

MINUTES OF MEETING – MARCH 22, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 22nd day of March, 2005, the Commissioners' Court convened the regular Voting Session at 9:15 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 12:12 PM.

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 1:42 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, the Capital Industrial Development Corporation, the Capital Health Facilities Development Corporation, and the Travis County Cultural Education Facilities Finance Corporation convened at 1:42 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the regular Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 3:41 PM.

The Commissioners Court reconvened the Voting Session at 3:56 PM.

The Commissioners Court adjourned the Voting Session at 3:57 PM.

RESOLUTIONS & PROCLAMATIONS

- 2. APPROVE PROCLAMATION RECOGNIZING SETON MEDICAL CENTER'S 30TH ANNIVERSARY. (JUDGE BISCOE) (9:18 AM)

Members of the Court heard from: Greg Hartman, Senior Vice President, Planning and Marketing, Seton Medical Center.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the proclamation in Item 2.

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

- 3. APPROVE PROCLAMATION DECLARING MARCH 20 THROUGH MARCH 26, 2005 AS "NATIONAL AGRICULTURE WEEK" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:22 AM)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the proclamation in Item 3.

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: Bob Barstow, Owner, Windy Point Park. (9:23 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3, and Items 4, 5, 10, 11, 13, 14, 15, 16, 17, 18.A&B, 19, 20.A&B, 22, 23, 24, 25, 27.A, 28, 29, 30, 31, 34.A-D, 35, 36, 38.A-E, and 39. (9:29 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 AUTOMATIC BUDGET TRANSFERS.

ADMINISTRATIVE OPERATIONS ITEMS

- 4. 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 \$605,577.58 FOR THE PERIOD OF MARCH 4 THROUGH MARCH 10, 2005. (9:29 AM)

Clerk's Note: Item 4 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:29 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

JUSTICE AND PUBLIC SAFETY ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RECOMMENDED MODIFICATIONS TO PROGRAMMING FOR INMATES AT THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER. (9:35 AM)

Members of the Court heard from: Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); and Kimberly Pierce, Senior Planner, CJP.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the modifications 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PERSONS RECOMMENDED FOR MEMBERSHIP ON THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER ADVISORY COMMITTEE. (9:55 AM)

Members of the Court heard from: Kimberly Pierce, Senior Planner, CJP.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the appointment of Joan Burnham, Henry Calderon, Deacon Doots DuFour, Lawrence Vaults, and Pam Willhoite.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON PATIENT LANDING FEE CURRENTLY CHARGED TO HOSPITALS FOR RECEIVING A PATIENT VIA STAR FLIGHT. (10:37 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Travis County Emergency Services; Casey Ping, Program Manager, StarFlight; Willie Culberson, Aviation Director, Chief Pilot, StarFlight; and Barbara Wilson, Assistant County Attorney

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the 6-month moratorium test period, related to the patient landing fee, beginning on April 1, 2005.

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

9. RECEIVE FIRST QUARTERLY REPORT ON PERFORMANCE MEASURES FOR TRAVIS COUNTY STAR FLIGHT AND EMS GROUND SERVICES. (10:51 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Travis County Emergency Services; Heather Cook, Principal Planner, Emergency Medical Services (EMS), City of Austin; Chris Dilly, Clinical Coordinator, EMS, City of Austin; and Casey Ping, Program Manager, StarFlight.

Discussion only. No formal action taken.

10. RATIFY APPOINTMENT OF CYRIL FRIDAY TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS 9-1-1 TASK FORCE. (9:29 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.

PURCHASING OFFICE ITEMS

11. APPROVE LEASE OF XEROX COPIER/PRINTER FROM THE XEROX CORPORATION OFF STATE CONTRACT. (RECORDS MANAGEMENT & COMMUNICATION RESOURCES) (COMMISSIONER GÓMEZ) (9:29 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REIMBURSEMENT FOR PURCHASING OFFICE EMPLOYEE EXPENSES FOR ATTENDING OUTREACH WORKSHOP. (PURCHASING/HUB PROGRAM) (COMMISSIONER GÓMEZ) (9:33 AM)

Item 12 pulled from the Agenda.

