BUDGET TRANSFERS.
- C5. APPOINT JAMES CLAYPOOL TO FILL THE UNEXPIRED TERM OF JOHN SHINE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD #8, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2005. (COMMISSIONER DAUGHERTY)
- C6. APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 11, 2005 TO RECEIVE COMMENTS REGARDING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 5' PUBLIC UTILITY EASEMENT LYING ON THE SOUTH SIDE OF LOT 3, BLOCK CC LOCATED IN AQUA MONTE SECTION 2, A RESUBDIVISION OF LOTS 1, 3, 4 AND 5 OF BLOCK E; AND LOTS 5 – 9, 13, AND 14 OF BLOCK D – A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C7. APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 18, 2005 TO RECEIVE COMMENTS REGARDING REQUEST FOR PROPOSED STREET NAME ASSIGNMENT FOR TWO PRIVATE ACCESS EASEMENTS TO BE KNOWN AS 'THISTLE RIDGE" AND "THISTLE COURT" NEAR CUERNAVACA DRIVE, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

## ADMINISTRATIVE OPERATIONS ITEMS

6. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$468,297.26 FOR THE PERIOD OF SEPTEMBER 2, 2005 THROUGH SEPTEMBER 8, 2005. (9:35 AM)

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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:35 AM)

**Clerk's Note:** Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROGRAM AND COST ESTIMATES FOR THE NEW CONSTRUCTION PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX. (2:02 PM)

**Members of the Court heard from:** Ken Gaede, Project Manager, Facilities Management; David Balagia, Major, Travis County Sheriff's Office (TCSO); Roger El Khoury, Director, Facilities Management; and Travis Gatlin, Budget Analyst, PBO.

Discussion Only. No formal action taken.

Item 8 to be reposted on September 27, 2005.

## PURCHASING OFFICE ITEMS

9. APPROVE CONTRACT AWARD FOR PAINTING AND WALL REPAIR/MINOR CONSTRUCTION, IFB NO. B050115-RV, TO THE LOW BIDDER, HARMONY CONSTRUCTION COMPANY (FACILITIES MANAGEMENT) (9:35 AM)

**Clerk's Note:** Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. APPROVE CONTRACT AWARD FOR BRIDGE 112 ON OLD MANOR ROAD, IFB NO. B050108-LP, TO THE LOW BIDDER, CHASCO CONSTRUCTORS. (TNR) (COMMISSIONER DAVIS) (9:35 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 SOLE SOURCE EXEMPTION OF A CONTRACT WITH COASTAL ENVIRONMENTAL SYSTEMS, INC. FOR THE PURCHASE OF WEATHERPAK MTR, HAZMAT WEATHER STATIONS FROM THE BIDDING REQUIREMENTS OF THE COUNTY PURCHASING ACT. (TCES) (9:35 AM)

**Clerk's Note:** Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. 02T00201DR WITH TIENG VIET MAGAZINE FOR NEWSPAPER ADVERTISING SERVICES. (PURCHASING) (9:35 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. A. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 5) TO CONTRACT NO. 02T00005OJ, UNITED HEALTHCARE INSURANCE COMPANY, FOR THE FOLLOWING: (9:34 AM)

1. COBRA ADMINISTRATIVE SERVICES AGREEMENT;

Item 13.A.1 postponed until September 27, 2005.

13. A. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 5) TO CONTRACT NO. 02T00005OJ, UNITED HEALTHCARE INSURANCE COMPANY, FOR THE FOLLOWING: (9:35 AM)

2. CUSTOMER REPORTING SYSTEM INTERNET ACCESS AGREEMENT;

**Clerk's Note:** Item 13.A.2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. A. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 5) TO CONTRACT NO. 02T00005OJ, UNITED HEALTHCARE INSURANCE COMPANY, FOR THE FOLLOWING: (9:35 AM)

