

MINUTES OF MEETING – NOVEMBER 9, 2004

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of November, 2004, the Commissioners' Court convened the regular Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 12:19 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened the Voting Session at 1:51 PM and adjourned at 1:51 PM.

The Commissioners Court reconvened the regular Voting Session at 1:52 PM.

The Commissioners Court retired to Executive Session at 3:26 PM.

The Commissioners Court reconvened the Voting Session at 4:50 PM.

The Commissioners Court adjourned the Voting Session at 4:52 PM.

4. RECEIVE COMMENTS REGARDING ISSUANCE OF BONDS BY STRATEGIC HOUSING FINANCE CORPORATION OF TRAVIS COUNTY TO PROVIDE FUNDS TO FINANCE A PORTION OF THE COSTS OF ACQUISITION, CONSTRUCTION, AND EQUIPPING OF AN APPROXIMATELY 250-UNIT APARTMENT COMPLEX TO BE LOCATED ON AN APPROXIMATELY 14.50 ACRE TRACT LOCATED ON THE SOUTH SIDE OF THE STREET, 300 TO 400 BLOCK OF E. YAGER LANE IN THE CITY OF AUSTIN, TEXAS. (ACTION ITEM 46) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 46 for the Court's Motion and Vote.

Item 4 pulled from the Agenda.

RESOLUTIONS & PROCLAMATIONS

5. APPROVE RESOLUTION RECOGNIZING NOVEMBER 11, 2004 AS VETERANS' DAY AND CELEBRATE THE RECOGNITION OF AUSTIN/TRAVIS COUNTY AS A VETERANS' DAY NATIONAL COMMITTEE 2004 REGIONAL SITE. (JUDGE BISCOE) (10:05 AM)

Members of the Court heard from: Olie Pope, Travis County Veterans' Service Officer.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the resolution in Item 5.

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

6. APPROVE RESOLUTION RECOGNIZING THE VIETNAMESE-AMERICAN HERITAGE FLAG. (JUDGE BISCOE) (10:10 AM)

Members of the Court heard from: Khanh Chau, Chairman, Advisory Board, Vietnamese Community of Austin, Chairman, Vietnam Heritage and Freedom Flag Recognition Committee; and Olie Pope, Travis County Veterans' Service Officer.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the resolution in Item 6.

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

7. APPROVE PROCLAMATION REGARDING AUSTIN ADOPTION DAY TO BE HELD ON NOVEMBER 19, 2004 AT GARDNER-BETTS JUVENILE JUSTICE CENTER. (COMMISSIONER GÓMEZ) (10:14 AM)

Clerk's Note: Judge Biscoe noted that Austin Adoption Day will be held on November 18, 2004.

Members of the Court heard from: Andy Hathcock, Associate Judge, Civil District Courts, Travis County; and Barbara Swift, Chief Deputy, Juvenile Probation.

Motion by Commissioner Gómez and seconded by Commissioner Sonleitner to approve the proclamation in Item 7.

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: Bill Wigmore, Executive Director, Austin Recovery; and Jennifer Gale, Travis County Resident. (10:18 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C7, and Items 9, 10, 11.A and B, 13, 16.A and B, 17, 18, 19, 20.A and B, 21, 22, 23, 24, 27.A and B, 29, 31, 32, 33, 34, 35.A and B, 36.A and B, 44, 45.A-C, 47, 48, 49, and 50. (10:29 AM)

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

- C1.** RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF OCTOBER 26, 2004.
- C4.** APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF NOVEMBER 2, 2004.
- C5.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C6.** APPROVE SETTING A PUBLIC HEARING ON DECEMBER 14, 2004 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOT 10, BLOCK B, FLEISCHER SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 5.33 ACRES – FLEISCHER DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER)
- C7.** APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 30, 2004 TO RECEIVE COMMENTS REGARDING THE PARTIAL VACATION OF TWO PLATS IN PRECINCT THREE: VACATION OF LOTS 38-40, 42, 43, 45-50, AND 52-79, BEE CREEK HILL SECTION ONE, LOTS 80-114, BEE CREEK HILL SECTION TWO, AND A PORTION OF BEE HILL CIRCLE AND HONEY BEE LANE (PARTIAL PLAT VACATION – 74 LOTS AND APPROXIMATELY 2600 FEET ROW – 24.606 ACRES – BEE CREEK ROAD – NO FISCAL REQUIRED – NO SEWAGE SERVICE PROVISION INVOLVED IN VACATION – OUTSIDE ALL MUNICIPAL ETJs). (COMMISSIONER DAUGHERTY)