13. APPROVE MODIFICATION NO. 2 TO INTERLOCAL NO. IL030055EF WITH TEXAS CLOSED CAPTIONING REPORTERS FOR CLOSED AND OPEN CAPTIONING SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (9:29 AM)

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

14. APPROVE CONTRACT AWARD FOR A PORTABLE HUMAN PATIENT SIMULATOR, RFP NO. P050015OJ, TO THE QUALIFIED RESPONDENT, MEDICAL EDUCATION TECHNOLOGIES, INC. (EMERGENCY SERVICES, STAR FLIGHT) (COMMISSIONER GÓMEZ) (9:29 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 ISSUANCE OF JOB ORDER NO. 7, MINOR CONSTRUCTION AND RENOVATION SERVICES CONTRACT NO. 04K0203BRV, ARCHITECTURAL HABITAT OF AUSTIN, INC., FOR REMODEL SERVICES AT THE TRAVIS COUNTY HOLT BUILDING. (FM) (COMMISSIONER GÓMEZ) (9:29 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. 1) TO CONTRACT NO. 04T00179LD, ARROW ENERGY, INC, FOR AVIATION FUEL. (STARFLIGHT) (COMMISSIONER GÓMEZ) (9:29 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.

17. APPROVE CONTRACT AWARD FOR THE KENNEDY RIDGE SUBDIVISION ROADWAY AND DRAINAGE IMPROVEMENTS, IFB NO. B050011JJ, TO THE LOW BIDDER, RGM CONSTRUCTORS, L.P. (TNR) (COMMISSIONER DAVIS) (9:29 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. A. APPROVE CONTRACT AWARD FOR VOICE TELECOMMUNICATIONS OUTSOURCING FOR TRAVIS COUNTY, RFP NO. P050006LC, TO THE FOLLOWING LOWEST AND BEST PROPOSERS: (9:29 AM)
1. OPTION A - AFFILIATED TELEPHONE OF AUSTIN; AND
 2. OPTION C - CALL ONE, INC.;
- B. REJECT ALL PROPOSALS FOR OPTION B. (ITS) (COMMISSIONER GÓMEZ)

Clerk's Note: Items 18.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.

19. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00162LD, MILLER UNIFORMS AND EMBLEMS, FOR LAW ENFORCEMENT BODY ARMOR. (SHERIFF) (COMMISSIONER GÓMEZ) (9:29 AM)

Clerk's Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT FOR JANITORIAL SERVICES AT WEST RURAL COMMUNITY CENTER/CLINIC AND PRECINCT 3 OFFICE BUILDING, IFB NO. B050050MP: (9:29 AM)

A. REJECT LOW BID; AND

B. AWARD CONTRACT TO THE SECOND LOW, RESPONSIVE BIDDER, BLUEBONNET CLEANING INC. (FM) (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 20.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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: TRAILRIDER'S SUBDIVISION, RESUBDIVISION OF LOT 3, THIEM RANCH (LONG FORM PLAT – 15 LOTS – 43.292 ACRES – ABRAHAMSON ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAVIS) (9:16 AM)

Item 21 postponed until March 29, 2005.