3. STOP LOSS INSURANCE AGREEMENT;

**Clerk's Note:** Item 13.A.3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. B. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 6) TO CONTRACT NO. 02T00005OJ, UNITED HEALTHCARE INSURANCE COMPANY, FOR THE ADMINISTRATIVE SERVICES AGREEMENT FOR TRAVIS COUNTY EMPLOYEES, RETIREES AND THEIR DEPENDENTS. (HRMD) (9:35 AM)

**Clerk's Note:** Item 13.B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. 01T0008-OJ, CERIDIAN BENEFITS SERVICES, INC., FOR THE ADMINISTRATION OF THE FLEXIBLE SPENDING ACCOUNT FOR TRAVIS COUNTY EMPLOYEES. (HRMD) (9:35 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 MODIFICATION NO. 4 TO CONTRACT CM040145LC, VISTA SOLUTIONS GROUP, FOR THE DOCUMENT IMAGING SYSTEM FOR THE COUNTY CLERK AND DISTRICT CLERK. (ITS/DISTRICT CLERK/COUNTY CLERK) (9:35 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. 3) TO CONTRACT NO. PS020181LB, CORRECTIONS SOFTWARE CORPORATION, FOR PROFESSIONAL SERVICES AND NONEXCLUSIVE LICENSE AGREEMENT. (CSCD) (3:50 PM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 16.

**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

17. APPROVE TERMINATION OF CONTRACT NO. 04R00188RG WITH CARLO CUCINA FOR PARK CONCESSIONS. (TNR) (9:35 AM)

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

18. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO INTERLOCAL AGREEMENT NO. IL030034EF WITH TRAVIS COUNTY EMERGENCY SERVICES DISTRICT 4 FOR FIREFIGHTER TRAINING ACADEMY. (HHS & VS) (9:35 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. APPROVE MODIFICATION NO. 6 TO INTERLOCAL AGREEMENT NO. IL010029EF WITH TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR CHILD PROTECTIVE SERVICES STAFF. (HHS & VS) (11:01 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; LaRu Woody, Travis County District Attorney's Office; Ingrid Gibbons, Children's Protective Services, State of Texas; Alan Miller, Budget Analyst, PBO; and Mary Etta Gerhardt, Assistant County Attorney.

Discussion Only. No formal action taken.

Item 19 to be reposted on October 4, 2005.

20. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS050091RE WITH MEALS ON WHEELS FOR BASIC NEEDS SERVICES. (HHS & VS) (9:35 AM)

**Clerk's Note:** Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. APPROVE CONTRACT AWARD FOR HVAC REPLACEMENT, TCCC BUILDINGS 120 AND 160, IFB NO. B050067-SI, TO THE SOLE BIDDER, THERMAL MECHANICAL CONTRACTORS, INC. (TCSO) (9:35 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. A. RECEIVE A SEIZED VEHICLE THAT IS SUBJECT TO FORFEITURE BY AUTHORITY OF CHAPTER 59 OF THE TEXAS CODE OF CRIMINAL PROCEDURE; (9:35 AM)

- B. DECLARE VEHICLE AND EQUIPMENT AS SURPLUS PROPERTY AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS)

**Clerk's Note:** Items 22.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.

23. DECLARE CERTAIN HANDGUNS AS SURPLUS PROPERTY AND AUTHORIZE SAME AS TRADE-IN ON REPLACEMENT HANDGUNS, PURSUANT TO SECTION 263.152(a)(2) OF THE TEXAS LOCAL GOVERNMENT CODE. (DISTRICT ATTORNEY) (9:35 AM)

**Clerk's Note:** Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK B, RIVER PLACE SECTION 26 (SHORT FORM PLAT – 1 LOT – 9.079 ACRES – BIG VIEW DRIVE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY RIVER PLACE MUNICIPAL UTILITY DISTRICT–CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:35 AM)

**Clerk's Note:** Item 24 is the action item for the public hearing in Item 2.

**Clerk's Note:** Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR THE HIDEELL ADDITION, A SUBDIVISION IN PRECINCT ONE: (9:35 AM)
  - A. TOTAL VACATION OF A RECORDED SUBDIVISION: HIDEELL ADDITION, AS RECORDED IN VOL.97, PAGE 167 OF TRAVIS COUNTY RECORDS;
  - B. REPLAT OF HIDEELL ADDITION TWO (SHORT FORM PLAT – 10 LOTS – 93.00 ACRES – CAMERON ROAD – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC- CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)

