

## **MINUTES OF MEETING – MARCH 8, 2005**

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

On Tuesday, the 8<sup>th</sup> day of March, 2005, the Commissioners' Court convened the regular Voting Session at 9:18 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 12:07 PM.

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

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:38 PM and adjourned at 1:39 PM.

The Commissioners Court reconvened the regular Voting Session at 1:39 PM.

The Commissioners Court retired to Executive Session at 4:45 PM.

The Commissioners Court reconvened the Voting Session at 5:10 PM.

The Commissioners Court adjourned the Voting Session at 5:10 PM.







**CONSENT ITEMS CONTINUED**

- C6.** APPROVE SETTING A PUBLIC HEARING ON APRIL 12, 2005 TO RECEIVE COMMENTS REGARDING THE PARTIAL CANCELLATION OF A RECORDED SUBDIVISION: TRAVIS SETTLEMENT, SECTION ONE AS RECORDED IN BOOK 84, PAGES 24C-26B IN PRECINCT THREE: VACATION OF: LOTS 1-4 AND THE RIGHTS OF WAY (ROW) OF SEAN AVERY PATH, NORTH DERRICK COVE AND SOUTH DERRICK COVE; LOTS 5-31 AND 45-54 AND THE ROW OF SEAN AVERY PATH, NORTH DERRICK COVE AND SOUTH DERRICK COVE; AND LOTS 32-44 AND 98-99 AND THE ROW OF SEAN AVERY PATH, NORTH DERRICK COVE AND SOUTH DERRICK COVE (PARTIAL PLAT VACATION – 56 LOTS AND APPROXIMATELY 4961 FEET ROW – 109.966 ACRES – BEE CREEK ROAD – NO FISCAL REQUIRED – NO SEWAGE SERVICE PROVISION INVOLVED IN VACATION – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY)
- C7.** APPROVE SETTING A PUBLIC HEARING ON APRIL 12, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: PARTIAL VACATION AND REPLAT OF LOT 10, BLOCK D, 11505 TX 71, PHASE 1 (SHORT FORM PLAT – 1 LOT – 1.4885 ACRES – MUSKET RIM (PRIVATE) – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – VILLAGE OF BEE CAVES ETJ). (COMMISSIONER DAUGHERTY)

**PLANNING AND BUDGET DEPT. ITEMS**

- 4.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:41 AM)
- A.** GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A GRANT IN THE JUVENILE PROBATION DEPARTMENT TO SUPPORT A GUARDIAN AD LITEM TO ENFORCE PROTECTIVE ORDERS. THE APPLICATION IS TO CONTINUE THE EXISTING PROGRAM FOR YEAR-FOUR FUNDING OF A FIVE-YEAR GRANT.

**Clerk's Note:** Item 4.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (4:01 PM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Jessica Rio, Budget Analyst, PBO.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to approve Budget Amendments and Transfers A2-A9, excluding A1.

**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 Sonleitner** to approve Budget Amendment and Transfer A1.

**Motion carried:**

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

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION TO VERIFY SLOT NUMBER 153 AS A REGULAR FULL-TIME COUNTY EMPLOYEE WITH THE JOB TITLE OF SOCIAL WORKER, AND ELIGIBLE FOR BENEFITS APPLICABLE TO COUNTY EMPLOYEES GENERALLY EFFECTIVE OCTOBER 1, 2004. (4:45 PM)

Item 6 pulled from the Agenda.



- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:41 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.

### PURCHASING OFFICE ITEMS

- 10. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 03T00287LD, ACCENT FOODS, FOR CAFETERIA AND VENDING MACHINE CONCESSION SERVICES. (FM) (COMMISSIONER GÓMEZ) (4:39 PM)

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

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the contract modification in Item 10, with Facilities Management following up by ensuring that the “before”, “during”, and “after” of the process is consistent with how we want our buildings to be treated.

**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

- 11. APPROVE SOLE SOURCE EXEMPTION AND CONTRACT AWARD WITH AUSTIN AMERICAN - STATESMAN FOR NEWSPAPER ADVERTISING SERVICES. (PURCHASING OFFICE) (COMMISSIONER GÓMEZ) (9:41 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 ISSUANCE OF JOB ORDER NO. 10, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 04K0203ARV, WILLIAMS AND THOMAS, INC. D.B.A. JAMAIL CONSTRUCTION, FOR PARKING LOT IMPROVEMENTS AT 5501 AIRPORT BLVD. (FM) (COMMISSIONER GÓMEZ) (9:41 AM)

**Clerk's Note:** Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T001980J, ACCO WASTE PAPER OF AUSTIN, FOR TRANSPORTATION OF RECYCLABLE MATERIALS. (TNR) (COMMISSIONER GÓMEZ) (9:41 AM)

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

14. A. APPROVE CONTRACT AWARDS FOR HEAVY DUTY MACHINERY OEM PARTS/MAINTENANCE, IFB NO. B050044MP, TO THE FOLLOWING LOW QUALIFIED BIDDERS: (9:41 AM)

1. CENTRAL TEXAS EQUIPMENT CO., FOR LINE ITEMS 3, 19 AND 37;
2. ANDERSON MACHINERY AUSTIN, INC., FOR LINE ITEMS 6, 15, 17, 23 THRU 23E AND 29;
3. LACAL EQUIPMENT, INC., FOR LINE ITEMS 22, 25, 26, 27, 28 AND 30 (PARTS ONLY);
4. TEXANA MACHINERY CORP., FOR LINE ITEM 35; AND
5. RDO EQUIPMENT CO., FOR LINE ITEM 36.

- B. REJECT SOLE BID RECEIVED FOR ITEM 23F AND REBID. (TNR) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 14.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.

15. ACCEPT REBATE CHECK FROM OFFICE DEPOT FOR PARTICIPATION IN U.S. COMMUNITIES PURCHASING PROGRAM. (COMMISSIONER GÓMEZ) (9:44 AM)

**Members of the Court heard from:** Lee Dolese, Account Manager, Office Depot; and Bonnie Floyd, Assistant Purchasing Agent.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to accept a rebate check from Office Depot in the amount of \$6,956.91.

**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

16. APPROVE PURCHASE OF X-RAY PARCEL SCREENING SYSTEMS OFF STATE CONTRACT FROM HEIMANN SYSTEMS CORP. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:41 AM)

**Clerk's Note:** Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE FOUR PARCELS OF RIGHT OF WAY IN FRONT OF LOTS 77, 78, 79 AND 80, HUGHES PARK LAKE SUBDIVISION NO. 1. (COMMISSIONER DAUGHERTY) (9:41 AM)

**Clerk's Note:** Item 17 is the action item for the public hearing on Agenda Item 1.

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY CLOSE ROSS ROAD APPROXIMATELY 0.8 MILES SOUTH OF PEARCE LANE IN PRECINCT FOUR FOR ROAD REALIGNMENT IN CONJUNCTION WITH CONSTRUCTION OF STONEY RIDGE PHASE B, SECTION 1 SUBDIVISION. (COMMISSIONER GÓMEZ) (9:41 AM)

**Clerk's Note:** Item 18 is the action item for the public hearing on Agenda Item 2.

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING BELLA VISTA SUBDIVISION IN PRECINCT THREE: (9:41 AM)

- A. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN BELLA VISTA SECTION FOUR AND SECTION FIVE; AND
- B. AMENDMENT TO THE BELLA VISTA LICENSE AGREEMENT FOR SECTION FIVE. (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 19.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.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: TURNER ADDITION (SHORT FORM PLAT – 2 LOTS – 9.943 ACRES – BERTRAM LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY) (9:41 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT THREE: HAMILTON I PRELIMINARY PLAN (232 LOTS – 443.73 ACRES – HAMILTON POOL ROAD – NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:41 AM)

**Clerk's Note:** Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 22. CONSIDER AND TAKE APPROPRIATE ACTION TO SET A PUBLIC HEARING REGARDING REQUEST TO AUTHORIZE INTRODUCING OF TRIPLOID GRASS CARP (WHITE AMUR) INTO IRRIGATION PONDS AT TRAVIS COUNTY’S NORTHEAST, EAST AND SOUTHEAST METROPOLITAN PARKS PURSUANT TO REQUIREMENT OF TEXAS PARKS AND WILDLIFE DEPARTMENT. (4:43 PM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to take notice of a Texas Parks and Wildlife Department public meeting on March 22, 2005, from 6:00pm to 7:30pm, at the East Rural Community Center, Manor, Texas.

**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

**TO BE TAKEN UP AT 1:30 P.M.**

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENTS TO CHAPTER 82, TRAVIS COUNTY CODE, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS. (1:52 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Ted Stewart, Travis County Resident, member, Southwest Travis County Growth Dialogue Group; Karen Peterson, Travis County Resident; George Suman, Travis County Resident; Ron Aurini, Travis County Resident; Gene Lowenthal, Travis County Resident, LCRA NPS Stakeholder Revision Committee; Lisa Fithian, Travis County Resident; Dr. Lauren Ross, Environmental Engineer; Thurman Blackburn, Travis County Resident; Harry Savio, Executive Vice President, Home Builders Association of Greater Austin; Hank Smith, Principal Owner, C. Faulkner Engineering; Christy Muse, Hill County Alliance; David Smith, Representing Developers in Western Travis County; Laura Groke, Travis County Resident; Colin Clarke, Save Our Springs Alliance; and Wes Brockhoeft, Travis County Resident.

Discussion Only. No formal action taken.

Item 23 to be reposted on March 15, 2005.

**OTHER ITEMS**

- 24. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:41 AM)

**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.

**TO BE TAKEN UP AT 9:30 A.M.**

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED REGULATIONS OF TRAVIS COUNTY GOVERNING ANIMAL CONTROL AND RELATED MATTERS. (9:47 AM)

**Members of the Court heard from:** Dorinda Pulliam, Director, Town Lake Animal Shelter, City of Austin; Mary Etta Gerhardt, Assistant County Attorney; Kerry Niemann, President, Heart of Texas American Pit Bull Terrier Club; Rachel Stroud, Travis County Resident; Jim Von Wolske, Travis County Resident; Peggy Jennings, past President, Texas Australian Cattle Dog Club; and Bobbie White, Resident, Austin Lake Estates.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to request that the Commissioners Court Subcommittee and Staff try to meet between now and next Tuesday, March 15, 2005, to come up with a draft ordinance that deals with the following four areas: 1) a provision covering restraint and/or control; 2) the dangerous dog definition that covers persons and other domestic pets or animals; 3) a written outline or bullet summary of an effective enforcement strategy; and 4) a written outline or summary of an effective public education program, using all free available facilities, avenues, etc.; and to have this draft ordinance available for public review by 4:00 or 5:00 pm, Friday, March 11, 2005.

**A Clarification of the previous Motion was made by** Commissioner Sonleitner that simple registration be included as a part of the enforcement strategy.

**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 25 to be reposted on March 15, 2005.



29. CONSIDER AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE AND SALE OF TRAVIS COUNTY, TEXAS, LIMITED TAX REFUNDING BONDS, SERIES 2005; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. (11:13 AM)

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**Clerk's Note:** Items 29 and 30 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Ladd Pattillo, Travis County Financial Advisor; and Gary Kimball, First Southwest Company.

**Members of the Court agreed** to consider one Motion for Items 29 and 30.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve the orders in Items 29 and 30, which would cover Limited Tax Refunding Bonds and Unlimited Tax Refunding Bonds, and to authorize the appropriate members of the Commissioners Court and other County Officials to sign the prepared documents.

**Motion carried:**

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

30. CONSIDER AND ADOPT AN ORDER AUTHORIZING THE ISSUANCE AND SALE OF TRAVIS COUNTY, TEXAS, UNLIMITED TAX REFUNDING BONDS, SERIES 2005; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. (11:13 AM)

**Clerk's Note:** Items 29 and 30 are associated with one another and were called for concurrent discussion. Please refer to Item 29 for a summary of the action taken by the Court.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ISSUE A REQUEST FOR PROPOSALS TO CONTRACT FOR THE COLLECTION OF TRAVIS COUNTY DELINQUENT REAL PROPERTY TAXES. (COMMISSIONER DAUGHERTY, COMMISSIONER GÓMEZ) (4:01 PM) (4:06 PM)

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

**Clerk's Note:** The Court gave directions to the Purchasing Agent to look into the applicability of an RFI (Request for Information), in order to give vendors an opportunity to allow Travis County to make a comparison of what they can do for the County, and to consider whether taxes other than real property taxes should be included. The Court also discussed establishing a committee of the Purchasing Agent, the Tax Office, the County Attorney, and the Planning and Budget Office to work on the RFI.

Discussion Only. No formal action taken.

Item 31 to be reposted on March 22, 2005.

32. APPOINT DENNIS JAMES AS THE PRECINCTS TWO AND THREE CIVILIAN APPOINTEE TO THE CAPCOG LAW ENFORCEMENT EDUCATION COMMITTEE, EFFECTIVE IMMEDIATELY. (COMMISSIONER DAUGHERTY, COMMISSIONER SONLEITNER) (9:41 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.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR FINANCIAL PARTNERSHIP WITH GREATER AUSTIN CHAMBER OF COMMERCE ON OPPORTUNITY AUSTIN. (COMMISSIONER DAVIS) (10:45 AM)

**Members of the Court heard from:** Michael Rollins, CEO, Greater Austin Chamber; Jeffery Richard, Vice President, Education and Workforce Development, Greater Austin Chamber of Commerce; and Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to indicate the Commissioners Court’s intention to complement the Opportunity Austin Program by making a financial investment of at least \$100,000.00; that we direct our Executive Manager of Health and Human Services, Sherri Fleming, to appoint appropriate County Staff to work with the Greater Austin Chamber of Commerce to identify, of the many programs available, the ones that Travis County should work with; that a report be given to the Commissioners Court containing a recommendation as to when that funding should be made available, what that program is, and other appropriate components for us to take more specific action; and that we again compliment the Greater Austin Chamber of Commerce for taking steps in the right direction.

**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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

**TO BE TAKEN UP AT 11:00 A.M.**

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 79<sup>TH</sup> TEXAS LEGISLATURE. (A LIST MAY BE OBTAINED FROM ANY MEMBER OF THE TRAVIS COUNTY COMMISSIONERS COURT.) (11:21 AM)

**Clerk’s Note:** The Court discussed House Bill 1 (HB1): General appropriations bill. The proposed legislation could have a positive fiscal impact on Travis County’s 911 service allocation. Staff recommended monitoring the legislation.

**Members of the Court heard from:** Danny Hobby, Emergency Services Coordinator, Department of Emergency Services.

Discussion Only. No formal action taken.

**ITEM 34 CONTINUED**

**Clerk’s Note:** The Court discussed Senate Bill 574 (SB574): Relating to requirements for the issuance of land development permits by political subdivisions; and House Bill 1704 (HB1704) and the companion bill Senate Bill 848 (SB848): Relating to the approval of certain permit applications by local governments.

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

Discussion only. No formal action taken.

**Clerk’s Note:** The Court discussed House Bill 1273 (HB1273): Relating to the development of the Trans-Texas Corridor.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Scheleen Walker, Senior Planner, TNR.

**Clerk’s Note:** Staff discussed adding and amending language to the proposed legislation, so that County Roads that are designated to be upgraded to arterial roadways in the Capital Area Metropolitan Planning Organization (CAMPO) transportation plan would have uninterrupted service across State Highway 130, in order to maintain east-west mobility. Staff had indicated that discussions with the bill’s sponsor had already occurred.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to ratify the action taken by Staff, to meet with the sponsor of the bill, to push for our amended language, and work with the sponsor of the proposed legislation.

<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 34 CONTINUED**

**Clerk’s Note:** The Court discussed House Bill 847 (HB847): Relating to the board of directors of the Regional Mobility Authority.

**Members of the Court heard from:** Bob Kamm, Travis County Legislative Consultant.

Discussion only. No formal action taken. Discussion of House Bill 847 to be reposted on March 15, 2005.

**Clerk’s Note:** The Court discussed House Bill 1661 (HB1661) and the companion bill, Senate Bill 902 (SB902): Relating to procedures for certain persons charged with an administrative violation of a condition of release from the Texas Department of Criminal Justice on parole or mandatory supervision.

**Members of the Court heard from:** Bill Campbell, Travis County Sheriff’s Office (TCSO); David Balagia, Major, TCSO; and Chris Shields, Travis County Legislative Consultant.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to support House Bill 1661 and Senate Bill 902, and to put together a written document, signed by the Commissioners Court, that is supportive, and share that, not only with the bill’s sponsor, but the Travis County legislative delegation, so they will know the Court’s position.

<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 34 CONTINUED**

**Clerk’s Note:** The Court discussed House Bill 3 (HB3): Relating to property tax relief and protection of taxpayers, taxes and fees and other matters relating to the financing of public schools; providing civil and criminal penalties.

**Clerk’s Note:** In conjunction with the discussion of HB3, the Court also discussed House Bill 2 (HB2), which relates to the funding and operations of the public school system.

**Members of the Court heard from:** Chris Shields, Travis County Legislative Consultant.

Discussion only. No formal action taken.

**Clerk’s Note:** The Court discussed the proposed legislation relating to Revenue Caps for Counties.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to sign a draft letter to the Travis County legislative delegation opposing revenue caps.

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

**EXECUTIVE SESSION ITEMS**

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

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

- 35. RECEIVE LEGAL ADVICE ON PERSONAL INJURY ACCIDENT AT TRAVIS COUNTY FARMERS' MARKET, AND TAKE APPROPRIATE ACTION. <sup>1</sup>**  
(4:45 PM) (5:10 PM)

**Clerk's Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that an appropriate letter be sent to Mr. Rylander reminding him about duties and responsibilities in his 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

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING COMPLIANCE BY JBDI, INC. AND METRO H2O UTILITIES, LTD. WITH AGREEMENTS EXECUTED AS CONDITION OF APPROVAL OF PLATS FOR FOREST BLUFF SUBDIVISION. <sup>1</sup>** (4:45 PM)  
(5:10 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No action necessary on Item 36.

**ADDED ITEMS**

- A1.** CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT TWO: PENLEY FARM PRELIMINARY PLAN (134 LOTS – 46.33 ACRES – GATTIS SCHOOL ROAD – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY COMPANY – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:41 AM)

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

- A2.** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DISTRIBUTE EARNED INCOME TAX CREDIT FLYER TO TRAVIS COUNTY EMPLOYEES WITH MARCH 15<sup>TH</sup> PAYROLL CHECKS. (9:40 AM) (9:41 AM)

**Clerk's Note:** Judge Biscoe announced that Travis County residents could receive free advice and assistance on claiming the Earned Income Tax credit, by calling 973-9203, and making an appointment.

**Clerk's Note:** Item A2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

