

## **MINUTES OF MEETING – OCTOBER 26, 2004**

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

On Tuesday, the 26<sup>th</sup> day of October, 2004, the Commissioners' Court convened the regular Voting Session at 9:15 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 record notes that Precinct One Commissioner Ron Davis was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 11:59 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:38 PM and adjourned at 1:39 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened the Voting Session at 1:39 PM and adjourned at 2:08 PM.

The Commissioners Court reconvened the regular Voting Session at 2:08 PM.

The Commissioners Court retired to Executive Session at 2:25 PM.

The Commissioners Court reconvened the Voting Session at 3:19 PM.

The Commissioners Court adjourned the Voting Session at 3:22 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, and the Capital Health Facilities Development Corporation, convened the Voting Sessions at 3:22 PM and adjourned at 3:23 PM.









**5. RECEIVE COMMENTS REGARDING PROPOSED FEES FOR THE REVIEW AND INSPECTION OF SUBDIVISIONS WITHIN TRAVIS COUNTY. (ACTION ITEM 12A) (9:19 AM)**

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 12.A for the Court's Motion and Vote.

**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	absent
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 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	absent
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:** Jennifer Gale, Travis County Resident; and Ms. Phillip A. Dick, Travis County Resident. (9:20 AM)

**Clerk's Note:** Judge Biscoe announced that on Friday, October 29, 2004, in front of the Criminal Justice Center, from 11am to 2pm, Travis County would conduct a Halloween Carnival for the Combined Charities Campaign.



## **SPECIAL EMPLOYEE RECOGNITION**

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:**
- A. DECLARATION OF TUESDAY, OCTOBER 26, 2004 AS “TRAVIS COUNTY EMPLOYEE RECOGNITION DAY”; (9:35 AM)**

**Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 6.A.**

**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

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:**
- B. PRESENTATION OF CERTIFICATES AND SERVICE PINS TO CERTAIN EMPLOYEES FOR 20, 25 AND 30 YEARS OF SERVICE. (9:35 AM)**

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Karen Steitle, HRMD.

Discussion Only. No formal action taken.

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON COURT DIRECTED MODIFICATIONS TO THE PREVIOUSLY APPROVED ROCKY CREEK RANCH PRELIMINARY PLAN, A SUBDIVISION IN PRECINCT THREE: (9:55 AM)
- A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, MCHARGUE DEVELOPMENT LTD, REBECCA MCHARGUE HUDSON, PRESIDENT;
- B. A PRELIMINARY PLAN: ROCKY CREEK RANCH PRELIMINARY PLAN (486 LOTS – 467.86 ACRES – FM 3238 (HAMILTON POOL ROAD) – NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)

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

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and David Armbrust, Attorney for the Developer.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Items 7.A and B and go forward with this, implementing these modifications.

**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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO "VORWERK ROAD" SOUTH OFF CELE ROAD IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:32 AM)

**Clerk's Note:** Item 8 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 8 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING PROPOSED STREET NAME ASSIGNMENTS FOR TWO PRIVATE EASEMENTS TO “ADRIAN WAY” AND “TYLER TRAIL” OFF FM 1431 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:32 AM)

**Clerk’s Note:** Item 9 is the action item for the public hearing on Agenda Item 2.

**Clerk's Note:** Item 9 added to Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING PROPOSED STREET NAME CHANGE FOR A PRIVATE ROAD FROM WYNTON PLACE TO “CARRANZO DRIVE” EAST OF BARTON CREEK BLVD. IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:32 AM)

**Clerk’s Note:** Item 10 is the action item for the public hearing on Agenda Item 3.

**Clerk's Note:** Item 10 added to Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO “MOUNTAINSIDE DRIVE” NORTH OF FM 1431 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:32 AM)

**Clerk’s Note:** Item 11 is the action item for the public hearing on Agenda Item 4.

**Clerk's Note:** Item 11 added to Consent Items. Please refer to CONSENT ITEMS for the Court’s Motion and Vote.

12. A. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED FEES FOR THE REVIEW AND INSPECTION OF SUBDIVISIONS WITHIN TRAVIS COUNTY AND AMEND THE FY 05 GENERAL BUDGET; AND (9:32 AM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CREATION OF THREE NEW POSITIONS IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO PERFORM REVIEW AND INSPECTION OF SUBDIVISIONS WITHIN TRAVIS COUNTY, EFFECTIVE APRIL 1, 2005.

**Clerk's Note:** Item 12.A is the action item for the public hearing on Agenda Item 5.

**Clerk's Note:** Items 12.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Hank Smith, Representing the Home Builders Association of Greater Austin; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner that the Court postpone this Item for 2 weeks.

**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	no

Items 12.A and B to be reposted on November 9, 2004.

13. A. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO USE ALTERNATIVE FISCAL FOR THE RESERVE AT TWIN CREEKS SECTION 16, A SUBDIVISION IN PRECINCT THREE; AND (9:32 AM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO USE A CASH SECURITY AGREEMENT FOR THE RESERVE AT TWIN CREEKS SECTION 16, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 13.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH THE VILLAGE OF VOLENTE FOR THE PURPOSE OF ROAD AND RIGHT-OF-WAY MAINTENANCE AND SIGN FABRICATION. (COMMISSIONER DAUGHERTY) (9:32 AM)

**Clerk's Note:** Item 14 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED PLAN TO CHANNELIZE AND LEVEE THE 100-YEAR FLOODPLAIN OF ONION CREEK ADJACENT TO AND UPSTREAM OF TRAVIS COUNTY'S SOUTHEAST METROPOLITAN PARK. (COMMISSIONER GÓMEZ) (11:01 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to give permission to move forward on the issue and communicate with the City of Austin.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Sonleitner to include touching base with the regional planning efforts that are going on with the Corp of Engineers and the Lower Colorado River Authority (LCRA).

**Acceptance of the Friendly Amendment was made by** Commissioner Gómez.

**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 15 to be reposted on November 2, 2004.

## PLANNING AND BUDGET DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:32 AM)

**Clerk's Note:** Item 16 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT:

- A. MEMORANDUM OF AGREEMENT FOR THE TRAVIS COUNTY AUDITOR TO PROVIDE SERVICES TO THE TRAVIS COUNTY HOSPITAL DISTRICT; (10:04 AM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; and Diana Warner, First Assistant County Auditor.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the Memorandum of Agreement with the Travis County Hospital District regarding the described audit services.

**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

17. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE IMPLEMENTATION OF THE TRAVIS COUNTY HOSPITAL DISTRICT:

- B. OTHER RELEVANT MATTERS. (10:15 AM)

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

Discussion Only. No action taken.

## ADMINISTRATIVE OPERATIONS ITEMS

18. 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 \$430,349.88 FOR THE PERIOD OF OCTOBER 8 THROUGH OCTOBER 14, 2004. (9:32 AM)

**Clerk's Note:** Item 18 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS:

- A. ROUTINE PERSONNEL ACTIONS – FY05 TEMPORARY POSITION EXTENSIONS. (9:32 AM)

**Clerk's Note:** Item 19.A added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

## JUSTICE AND PUBLIC SAFETY ITEMS

20. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED STEPS FROM THE CENTRAL BOOKING INTERLOCAL COMMITTEE TO BEGIN DISCUSSIONS WITH THE CITY OF AUSTIN. (2:08 PM)

**Members of the Court heard from:** Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommended steps to begin discussions with the City of Austin.

**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 21 CONTINUED

21. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE NEED AND OPTIONS FOR NEW JAIL CONSTRUCTION AT THE DEL VALLE CORRECTIONAL COMPLEX, INCLUDING THE FOLLOWING:

C. WHETHER TO APPOINT A CITIZENS ADVISORY COMMITTEE;  
(11:45 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Mike Trimble, Criminal Justice Coordinator, CJP; and Christian Smith, Executive Manager, PBO.

Discussion Only. No action taken.

Item 21.C to be reposted on November 16, 2004.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE NEED AND OPTIONS FOR NEW JAIL CONSTRUCTION AT THE DEL VALLE CORRECTIONAL COMPLEX, INCLUDING THE FOLLOWING:

D. HOW TO FINANCE THE CONSTRUCTION PROJECT AND APPLICABLE LEGAL RESTRICTIONS (EXECUTIVE SESSION LEGAL ADVICE MAY BE REQUIRED); (2:25 PM) (3:19 PM)

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

Discussion Only. No action taken.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE NEED AND OPTIONS FOR NEW JAIL CONSTRUCTION AT THE DEL VALLE CORRECTIONAL COMPLEX, INCLUDING THE FOLLOWING:

E. A STRATEGY FOR UTILIZING NEW BEDS TO PROMOTE EFFICIENCY AND REDUCE OPERATING COST. (11:57 AM)

**Members of the Court heard from:** Mike Trimble, Criminal Justice Coordinator, CJP.

Discussion Only. No action taken.

Item 21.E to be reposted on November 9, 2004.

## PURCHASING OFFICE ITEMS

- 22.** CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(2:20 PM)
- A.** CONTRACT AWARD FOR EXCESS WORKERS' COMPENSATION INSURANCE, RFP NO. P040131OJ, TO THE QUALIFIED RESPONDENT, FROST INSURANCE AGENCY; AND
- B.** A SIXTY-DAY COVERAGE BINDER, THROUGH DECEMBER 31, 2004. (HRMD) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 22.A and B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Bill Patterson, Risk Management, HRMD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 22.B.

**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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the contract award in Item 21.A.

**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

- 23.** APPROVE PURCHASE OF COPIER PAPER OFF STATE CONTRACT.  
(RECORDS MANAGEMENT) (COMMISSIONER GÓMEZ) (9:32 AM)

**Clerk's Note:** Item 23 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

24. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. MA960322, EASY ACCESS INC., FOR TAX OFFICE COMPUTER SYSTEM. (TAX OFFICE) (COMMISSIONER GÓMEZ) (10:16 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Dusty Knight, Chief Deputy, Tax Office; and Nelda Wells Spears, Travis County Tax Assessor Collector.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve modifying the contract to reflect a maximum of \$3.00 or 3%, effective October 26, 2004.

**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

25. APPROVE PURCHASE OF VEHICLES OFF STATE CONTRACT FROM PHILPOTT MOTORS. (TNR) (COMMISSIONER GÓMEZ) (9:32 AM)

**Clerk's Note:** Item 25 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

26. DECLARE LIST OF DEFIBRILLATORS AS SURPLUS AND AUTHORIZE TRADE-IN FOR NEW DEFIBRILLATORS PURSUANT TO SECTION 263.152(A)(2) OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:32 AM)

**Clerk's Note:** Item 26 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

27. APPROVE CONTRACT AWARD FOR BOAT, BOAT MOTOR AND MARINE COMPONENT MAINTENANCE REPAIRS – TIME AND MATERIALS, IFB NO. B040109JT, TO THE SOLE RESPONSIVE BIDDER, LAKE LBJ MARINELAND. (SHERIFF, TNR) (COMMISSIONER GÓMEZ) (9:32 AM)

**Clerk's Note:** Item 27 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON EVALUATION COMMITTEE RANKINGS OF THE ARCHITECTURAL/ ENGINEERING PROPOSALS SUBMITTED FOR RFQ NO. Q040113JJ, PROFESSIONAL ENGINEERING SERVICES FOR FIVE ROADWAY DESIGN PROJECTS AND REQUEST FOR AUTHORIZATION TO COMMENCE CONTRACT NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRMS. (TNR) (10:33 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Joe Gieselman, Executive Manager, TNR.

**Clerk's Note:** The Purchasing Department recommended that the County commence contract negotiations with the following qualified firms: Axiom-Blair Engineering for McGregor Park (Hippie Hollow) Service Road, Earth Tech for Serene Hills Drive (Flint Rock Road) Extension, Albert Halff Associates for McKinney Falls Parkway, and Martinez, Wright & Mendez for Howard Lane I (Cameron to Dessau).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the firms for the projects as listed in the Transportation and Natural Resources memo.

**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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON BIDS RECEIVED FOR EAST METRO PARK PHASE ONE, PROJECT 2, IFB NO. B040130JJ. (TNR) (COMMISSIONER DAVIS) (9:15 AM)

Item 29 postponed until November 2, 2004.

## OTHER ITEMS

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:32 AM)

**Clerk's Note:** Item 30 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

31. APPROVE MEMORANDUM OF UNDERSTANDING FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM TO PROVIDE AN ALTERNATIVE EDUCATION PROGRAM TO EXPELLED STUDENTS IN COUNTIES WITH A POPULATION LESS THAN 125,000 BETWEEN THE TRAVIS COUNTY JUVENILE BOARD AND THE FOLLOWING INDEPENDENT SCHOOL DISTRICTS: AUSTIN, DEL VALLE, EANES, GONZALES, LAKE TRAVIS, LAGO VISTA, LEANDER, LULING, MANOR, KNIPPA, NIXON-SMILEY, PFLUGERVILLE, ROSEBUD-LOTT AND ROUND ROCK. (9:32 AM)

**Clerk's Note:** Item 31 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 2004 JOINT GENERAL AND SPECIAL ELECTION, INCLUDING THE DESIGNATION OF ELECTION DAY POLLING PLACES. (9:32 AM)

**Clerk's Note:** The Court approved an Order Establishing a new Election Day Polling Place for Precinct 113.

**Clerk's Note:** Item 32 added to Consent Items. Please refer to CONSENT ITEMS for 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.

- 33.** RECEIVE BRIEFING FROM THE COUNTY ATTORNEY CONCERNING PENDING CONDEMNATION ACTIONS FOR THE HUDSON BEND ROAD REALIGNMENT PROJECT IN CAUSE #2526 ROBINSON & MCLAREN AND CAUSE # 2527 GARDEN RIDGE QUALITY CLOSEOUTS, INC. AND CONSIDER SETTLEMENT PROPOSAL FROM CONDEMNEDS' ATTORNEY AND TAKE APPROPRIATE ACTION (GIESELMAN; CONDEMNATION) (REQUESTED BY THE COUNTY ATTORNEY). <sup>1&2</sup> (2:25 PM) (3:19 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize settlement of both of these causes for the amount of \$35,000.00.

**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

- 34.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING ONGOING LITIGATION IN THE CONGRESSIONAL REDISTRICTING MATTER.  
<sup>1</sup> (2:25 PM) (3:20 PM)

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

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

Discussion Only. No action taken.

Item 34 to be reposted on November 2, 2004.

- 35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SALARY FOR EXECUTIVE MANAGER OF HEALTH AND HUMAN SERVICES. <sup>3</sup> (2:25 PM)  
(3:21 PM)**

**Clerk's Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551. 074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to authorize that compensation be set at \$85,000.00 annually for this Executive Manager, effective October 1, 2004; and that the authorization/permission be given to continue to work as needed as a temporary employee of Counseling and Education Services, for which hourly compensation is paid.

**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

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF LEAVE FOR A CONSTABLE PRECINCT ONE EMPLOYEE, SLOT 6. <sup>1&3</sup> (2:25 PM)**

Item 36 pulled from the Agenda.