**Clerk's Note:** Items 25.A and B are the action items for the public hearing in Item 3.

**Clerk's Note:** Items 25.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.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO TEMPORARILY CLOSE BALLERSTEDT ROAD BETWEEN US 290 AND VOELKER LANE FOR THE PURPOSE OF REPLACING A DAMAGED CULVERT IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:35 AM)

**Clerk's Note:** Item 26 is the action item for the public hearing in Item 4.

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

27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: PANTHER HOLLOW CREEK PHASE 2 (SHORT FORM PLAT – 5 LOTS – 20.464 ACRES – BIG VIEW DRIVE – FISCAL POSTED WITH CITY OF AUSTIN FOR JOINT USE DRIVE – SEWAGE SERVICE TO BE PROVIDED BY RIVER PLACE MUNICIPAL UTILITY DISTRICT–CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:35 AM)

**Clerk's Note:** Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. A. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE TRAVIS COUNTY PUBLIC EDUCATION MATERIALS REGARDING 2005 BOND REFERENDUM. (3:51 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 28.A.

<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. B. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY'S ROLE IN PROVIDING PUBLIC INFORMATION REGARDING BOND REFERENDUM. (4:01 PM) (5:58 PM)

**Clerk's Note:** Judge Biscoe announced that Item 28.B 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.B at 5:58 PM.

Discussion Only. No formal action taken.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CALL DOWN OF VARIOUS FISCAL POSTINGS TO COMPLETE SUBDIVISION PROJECTS, INCLUDING THE FOLLOWING: (9:35 AM)
- A. ANDERSON MILL ROAD, 620 TO SPICEWOOD PARKWAY - ESTATES OF BRENTWOOD;
  - B. GRAND AVENUE PARKWAY – CAMBRIDGE HEIGHTS;
  - C. WELLS BRANCH PARKWAY – GASTON SHELDON SECTIONS 3, 4 AND 5; SETTLERS MEADOW, SECTION 4; AND
  - D. ELROY ROAD – STONEY RIDGE, PHASE A, SECTIONS 3A, 3A AND 3B.

**Clerk's Note:** Item 29.A-D 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 AN APPEAL OF THE DENIAL OF TRAVIS COUNTY BASIC DEVELOPMENT PERMIT APPLICATION 05-2376. (COMMISSIONER DAUGHERTY) (11:33 AM)

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR; Kevin Bell, Travis County Resident; Janet Bell, Travis County Resident; and Stacey Scheffel, Permit Supervisor, TNR.

Discussion Only. No formal action taken.

Item 30 to be reposted on October 4, 2005.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO FUND ARMY CORP OF ENGINEERS FLOOD DAMAGE EVALUATION STUDY OF LAKE TRAVIS. (COMMISSIONER DAUGHERTY) (9:35 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 A PLAT FOR RECORDING IN PRECINCT THREE: BARTON CREEK SECTION E, PHASE 2 (SHORT FORM PLAT - 2 LOTS - 27.836 ACRES - BARTON CREEK BLVD - NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY THE TRAVIS COUNTY MUNICIPAL UTILITY DISTRICTS 3 AND 4 - CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:35 AM)