22. APPROVE A CASH SECURITY AGREEMENT FOR THE CONSTRUCTION OF A JOINT USE DRIVEWAY FOR THE RESUBDIVISION OF LOT F5, NORTHWEST HILLS, SEC 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:29 AM)

Clerk's Note: Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. RECEIVE NOTIFICATION OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR RIVER DANCE PHASE 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:29 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.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPROVAL OF ACCEPTANCE AND DEDICATION OF STREET AND DRAINAGE FACILITIES FOR KENNEDY RIDGE ESTATES SECTION 1 AND 2, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:29 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.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT FOUR: RESUBDIVISION OF LOT 26, CAPITOL VIEW ESTATES (SHORT FORM PLAT – 6 LOTS – 4.516 ACRES – CAPITOL VIEW DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER GÓMEZ) (9:29 AM)

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

Clerk's Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. DISCUSS AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY COMMENTS TO CAMPO BOARD OF DIRECTORS REGARDING DRAFT 2030 TRANSPORTATION PLAN. (2:09 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; John Hutchinson, President, Walnut Place Neighborhood Association; Joyce Thoresen, Walnut Place Neighborhood Association; and Elaine Schele, Program Manager, Planning, TNR.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to delete references to moving the toll designation from Precinct 1 roads, that we support the CAMPO position that toll roads must be implemented in an equitable manner, and that we support the delay, currently in place, of a recommended tolling of added capacity, to give us an opportunity to see how this tolling system develops.

A Clarification of the previous Motion was made by Judge Biscoe that it is intended to clarify the intention that even as to existing roads, we would toll only added capacity, but we would do a much better job of showing that that is what we are doing.

Clerk’s Note: The Court did not take a Vote on the Standing Motion and Second.

A Substitute Motion was made by Commissioner Davis that for all existing roads within Travis County, in the areas of toll designation, that the toll designation be taken off.

Clerk’s Note: The Substitute Motion died for lack of a Second.

Clerk’s Note: The Court took a Vote on the Standing Motion and Second.

Motion carried: County Judge Samuel T. Biscoe	yes
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

ITEM 26 CONTINUED

Clerk’s Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding RM 2222.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to support developing RM 2222 from RM 620 to Loop 360 as a Major Divided Arterial, 6-lane (MAD 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

Clerk’s Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding Arterial A.

Discussion only. No formal action taken. Discussion of Arterial A to be reposted on March 29, 2005.

Clerk’s Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding Bullick Hollow Rd. from RM 620 to FM 2769.

Clerk’s Note: The Court directed Staff that Bullick Hollow Rd. remain as a Minor Arterial, 2-lane (MNR 2) and to have a corridor study performed.

Discussion only. No formal action taken.

Clerk’s Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding City Park Rd. from Emma Long Metropolitan Park to RM 2222.

Clerk’s Note: The Court directed Staff to discuss City Park Rd. with City of Austin Staff and reach an agreement.

Discussion only. No formal action taken.

ITEM 26 CONTINUED

Clerk's Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding Lamar Blvd. from W. 5th St. to US 290W.

Clerk's Note: The Court indicated its support for the City of Austin's plans, which would be to maintain Lamar Blvd. as a Major Divided Arterial, 4-lane (MAD 4).

Discussion only. No formal action taken.

Clerk's Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding Manor Rd. from IH-35 N to Airport Blvd.

Clerk's Note: The Court indicated its desire to eliminate Manor Rd. from IH-35 N to Airport Blvd. from the Plan.

Discussion only. No formal action taken.

Clerk's Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding North Lake Creek Pkwy. from Brushy Creek to SH 45/RM 620.

Discussion only. No formal action taken. Discussion of North Lake Creek Pkwy. to be reposted on March 29, 2005.

Clerk's Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding Picadilly Dr. from IH-35 to Grand Avenue Pkwy.

Clerk's Note: The Court indicated its desire to eliminate Picadilly Dr. from IH-35 to Grand Avenue Pkwy. from the Plan.

Discussion only. No formal action taken.

Clerk's Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding 38½ St. from IH-35N to Manor Rd.

Clerk's Note: The Court indicated its desire to eliminate 38½ St. from IH-35N to Manor Rd. from the Plan.

Discussion only. No formal action taken.

ITEM 26 CONTINUED

Clerk's Note: The Court discussed Travis County comments on the CAMPO Mobility 2030 Plan regarding the list of proposed upgrades to the Plan, including Bee Creek Road, FM 1825 through the City of Pflugerville, and FM 1825 Spur (Vision Dr.).