HEALTH AND HUMAN SERVICES DEPT. ITEMS

8. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH THE TRAVIS COUNTY HOSPITAL DISTRICT REGARDING SERVICES. (2:35 PM)

Members of the Court heard from: John Hille, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion only. No action taken.

Item 8 to be reposted on November 23, 2004.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ACCEPT DONATION OF A VEHICLE TO TEXAS COOPERATIVE EXTENSION TRAVIS COUNTY FOR 4-H LIVESTOCK AND URBAN ANIMAL SCIENCE PROGRAMS FROM 4-H CAPITAL FUNDS. (10:29 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

10. 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 \$612,453.53 FOR THE PERIOD OF OCTOBER 22 THROUGH OCTOBER 28, 2004. (10:29 AM)

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 THE FOLLOWING PROPOSED PERSONNEL AMENDMENTS: (10:29 AM)

A. ROUTINE PERSONNEL ACTIONS;

B. NON-ROUTINE PERSONNEL ACTION – TEMPORARY ASSIGNMENT – TRAVIS COUNTY CODE, SECTION 10.03012 – CONSTABLE PRECINCT THREE.

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

12. REVIEW AND APPROVE THE FOLLOWING PROPERTY CLAIM RECOMMENDATIONS: (2:29 PM)

A. TCSO UNIT 1952 – SETTLE;

B. TCSO UNIT 1945 – SETTLE;

C. TCSO UNIT 2281 – SETTLE.

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

Members of the Court heard from: Dan Mansour, Risk Manager, Human Resources Management Department (HRMD); and Terry Pickering, Major, Travis County Sheriff's Office (TCSO).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the property claim recommendations in Items 12.A-C.

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	no

13. CONSIDER AND TAKE APPROPRIATE ACTION ON WEBSITE LICENSE AND LINKING AGREEMENT BETWEEN TRAVIS COUNTY AND AUSTIN AREA HOSPITALITY, INC. FOR TRAVIS COUNTY EXPOSITION CENTER WEBSITE. (10:29 AM)

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

ITEM 14 CONTINUED

14. CONSIDER AND TAKE APPROPRIATE ACTION ON 457 DEFERRED COMPENSATION PLAN MODIFICATIONS:

C. QUALIFIED DOMESTIC RELATION ORDERS (QDRO); (2:16 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Barbara Wilson, Assistant County Attorney; and William Sawyer, Program Director, Nationwide Retirement Solutions.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 14.C. Plan participants who must divide their deferred compensation funds based on a court order, can do so without incurring the tax liability for the early withdrawal and the tax liability passes to the party receiving the funds.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON 457 DEFERRED COMPENSATION PLAN MODIFICATIONS:

D. FIXED ACCOUNT TRANSFER RESTRICTION; (2:21 PM)

Members of the Court heard from: Dan Mansour, Risk Manager, HRMD; William Sawyer, Program Director, Nationwide Retirement Solutions; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion Only. No action taken.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON 457 DEFERRED COMPENSATION PLAN MODIFICATIONS:

E. SELF-DIRECTED BROKERAGE ACCOUNT. (2:26 PM)

Members of the Court heard from: Dan Mansour, Risk Manager, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Kimberly Wilder, Representative, Nationwide Retirement Solutions; and William Sawyer, Program Director, Nationwide Retirement Solutions.

Discussion Only. No action taken.