**Clerk's Note:** Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**PLANNING AND BUDGET DEPT. ITEMS**

33. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:35 AM)
- A. GRANT APPLICATION TO THE TASK FORCE ON INDIGENT DEFENSE FOR THE FY 06 INDIGENT DEFENSE FORMULA GRANT PROGRAM IN THE CRIMINAL COURTS, WHICH CONTINUES THE EXISTING PROGRAM FOR FY 06.
  - B. GRANT CONTRACT WITH OFFICE OF THE ATTORNEY GENERAL FOR A FAMILY VIOLENCE VICTIM OUTREACH GRANT VCLG (VICTIM COORDINATOR AND LIAISON GRANT) IN THE DISTRICT ATTORNEY'S OFFICE, WHICH CONTINUES FUNDING FOR SAFEPLACE VICTIM COORDINATION SERVICES.
  - C. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES FOR A TITLE IV-E CHILD WELFARE SERVICES GRANT CONTRACT, WHICH PROVIDES PARTIAL REIMBURSEMENT OF ELIGIBLE CHILD CARE EXPENDITURES.
  - D. GRANT CONTRACT AMENDMENT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR AN ACCESS AND VISITATION GRANT IN JUVENILE PROBATION. THE AMENDMENT EXTENDS THE TERMINATION DATE OF THE GRANT THROUGH SEPTEMBER 30, 2006.

**Clerk's Note:** Items 33.A-D 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:35 AM)

**Clerk's Note:** Item 34 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTINUATION OF FY '06 BUDGET MARK-UP. (10:12 AM) (10:56 AM) (11:18 AM) (2:43 PM) (2:55 PM)

**Clerk's Note:** The Court discussed the Corrections List Memo, presented by Leroy Nellis, Budget Manager, PBO, entitled "Changes to the Preliminary Budget".

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

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

<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 further discussed Item 35 at 10:56 AM.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to put the \$76,032.00 of remaining funds into Allocated Reserve.

**Withdrawal of the previous Motion was made by** Commissioner Gómez and Commissioner Daugherty.

## ITEM 35 CONTINUED

**Clerk's Note:** The Court further discussed Item 35 at 11:18 AM.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; and Jackie Goodman, former City Council Member, City of Austin.

**Clerk's Note:** The Court discussed a request for a budget increase from the Council for At Risk Youth.

**Clerk's Note:** The Court further discussed Item 35 at 2:43 PM.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; and Susan Spataro, Travis County Auditor.

**Clerk's Note:** The Court further discussed Item 35 at 2:55 PM.

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

**Clerk's Note:** The Court discussed the Mobile Data Computers for Constables budget request, 9 Mobile Data Computers at \$7,224 each for CN3 (MDCs) plus \$600 wireless service/MDC.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to go forward with this budget request.

**Withdrawal of the previous Motion was made by** Commissioner Daugherty and Commissioner Gómez.

Discussion Only. No formal action taken.

**ITEM 35 CONTINUED**

**Clerk's Note:** The Court discussed the FACTS Reserve and a request to increase the Reserve.

**Members of the Court heard from:** Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); Christian Smith, Executive Manager, PBO; Bill Derryberry, Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; Alicia Perez, Executive Manager, Administrative Operations; and Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to take \$150,000.00 from one-time funds to add to the FACTS Reserve, which will increase that total to \$850,000.00.

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

**Clerk's Note:** The Court discussed a request for a budget increase from the Council for At Risk Youth.

**Motion by Commissioner Davis and seconded by Judge Biscoe** to approve a budget request from the Council for at Risk Youth in the amount of \$150,000.00.

<b>Motion failed:</b> 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 approve a budget request from the Council for at Risk Youth in the amount of \$75,000.00, from one-time money.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	present not voting
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 35 CONTINUED**

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to reconsider the action taken on the budget request for the Council for at Risk Youth.

**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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve a budget request from the Council for at Risk Youth in the amount of \$50,000.00, from one-time money, and to have an evaluation in one year to see where we are.

**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 Daugherty to put the rest of the one-time money in the Allocated Reserve.

**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 35 CONTINUED

**Clerk's Note:** The Court discussed the correction to the Preliminary Budget since the Corrections List was approved earlier in this meeting.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the updated Corrections List.

<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 budget requests from the Capital Metropolitan Planning Organization (CAMPO) and Envision Central Texas (ECT); and the Facilities Management budget request in the amount of \$97,700, Reference #48A, "Replacement Vehicles/Equipment as discussed at Budget Hearing".

**Members of the Court heard from:** Carol Joseph, Assistant Director, TNR; and Christian Smith, Executive Manager, PBO.

Discussion Only. No formal action taken.

36. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE AN ORDER REVISING THE HOURLY RATE OF \$10.00 CHARGED FOR VEHICLE USAGE FOR CONTRACTS WITH COMMERCIAL AND PUBLIC ENTITIES PROVIDED BY PEACE OFFICERS FROM TRAVIS COUNTY LAW ENFORCEMENT AGENCIES. (10:30 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; Bill Derryberry, Budget Analyst, PBO; Stacy Suits, Chief Deputy, Travis County Constable Precinct 3; and Doyme Bailey, Chief Deputy, TCSO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Daugherty to raise the hourly rate to \$15.00 per hour; to notify those we charge the rate to; and to be effect November 1, 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

37. CONSIDER AND TAKE APPROPRIATE ACTION ON SETTING SCHEDULE OF FEES TO BE CHARGED FOR SERVICES BY THE OFFICES OF THE SHERIFF AND CONSTABLES OF TRAVIS COUNTY IN 2006. (10:53 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; Diana Ramirez, Budget Analyst, PBO; and Susan Spataro, Travis County Auditor.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve setting the schedule of fees in Item 37.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON AUTHORIZING NEW \$5.00 FEE AND SPECIAL FUND FOR JUVENILE CASE MANAGEMENT.  
(2:37 PM) (4:01 PM) (5:58 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Melissa Goodwin, Justice of the Peace Precinct 3; Christian Smith, Executive Manager, PBO; and Jim Connolly, Assistant County Attorney.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to authorize the charging of the \$5.00 fee as authorized under House Bill 1575.

**Withdrawal of the previous Motion was made by** Commissioner Daugherty and Commissioner Sonleitner.

**Clerk's Note:** The Court further discussed Item 38 at 4:01 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.

**Clerk's Note:** The Court further discussed Item 38 at 5:58 PM.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve the authorizing of a new \$5.00 fee; that we authorize the creation of a special fund, called the "Juvenile Case Management Fund;" and to have this Item back on the Court's Agenda next week, September 27, 2005, for an appropriate order that does just that, to be signed by the full Commissioners Court.

<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 38 to be reposted on September 27, 2005.

## OTHER ITEMS

39. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:35 AM)

**Clerk's Note:** Item 39 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

40. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF AUGUST 2005. (COUNTY AUDITOR) (9:35 AM)

**Clerk's Note:** Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. A. RECEIVE AND DISCUSS RECLASSIFYING \$232,092 IN STALE DATED (UNCASHED) JURY CHECKS AS GENERAL FUND REVENUE IN FY'05; (10:07 AM)
- B. APPROVE A PROCESS TO BE PERFORMED AT MONTH END WHEREBY JURY CHECKS THAT REMAIN UNCASHED MORE THAN 100 DAYS AFTER ISSUANCE ARE VOIDED AND THE CORRESPONDING FUNDS ARE RECORDED AS GENERAL FUND REVENUE.

**Clerk's Note:** Items 41.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO; Susan Spataro, Travis County Auditor; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Items 41.A and B, making it very clear that the General Fund is the designated fund.

**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

42. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH THE TRAVIS COUNTY HOSPITAL DISTRICT FOR SERVICES. (9:35 AM)

**Clerk's Note:** Item 42 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

43. CONSIDER AND TAKE APPROPRIATE ON A REQUEST FOR THE TRAVIS COUNTY HOSPITAL DISTRICT TO ASSIST WITH THE PURCHASE OF MENTAL HEALTH SERVICES FROM THE CHILDREN'S PARTNERSHIP. (2:47 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to leave this program in place until October 4, 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

44. CONSIDER AND APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO 8. (9:35 AM)

**Clerk's Note:** Item 44 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

45. CONSIDER AND TAKE APPROPRIATE ACTION ON THE AGREEMENT FOR NORTHCROSS MALL EARLY VOTING. (3:51 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 45.