Discussion only. No formal action taken. Discussion of FM 1825 and 1825 Spur to be reposted on March 29, 2005.

PLANNING AND BUDGET DEPT. ITEMS

27. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:29 AM)

- A. GRANT APPLICATION TO THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, FOR THE 2005 STATE CRIMINAL ALIEN ASSISTANCE GRANT (SCAAP) IN THE SHERIFF'S OFFICE. GRANT PROVIDES REIMBURSEMENT FOR PRIOR YEAR EXPENDITURES.

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:29 AM)

Clerk's Note: Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE DESIGNATION OF EDWARD M. RACHT, M.D., AS AN SECOND ALTERNATE HEALTH AUTHORITY FOR AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT EFFECTIVE IMMEDIATELY. (9:29 AM)

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

- 30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:29 AM)

Clerk's Note: Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 31. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF FEBRUARY 2005. (9:29 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 REQUEST TO DESIGNATE APPROPRIATE COUNTY STAFF TO PARTICIPATE IN ENVISION CENTRAL TEXAS PROCESS. (10:31 AM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to appoint County Staff members to the following Envision Central Texas Committees: Transportation and Land Use Integration – Joe Gieselman, Executive Manager, TNR; Economic Development Coordination - Christian Smith, Executive Manager, PBO or Leroy Nellis, Budget Manager, PBO, or whoever is designated from PBO; Housing and Jobs Balance - Harvey Davis, Manager, Travis County Corporations; Open Space Funding Plan – Joe Gieselman, Executive Manager, TNR; and Social Equity - Sherri Fleming, Executive Manager, TCHHS&VS. The County committee members should report back to the Commissioners' Court when there is something meaningful to report.

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CITY OF AUSTIN FOR TRAVIS COUNTY TO SUPPORT A TOLL ROAD STUDY AND SCOPE. (10:00 AM)

Members of the Court heard from: Alice Glasco, Director of Planning, City of Austin.

Motion by Judge Biscoe and seconded by Commissioner Gómez to 1) say no to the invitation to fund this study; 2) indicate the County’s interest in a study of non-toll options to relieve congestion, and address real, alternative, free lanes; and 3) if the City of Austin is interested in this approach, then the County will send two representatives to collaborate with the City on an appropriate scope of work.

A Clarification of the previous Motion was made by Judge Biscoe that when we are talking about non-toll options and congestion strategies, we are leaving it open so we can talk about all non-toll options.

Clerk’s Note: The Court did not take a Vote on the Standing Motion and Second.

A Substitute Motion was made by Commissioner Davis that we participate with the City of Austin, as they have requested, in the amount of \$20,000.00 for our pro rata share of the study.

Clerk’s Note: The Substitute Motion died for lack of a Second.

Clerk’s Note: The Court took a Vote on the Standing Motion and Second.

Motion carried: County Judge Samuel T. Biscoe	yes
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

34. RECEIVE DONATIONS OF THE FOLLOWING: (9:29 AM)
- A. \$10,000.00 FROM H.E.B. GROCERY FOR EQUIPMENT AND SUPPLIES FOR THE LAW ENFORCEMENT K-9 UNIT;
 - B. A DELL INSPIRON 1000 NOTEBOOK COMPUTER FROM BRET PLYMIRE TO BE USED BY THE LAW ENFORCEMENT DIVE TEAM;
 - C. COVERT CAMERAS AND MICROPHONES, APPROXIMATE VALUE \$1,000, FROM JEFFREY L. GREEN, CHIEF OF POLICE, HOLLAND, TEXAS, FOR USE BY LAW ENFORCEMENT OPERATIONS BY THE MAJOR CRIMES DEPARTMENT; AND
 - D. 15 M1 GARAND CEREMONIAL RIFLES, FROM THE U.S. ARMY TANK-AUTOMOTIVE AND ARMAMENTS COMMAND, FOR USE BY THE SHERIFF'S OFFICE HONOR GUARD IN CEREMONIES.