JUSTICE AND PUBLIC SAFETY ITEMS

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY MEDICAL EXAMINER'S OUTLINE OF SPECIFIC STEPS REGARDING FORENSIC SERVICES. (1:54 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Resolution in Item 15.

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	absent

PURCHASING OFFICE ITEMS

- 16. APPROVE MODIFICATION NO. 2 TO THE FOLLOWING CONTRACTS FOR LAND USE PLANNING SERVICES: (10:29 AM)

- A. NO. PS010070DM, SITE SPECIFICS;

- B. NO. PS010071DM, HOLFORD GROUP, INC. (TNR) (COMMISSIONER GÓMEZ)

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

- 17. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO INTERLOCAL AGREEMENT NO. IL010211EF WITH AUSTIN COMMUNITY COLLEGE TO PROVIDE EARLY CHILDHOOD MENTORING SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (10:29 AM)

Clerk's Note: Item 17 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

18. APPROVE CHANGE ORDER NO. 1, TO CONTRACT NO. 04K00011SI WITH DAYCO CONSTRUCTION CO., FOR THE PEARCE LANE AND ROSS ROAD SIDEWALK CONSTRUCTION, TRAVIS COUNTY. (COMMISSIONER GÓMEZ) (10:29 AM)

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

19. APPROVE ISSUANCE OF JOB ORDER NO. 2, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 04K0203BRV, ARCHITECTURAL HABITAT OF AUSTIN, INC., FOR RESTORATION SERVICES AT 1101 NUECES. (FM) (COMMISSIONER GÓMEZ) (10:29 AM)

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

20. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR ASSORTED CONSTRUCTION SANDS: (10:29 AM)

A. NO. 03T00097EH, CAPITOL AGGREGATES; AND

B. NO. 03T00098EH, CENTEX MATERIALS, LP. (TNR) (COMMISSIONER GÓMEZ)

Clerk's Note: Items 20.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

21. APPROVE PURCHASE OF PARCEL MAIL EXPEDITED SERVICES OFF STATE CONTRACT FROM UPS MAIL INNOVATIONS. (COMMISSIONER GÓMEZ) (10:29 AM)

Clerk's Note: Item 21 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

22. APPROVE CONTRACT AWARD FOR EMULSIFIED ASPHALT, IFB NO. B050002LD, TO THE LOW, RESPONSIVE BIDDER, KOCH MATERIALS. (TNR) (COMMISSIONER GÓMEZ) (10:29 AM)

Clerk's Note: Item 22 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

23. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 03T00052LD, MILLER UNIFORMS AND EMBLEMS, FOR SHERIFF UNIFORMS. (SHERIFF) (COMMISSIONER GÓMEZ) (10:29 AM)

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

24. APPROVE ASSIGNMENT OF CONTRACT (MODIFICATION NO. 2) TO CONTRACT NO. 03T00260RV, CAR WASHING SERVICES, FROM WSM ENTERPRISES, DBA SQUEEKY CLEAN NORTH, TO GLEN A. BADWEY, DBA SQUEEKY CLEAN NORTH. (TNR) (COMMISSIONER GÓMEZ) (10:29 AM)

Clerk's Note: Item 24 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

25. APPROVE CONTRACT AWARD TO ELECTRIC POWER DOOR COMPANY, INC., TO REPAIR THE CJC VEHICULAR SALLY PORT DOORS. (FM) (COMMISSIONER GÓMEZ) (10:31 AM)

Item 25 postponed until November 16, 2004.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON BIDS RECEIVED FOR EAST METRO PARK PHASE ONE, PROJECT 2, IFB NO. B040130JJ. (TNR) (COMMISSIONER DAVIS) (9:16 AM)

Item 26 postponed until November 16, 2004.

27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SOCIAL SERVICE CONTRACTS FOR FY 05: (10:29 AM)
- A. APPROVE SOCIAL SERVICES CONTRACTS BOILERPLATE FOR USE WITH ALL SOCIAL SERVICES; AND
 - B. AUTHORIZE THE COUNTY PURCHASING AGENT TO SIGN SOCIAL SERVICES CONTRACTS ON BEHALF OF THE COMMISSIONERS COURT. (HHS & VS) (COMMISSIONER GÓMEZ)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Clerk's Note: Judge Biscoe noted that Item 27.B contains a list of social services contracts with the amounts included in the backup documents. The following is a list of Social Services Contracts: Austin Child Guidance Center, Austin Children's Shelter, Capital Area Food Bank of Texas Inc., Caritas of Austin, CASA of Travis County Inc., Meals on Wheels and More Inc., Pathways Community Counseling dba LifeWorks, SafePlace, Sustainable Food Center, American YouthWorks, Any Baby Can of Austin Inc., The Arc of the Capital Area, The Austin Academy, Austin Area Urban League Inc., Austin Tenants Council Inc., Austin Travis County MHMR (CAN Administration), Big Brothers Big Sisters of Central Texas Inc., Blackland Community Development Corporation, Capital Area Mental Health Center, Capital Area Training Foundation, Capital IDEA - Job Training, Child Inc., Communities in Schools - Central Texas Inc., Community Partnership for the Homeless, Crime Prevention Institute Inc., Easter Seals - Central Texas, Family Eldercare Inc., Family Forward Inc., Foundation for the Homeless Inc., Goodwill Industries of Central Texas, Greater Calvary Rites of Passage Inc., Immigration Counseling and Outreach Services, Literacy Austin, Out Youth Inc., Planned Parenthood of the Texas Capital Region Inc., Reading is Fundamental of Austin, River City Youth Foundation, Salvation Army, Services for the Elderly Inc., St. Edwards University Inc., Texas Rio Grande Legal Aid Inc., Vaughn House Inc., Workers Assistance Program Inc., YWCA of Greater Austin, Caritas of Austin – Best Single Source (BSS) New Supplemental PILOT Project.

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 28.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING A PLAT FOR RECORDING IN PRECINCT FOUR: RESUBDIVISION OF LOT 28, EAST TRAVIS HILLS SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 10.596 ACRES – LINDEN ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (1:52 PM)

Clerk's Note: Item 28 is the action item for the public hearing on Agenda Item 1.

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

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

- 29.** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A DRAINAGE AND PUBLIC UTILITY EASEMENT ALONG THE COMMON LOT LINE OF LOTS 52 AND 53, VISTA GRANDE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:29 AM)

Clerk's Note: Item 29 is the action item for the public hearing on Agenda Item 2.

Clerk's Note: Item 29 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST REGARDING A TRAFFIC REGULATION PROHIBITING THROUGH TRUCKS ON YAGER LANE BETWEEN CAMERON ROAD AND PARMER LANE IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:31 AM)

Item 30 postponed until November 23, 2004.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: GAJESKE SUBDIVISION (SHORT FORM PLAT – 1 LOT – 27.603 ACRES – GREGG MANOR ROAD – NO FISCAL POSTING REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (10:29 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 A PLAT FOR RECORDING IN PRECINCT THREE: SPANISH OAKS, SECTION A (LONG FORM PLAT – 30 LOTS – 27.8084 ACRES – SPANISH OAKS CLUB BLVD. – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LCRA – VILLAGE OF BEE CAVES ETJ). (COMMISSIONER DAUGHERTY) (10:29 AM)

Clerk's Note: Item 32 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN REVISION IN PRECINCT THREE: RIVER PLACE SEC. 17: PRELIMINARY PLAN REVISION NO. 14 (REVISED PRELIMINARY PLAN – 11 LOTS – 14.01 ACRES – BIG VIEW DRIVE – NO FISCAL REQUIRED - SEWAGE SERVICE TO BE PROVIDED BY RIVER PLACE MUNICIPAL UTILITY DISTRICT – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (10:29 AM)

Clerk's Note: Item 33 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND PLAT FOR RECORDING IN PRECINCT ONE: SHADOWGLEN PHASE ONE, SECTION 7 (LONG FORM PLAT – 61 LOTS – 13.165 ACRES – HOLLY CREST TERRACE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 2 – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (10:29 AM)

Clerk's Note: Item 34 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:29 AM)

- A.** ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR THE ESTATES OF ROWE LANE SECTION 1 AND 2, TWO SUBDIVISIONS IN PRECINCT TWO; AND
- B.** A LICENSE AGREEMENT FOR THE ESTATES OF ROWE LANE.
(COMMISSIONER SONLEITNER)

Clerk's Note: Items 35.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:29 AM)

- A.** REQUEST TO USE ALTERNATIVE FISCAL FOR THE RESERVE AT TWIN CREEKS SECTION 14, A SUBDIVISION IN PRECINCT THREE; AND
- B.** REQUEST TO USE A CASH SECURITY AGREEMENT FOR THE RESERVE AT TWIN CREEKS SECTION 14, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 36.A and B added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(2:50 PM)

A. APPOINT MEMBERS TO THE CITIZENS BOND ADVISORY COMMITTEE;

B. DRAFT CHARTER FOR THE CITIZENS BOND ADVISORY COMMITTEE.

Clerk’s Note: Items 37.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.

Clerk’s Note: The Court, without objection, appointed Commissioner Sonleitner and Commissioner Gómez to work with Christian Smith, Executive Manager, Joe Gieselman, Executive Manager, Alicia Perez, Executive Manager, and Mike Trimble, Criminal Justice Coordinator, to put the draft charter close to final shape by November 23, 2004.

Discussion Only. No action taken.

Item 37.B to be reposted on November 23, 2004.

38. 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) (2:48 PM)

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

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to pull together an interlocal agreement with the City of Austin, and scope the service to be provided by the outside consultant, for a cost not to exceed \$25,000.00 total.

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

39. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUEST REGARDING WASTE MANAGEMENT, A SHORTFORM SUBDIVISION IN PRECINCT ONE: (10:33 AM)
- A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, WASTE MANAGEMENT OF TEXAS; AND
 - B. APPROVAL OF A PLAT FOR RECORDING IN PRECINCT ONE – WASTE MANAGEMENT (SHORTFORM PLAT – 3 LOTS – 130.906 ACRES – SPRINGDALE ROAD – FISCAL POSTED WITH CITY OF AUSTIN – TRAVIS COUNTY OSSF – CITY OF AUSTIN ETJ).

Clerk's Note: Items 39.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; Trek English, Travis County Resident; John Hutchinson, Walnut Place Neighborhood Association; Christina Kubek, Secretary, Walnut Place Neighborhood Association; Joyce Thoresen, Travis County Resident; and Joyce Best, Travis County Resident.

Discussion only. No action taken.

Items 39.A and B to be reposted on November 16, 2004.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(11:21 AM)

A. PROPOSED FEES FOR THE REVIEW AND INSPECTION OF SUBDIVISIONS WITHIN TRAVIS COUNTY AND AMENDMENT TO THE FY 05 GENERAL BUDGET; AND

B. 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: Items 41.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; Joe Gieselman, Executive Manager, TNR, Anna Bowlin, Program Manager, Planning and Engineering Services, TNR; and Harry Savio, Executive Vice President, Home Builders Association of Greater Austin.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 41.A, the proposed fees.

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 action taken on Item 41.B.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(3:01 PM) (3:26 PM) (4:51 PM)

- A. COUNTY PARTICIPATION IN VARIOUS REGIONAL PLANNING PROCESSES;
- B. A BRIEFING FROM COUNTY ATTORNEY ON COUNTY AUTHORITY UNDER SB 873 (EXECUTIVE SESSION DISCUSSION NECESSARY FOR CONSULTATION WITH ATTORNEY); AND
- C. APPOINTMENTS TO THE SOUTHWEST TRAVIS COUNTY GROWTH DIALOG ADVISORY COMMITTEE.

Clerk’s Note: Items 42.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 42.C, appointments to the Southwest Travis County Growth Dialog Advisory Committee, as listed in the backup.

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

Clerk’s Note: Judge Biscoe announced that Item 42.B would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No action taken on Items 42.A and B.

43. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT TO CORRECT MISALIGNMENT OF PARK DRIVE, A ROAD IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (11:19 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve the agreement in Item 43.

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

44. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:29 AM)

Clerk's Note: Item 44 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

45. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:29 AM)
- A. GRANT CONTRACT AMENDMENT WITH TEXAS STATE UNIVERSITY FOR A JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT-DISCRETIONARY FUNDS GRANT PROGRAM IN JUVENILE PROBATION. THE GRANT EXTENDS THE CURRENT PROGRAM THROUGH THE END OF FEBRUARY 2005;
 - B. GRANT CONTRACT WITH CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A RETIRED SENIOR VOLUNTEER PROGRAM GRANT PROGRAM IN HEALTH AND HUMAN SERVICES. THE CONTRACT CONTINUES THE EXISTING PROGRAM FOR FY 05; AND
 - C. GRANT APPLICATION WITH THE TEXAS EDUCATION AGENCY FOR A COLLABORATIVE COMMUNITY NETWORK ENHANCEMENT GRANT (REVISED) IN THE LAW LIBRARY IN RECORDS MANAGEMENT AND COMMUNICATION RESOURCES. THIS IS AN APPLICATION FOR A NEW PROJECT TO PROVIDE LEGAL INFORMATION FOR SELF-REPRESENTED LITIGANTS VIA THE EXISTING TEXAS LAWHHELP WEBSITE IN PARTNERSHIP WITH THE TEXAS EQUAL ACCESS TO JUSTICE FOUNDATION.

Clerk's Note: Items 45.A-C added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

OTHER ITEMS

46. CONSIDER AND TAKE APPROPRIATE ACTION TO ADOPT A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE STRATEGIC HOUSING FINANCE CORPORATION OF TRAVIS COUNTY TO PROVIDE FUNDS TO FINANCE A PORTION OF THE COSTS OF ACQUISITION, CONSTRUCTION, AND EQUIPPING OF AN APPROXIMATELY 250-UNIT APARTMENT COMPLEX TO BE LOCATED ON AN APPROXIMATELY 14.50 ACRE TRACT LOCATED ON THE SOUTH SIDE OF THE STREET, 300 TO 400 BLOCK OF E. YAGER LANE IN THE CITY OF AUSTIN, TEXAS. (9:15 AM)

Clerk's Note: Item 46 is the action item for the public hearing on Agenda Item 4.

Item 46 pulled from the Agenda.

47. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:29 AM)

Clerk's Note: Item 47 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

48. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF SEPTEMBER 2004. (10:29 AM)

Clerk's Note: Item 48 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

49. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COMMISSIONERS COURT APPROVAL OF CRIMINAL COURTS INTERPRETER COMPENSATION SCHEDULE. (10:29 AM)

Clerk's Note: Item 49 added to Consent Items. Please refer to CONSENT ITEMS for the Court's Motion and Vote.

50. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE PRINTING FLYER FOR 2004 BROWN SANTA PROGRAM AND APPROVE DISTRIBUTION TO COUNTY EMPLOYEES WITH PAYROLL CHECKS ON NOVEMBER 15, 2004. (10:29 AM)

Clerk's Note: Item 50 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.

- 53. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON STATUS OF PURCHASE OF BCCP LAND FROM NOOTSIE, LTD., ET AL, AND TAKE APPROPRIATE ACTION. ^{1&2} (3:26 PM) (4:51 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 and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to authorize a purchase contract in the amount of \$5,000,000.00, and that the County Attorney's Office and all other appropriate Staff with Transportation and Natural Resources continue to work out the actual last wordsmithing that needs to occur in this contract.

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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN OPPORTUNITY TO PURCHASE REAL ESTATE IN SOUTH CENTRAL AUSTIN. ² (9:15 AM)**

Item 54 postponed until November 16, 2004.