**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

46. APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 15, 2005 AT 9:00 A.M. AT TRAVIS COUNTY COMMISSIONERS COURTROOM, 314 W. 11<sup>TH</sup> STREET, AUSTIN, TEXAS TO RECEIVE COMMENTS REGARDING A PETITION FOR THE CREATION OF AN EMERGENCY SERVICES DISTRICT IN THE PART OF NORTHEAST TRAVIS COUNTY THAT IS NOT CURRENTLY SERVED BY ANOTHER DISTRICT. (9:35 AM)

**Clerk's Note:** Item 46 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### EXECUTIVE SESSION ITEMS

- Note 1 Gov't Code Ann 551.071, Consultation with Attorney  
 Note 2 Gov't Code Ann 551.072, Real Property  
 Note 3 Gov't Code Ann 551.074, Personnel Matters  
 Note 4 Gov't Code Ann 551.076, Security

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

47. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN AND THE TEXAS DEPARTMENT OF HEALTH RELATING TO FY'05 PUBLIC HEALTH PREPAREDNESS GRANT. EXECUTIVE SESSION, PURSUANT TO V.T.C.A. GOV'T CODE, SECTION 418.183. (4:01 PM) (5:59 PM)

**Clerk's Note:** Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to V.T.C.A. Gov't. Code Section 418.183.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that the County Judge be authorized to sign the agreement on behalf of the Commissioners Court, and authorize the County's willingness to participate, and at the appropriate time.

<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

48. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. DOUGLAS D. LEWIS, ROGER LEWIS AND ALBERT LEWIS (TAX RESALE DEEDS WITH 3 POTENTIAL OFFERS FROM JERRY KILBER, MICHAEL T. HOLMES AND KAREN M. HOLMES; AND ROBERT F. EHLEH AND STORMI L. EHLEH), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:00 PM)

**Clerk's Note:** Judge Biscoe announced that Item 48 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to authorize sale of this property to Michael T. Holmes and Karen M. Holmes, who have paid to Travis County \$5,250.00 in cash, and that we authorize the County Judge to sign this tax resale deed for the Court.

**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

49. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. GREGORY A. AND PATRICIA GARZA OLVERA (TERRY AND JENNY HOLDEN RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:00 PM)

**Clerk's Note:** Judge Biscoe announced that Item 49 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to authorize the execution of the tax resale deed to Terry and Jenny Holden, who have paid to Travis County \$1,565.82, and to authorize the County Judge to sign this tax resale deed for the Court.

**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

50. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. I.R. PIERCE AND MAGGIE PIERCE (SILVERIO MENDOZA RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:01 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to authorize the County Judge to sign on behalf of the Commissioners Court, the proposed tax resale deed to Silverio Mendoza, who has paid to Travis County \$4,033.51.

**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

51. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CALVIN MCBRIDE, SR. (NEW LEAF HOMES RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:01 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve the proposed tax resale deed to New Leaf Homes, who has paid to Travis County \$25,313.00 in cash, and to authorize the County Judge to sign this tax resale deed for the Court.

**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

52. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. EARL AND MUSETTA PILLING (LAVA STAR LLC RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:01 PM)

**Clerk's Note:** Judge Biscoe announced that Item 52 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 tax resale deed to Lava Star LLC, c/o Marina Randel, who has paid to Travis County the sum of \$2,570.73, and to authorize the County Judge to sign this tax resale deed for the Court.

**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

53. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. ALBERT I. AND ERNA M. MCDONALD (BART AUSTIN RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:02 PM)

**Clerk's Note:** Judge Biscoe announced that Item 53 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 tax resale deed to Bart Austin, who has paid to Travis County the sum of \$5,000.00 in cash, and to authorize the County Judge to sign this tax resale deed for the Court.

**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

54. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. EDWIN H. AND WANDA R. BLOCK (HUNAID HALAI RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:02 PM)

**Clerk's Note:** Judge Biscoe announced that Item 54 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to authorize the execution of the proposed tax resale deed to Hunaid Halai, who has paid to Travis County \$2,800.00, and to authorize the County Judge to sign this tax resale deed for the Court.

**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

55. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CHARLES E. FETTERMAN ESTATE (HUNAID HALAI RESALE DEED), AND TAKE APPROPRIATE ACTION. <sup>1</sup> (4:01 PM) (6:02 PM)

**Clerk's Note:** Judge Biscoe announced that Item 55 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to authorize a second tax resale deed to Hunaid Halai, who has paid to Travis County \$2,150.00 for this tract of land, and to authorize the County Judge to sign this tax resale deed for the Court.

<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

56. CONSIDER AND TAKE APPROPRIATE ACTION ON OFFER TO SELL 1.25 ACRES OF LAND ON FM 969 CONTIGUOUS TO TRAVIS COUNTY PROPERTY IN PRECINCT ONE. (COMMISSIONER DAVIS) <sup>2</sup> (4:01 PM) (6:03 PM)

**Clerk's Note:** Judge Biscoe announced that Item 56 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to accept the offer in the amount of \$6,025.00 for the 1.25 acres of land off of FM 969 contiguous to Travis County property.

<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

57. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON COUNTY POLICY AND LEGAL STANDARDS REGARDING SPEECH ACTIVITIES ON TRAVIS COUNTY PROPERTY AND FACILITIES. <sup>1</sup> (4:01 PM)

Item 57 postponed until October 4, 2005.

58. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING ENTERTAINMENT BY J & J INC., V. CELIA PEREZ, VERONICA PEREZ GOVEA AND LUKE MERCER, CONSTABLE, PRECINCT 1, ET AL. <sup>1</sup> (4:01 PM) (6:03 PM)

**Clerk's Note:** Judge Biscoe announced that Item 58 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 Attorney to file an appropriate appeal and prosecute that matter at the appellate level.

<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

59. 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> (4:01 PM) (6:04 PM)

**Clerk's Note:** Judge Biscoe announced that Item 59 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 59 to be reposted in October, 2005.

60. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON SUBLEASE AGREEMENT BETWEEN TRAVIS COUNTY AND THE STAR OF TEXAS RODEO. <sup>1</sup> (4:01 PM)

Item 60 pulled from the Agenda.

61. CONSIDER AND TAKE APPROPRIATE ACTION FOR A THREE-MONTH EXTENSION OF LEASE WITH TEXAS RIOGRANDE LEGAL AID AT 2201 POST ROAD FROM OCTOBER 2005 THROUGH DECEMBER 2005. <sup>1 AND 2</sup> (4:01 PM) (6:04 PM)

**Clerk's Note:** Judge Biscoe announced that Item 61 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 that we authorize a 3 month extension of the lease with Texas RioGrande Legal Aid, at 2201 Post Road, through December 31, 2005.

<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

62. RECEIVE LEGAL BRIEFING ON COUNTY OPTIONS IN CASES WHERE PROPERTY OWNERS HAVE CONSTRUCTED ENCROACHMENTS IN COUNTY RIGHT-OF-WAY WITHOUT THE PERMISSION OR KNOWLEDGE OF TRAVIS COUNTY. <sup>1</sup> (4:01 PM) (6:05 PM)

**Clerk's Note:** Judge Biscoe announced that Item 62 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 62 to be reposted on October 4, 2005.

63. CONSIDER AND TAKE APPROPRIATE ACTION ON COUNTY COMPLIANCE WITH SENATE BILL 1863 REGARDING COLLECTION SERVICES. <sup>1</sup> (4:01 PM) (6:05 PM)

**Clerk's Note:** Judge Biscoe announced that Item 63 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Clerk's Note:** The Court announced the need to put Travis County Managers, Employees, and Officials on notice that the State of Texas has mandated, in Senate Bill 1863, a collection services program, and that Travis County's goal and intention is to comply fully.

Discussion Only. No formal action taken.

Item 63 to be reposted on October 4, 2005.

## ADJOURNMENT

**Motion by** Commissioner Davis **seconded by** Commissioner Daugherty to adjourn the Voting Session. (6:06 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**