Clerk's Note: Items 34.A-D 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 REQUEST TO AUTHORIZE COUNTY FLEET SERVICES TO PURCHASE ONE ¾ TON CREW CAB PICKUP INSTEAD OF ONE REPLACEMENT LAW ENFORCEMENT PATROL SEDAN FOR UNDERCOVER USE. (9:29 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT JEANNE STAMP TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2006. (COMMISSIONER DAUGHERTY) (9:29 AM)

Clerk's Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DAVID MARSH TO SERVE AS A PRECINCT THREE APPOINTEE TO THE AUSTIN-SAN ANTONIO COMMUTER RAIL DISTRICT BOARD OF DIRECTORS, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2006. (COMMISSIONER DAUGHERTY) (9:32 AM)

Item 37 postponed until March 29, 2005.

38. RECEIVE RACIAL PROFILING REPORTS FOR CALENDAR YEAR 2004 FROM: (9:29 AM)
- A. TRAVIS COUNTY SHERIFF;
 - B. TRAVIS COUNTY CONSTABLE PRECINCT ONE;
 - C. TRAVIS COUNTY CONSTABLE PRECINCT TWO;
 - D. TRAVIS COUNTY CONSTABLE PRECINCT THREE; AND
 - E. TRAVIS COUNTY CONSTABLE PRECINCT FOUR.

Clerk's Note: Items 38.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE RECALCULATION OF ELECTION EQUIPMENT USAGE AMOUNTS FOLLOWING THE HELP AMERICA VOTE ACT (HAVA) GRANT FUNDS. (9:29 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.

ITEM 40 CONTINUED

Clerk’s Note: The Court discussed Senate Bill 18 (SB18): Relating to the adoption of an ad valorem tax rate by a taxing unit other than a school district.

Members of the Court heard from: Susan Spataro, Travis County Auditor; and Chris Shields, Travis County Legislative Consultant.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to review the County’s piece in opposition to revenue caps, with an eye toward putting some of the comments made in Court today in the document, and any other reasons we can put in a one or two-page document, to share at least with the Travis County legislative delegation, and anybody else we think we should, and have the document ready by the end of the day.

Motion carried:

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

Clerk’s Note: The Court discussed House Bill 3414 (HB3414): Relating to the jurisdiction and operation of the county courts at law in Travis County.

Members of the Court heard from: Orlinda Naranjo, Judge, County Court at Law 2; and Jeanne Meurer, District Judge, 98th District Court.

Discussion only. No formal action taken.

ITEM 40 CONTINUED

Clerk's Note: The Court discussed House Bill 2039 (HB2039): Relating to the adjudication of claims arising under written contracts with local governmental entities.

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

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to oppose House Bill 2039, and to try to bring it back in line with conversations held two years ago between Representative Nixon, the bill's sponsor, and Travis County.

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

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.

- 41.** RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN LEANDER ISD, ET AL V. GENERAL FOOD EQUIPMENT & SUPPLY COMPANY DBA GENERAL HOTEL SUPPLY COMPANY (KAREN WELLSRING RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:41 PM) (3:56 PM)

Clerk's Note: Judge Biscoe announced that Item 41 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 Gómez to authorize the County Judge to sign the prepared tax resale deed to Karen Wellspring, who has paid Travis County the sum of \$16,000.00 in cash.

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. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. J.R. LANGSTON (CANDY SISK OWENS RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (3:41 PM) (3:56 PM)

Clerk's Note: Judge Biscoe announced that Item 42 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 Gómez to authorize the County Judge to sign this deed on behalf of the Commissioners' Court, to Candy Sisk Owens, who has paid Travis County the sum of \$12,075.75 in cash.

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

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (3:57 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge