

## **MINUTES OF MEETING – JUNE 21, 2005**

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

On Tuesday, the 21<sup>st</sup> day of June, 2005, the Commissioners' Court convened the regular Voting Session at 9:17 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 retired to Executive Session at 10:40 AM.

The Commissioners Court reconvened the Voting Session at 11:23 AM.

The Commissioners Court recessed the Voting Session at 12:08 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:49 PM and adjourned at 1:49 PM.

The Commissioners Court, meeting as the Travis County Housing Facilities Corporation, convened at 1:49 PM and adjourned at 1:50 PM.

The Commissioners Court reconvened the regular Voting Session at 1:50 PM.

The Commissioners Court retired to Executive Session at 3:02 PM.

The Commissioners Court reconvened the Voting Session at 4:29 PM.

The Commissioners Court adjourned the Voting Session at 4:36 PM.



2. APPROVE SETTING A PUBLIC HEARING ON JUNE 21, 2005 TO RECEIVE COMMENTS ON THE FOLLOWING ITEMS FOR SPRINGBROOK II BUSINESS PARK, A SUBDIVISION IN PRECINCT TWO: (9:19 AM)

A. VACATION OF A PORTION OF ROW ALONG PICADILLY DRIVE;

B. PARTIAL VACATION OF SPRINGBROOK INDUSTRIAL PARK, SECTION 2; AND

C. SPRINGBROOK II BUSINESS PARK, A REPLAT OF A PORTION OF SPRINGBROOK INDUSTRIAL PARK, SECTION 2 (SHORT FORM – 12 LOTS – 14.240 ACRES – PICADILLY DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY CO – CITY OF PFLUGERVILLE ETJ). (ACTION ITEM 24) (COMMISSIONER SONLEITNER)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 24 for a summary of the Court’s action.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to open the public hearing.

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

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

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis to close the public hearing.

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| <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 |





## ADMINISTRATIVE OPERATIONS ITEMS

5. 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 \$249,064.85 FOR THE PERIOD OF JUNE 3 THROUGH JUNE 9, 2005. (9:50 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.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:50 AM)

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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH AUSTIN BAT SQUAD TO SHOOT A LOW-BUDGET MOVIE IN THE OLD JAIL. (9:50 AM)

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

8. CONSIDER AND TAKE APPROPRIATE ACTION TO RELOCATE THE ITS TRAINING CENTER TO THE 5501 AIRPORT BLVD. BUILDING. (9:17 AM)

Item 8 postponed until June 28, 2005.

9. APPROVE CONTRACT AWARD FOR EXPOSITION CENTER SOUND SYSTEM UPGRADE, IFB NO. B050086-MB, TO THE LOW BIDDER, AUSTIN AUDIO AND VIDEO, INC. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:50 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.

**JUSTICE AND PUBLIC SAFETY ITEMS**

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON JAIL OVERCROWDING, INCLUDING THE FOLLOWING OPTIONS: (11:31 AM) (1:50 PM)
  - A. REQUEST TO TEXAS COMMISSION ON JAIL STANDARDS TO AUTHORIZE MORE VARIANCE BEDS AND STAFFING IMPLICATIONS;
  - B. COST FOR HOUSING INMATES OUT OF COUNTY;
  - C. COST FOR LEASING MODULAR BUILDING SYSTEM; AND
  - D. COST AND BENEFIT OF ADDING A VISITING JUDGE’S COURTROOM.

**Clerk’s Note:** Items 10.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Ronnie Earle, Travis County District Attorney; Mike Trimble, Criminal Justice Coordinator, Criminal Justice Planning (CJP); David Balagia, Major, Travis County Sheriff’s Office (TCSO); Buddy Meyers, Division Director, Trial Division, Travis County District Attorney’s Office; Rosemary Lemberg, First Assistant District Attorney; Bob Perkins, District Judge, 331<sup>st</sup> District Court; Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; Bill Derryberry, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; Greg Hamilton, Travis County Sheriff; and Bill Campbell, TCSO.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve moving on the added Intake Unit in the District Attorney’s Office, with the Court expecting backup information related to getting this up and running and implementation, etc., but the District Attorney would be authorized to immediately start advertising and moving in that direction.

**Clerk’s Note:** The Court indicated the need for follow-up discussions next week, related to implementation and where the dollars are coming from, but, to basically, get moving on it and also, to nail down the specific funding requirement and space.

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| <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 10 CONTINUED**

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe that the Sheriff be asked to put together an appropriate request to Jail Standards, in relation to more variance beds, and to delegate to the Sheriff's Office to tell us what they think is a realistic number that does not try the patience of Jail Standards - no more than 167 variance beds.

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| <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 |

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the housing of 100 inmates to Frio County effective immediately, through the end of the fiscal year.

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| <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 |

**PURCHASING OFFICE ITEMS**

- 11. APPROVE CONTRACT AWARD FOR BOILER REPLACEMENTS AT THE TCCC BUILDING 250, 310 AND 300, IFB NO. B050071-RV, TO THE LOW BIDDER, HOT ROD MECHANICAL, INC. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:50 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. DECLARE LISTING OF FOUR (4) EXPANDABLE/PORTABLE BUILDINGS AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:50 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 THIRTY-DAY EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 02T002300J, GENERAL SECURITY SERVICES CORPORATION, FOR ELECTRONIC MONITORING - PRETRIAL SERVICES AND JUVENILE PROBATION. (PRETRIAL SERVICES, JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:50 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. CONSIDER AND TAKE APPROPRIATE ACTION ON DEMAND FOR INVOICE FOR SERVICES FOR THE JUMP ON IT PROGRAM PROVIDED UNDER THE INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN FOR THE OPERATION OF A SENIOR SUPPORT SERVICES (CONGREGATE MEAL) PROGRAM. (HHS & VS) (COMMISSIONER GÓMEZ) (9:50 AM)

**Clerk's Note:** The Court indicated that the demand letter needs to be sent.

**Clerk's Note:** Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. APPROVE MODIFICATION NO. 7 TO THE INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR ANIMAL SHELTER SERVICES (CONTRACT NO. IL980084EF). (HHS & VS) (COMMISSIONER GÓMEZ) (9:50 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 CONTRACT AWARDS FOR COMMERCIAL AND CORRECTIONAL INSTITUTIONAL PLUMBING HARDWARE ITEMS, IFB NO. B050081-MP, TO THE FOLLOWING LOW QUALIFIED BIDDERS: (9:17 AM)

A. MARK'S PLUMBING; AND

B. SEXAUER. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ)

Items 16.A and B postponed until June 28, 2005.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON A NEW CONTRACT FOR PROFESSIONAL FINANCIAL ADVISORY SERVICES WITH D. LADD PATTILLO & ASSOCIATES. (COUNTY ATTORNEY) (COMMISSIONER GÓMEZ) (9:50 AM)

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

18. APPROVE ASSIGNMENT OF CONTRACT (MODIFICATION NO. 1) TO CONTRACT NO. 05T00097LD, EMULSIFIED ASPHALT FROM KOCH MATERIALS COMPANY TO SEMMATERIALS, LP. (TNR) (COMMISSIONER GÓMEZ) (9:50 AM)

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

19. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 04K00263JJ, EAST METRO PARK (PROJECT ONE), C.C. CARLTON INDUSTRIES, LTD., CONTRACTOR. (TNR) (COMMISSIONER DAVIS) (9:50 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. APPROVE INTERLOCAL NO. IL050265RE WITH FRIO COUNTY FOR INCARCERATION OF INMATE SERVICES. (TCSO) (COMMISSIONER GÓMEZ) (9:50 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 REQUEST TO AUTHORIZE THE PURCHASING AGENT TO COMMENCE NEGOTIATIONS WITH THE HIGHEST RANKED FIRM IN REFERENCE TO RFQ NO. Q050082-SI, PROFESSIONAL CONSULTING SERVICES, GATTIS SCHOOL ROAD PROJECT. (COMMISSIONER SONLEITNER) (9:50 AM)

**Clerk’s Note:** The Court announced that the highest ranked firm was Halff and Associates.

**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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. PS040037LB, RENEA HICKS, FOR LITIGATION SERVICES. (COUNTY ATTORNEY) (COMMISSIONER GÓMEZ) (4:31 PM)

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 22.

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| <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            | no  |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: PERRO CAFÉ, RESUBDIVISION OF A PORTION OF LOT 1 KLASSEN ADDITION (SHORT FORM PLAT – 1 LOT – 2.86 ACRES – RIVER HILLS ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ.) (COMMISSIONER DAUGHERTY) (9:50 AM)

**Clerk’s Note:** Item 23 is the action item for the public hearing on Agenda Item 1.

**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 FOLLOWING ITEMS FOR SPRINGBROOK II BUSINESS PARK, A SUBDIVISION IN PRECINCT TWO: (9:50 AM)

- A. VACATION OF A PORTION OF ROW ALONG PICADILLY DRIVE;
- B. PARTIAL VACATION OF SPRINGBROOK INDUSTRIAL PARK, SECTION 2; AND
- C. SPRINGBROOK II BUSINESS PARK, A REPLAT OF A PORTION OF SPRINGBROOK INDUSTRIAL PARK, SECTION 2 (SHORT FORM – 12 LOTS – 14.240 ACRES – PICADILLY DRIVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE UTILITY CO – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER)

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

**Clerk's Note:** Items 24.A-C 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 REGARDING THE USE OF ALTERNATIVE FISCAL FOR ELM CREEK SECTION 4, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:50 AM)

**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. RECEIVE NOTIFICATION OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR SKY FOREST, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:50 AM)

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

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT TWO: THE VILLAGES OF HIDDEN LAKE, PHASE 3B (LONG FORM PLAT – 124 LOTS – 28.48 ACRES – KELLY LANE – FISCAL POSTED WITH TRAVIS COUNTY AND CITY OF PFLUGERVILLE – SEWAGE SERVICE TO BE PROVIDED BY CITY OF PFLUGERVILLE – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:50 AM)

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

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR FEE WAIVER FROM THE ROUND ROCK INTRUDERS FOR A SOFTBALL TOURNAMENT AT SOUTHEAST METROPOLITAN PARK ON JUNE 25 AND 26, 2005. (COMMISSIONER GÓMEZ) (2:59 PM)

**Members of the Court heard from:** Roy Turley, Program Manager, Parks, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Daugherty to deny the request, but for Staff to always work with anybody who asks, to see if other arrangements or other things can be found for them that will work out.

**Motion carried:**

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| 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 ON AN ORDER OF ABANDONMENT OF PUBLIC STREETS AND ACCEPT THE SECOND AMENDMENT TO DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE ROB ROY, A SUBDIVISION IN PRECINCT THREE (BEECHER LANE, BOARDMAN LANE, CHAPIN LANE, CICERO LANE, CLARENDON LANE, COLERIDGE LANE, COUSTAEAU LANE, EHRlich ROAD, HUMBOLT LANE, LEOPOLD LANE, MUIR LANE, PASCAL COURT, ROB ROY ROAD, ST. STEPHENS COVE, STEGNER LANE, THOUREAU LANE, PASCAL LANE AND ST. STEPHENS SCHOOL ROAD). (COMMISSIONER DAUGHERTY) (ITEM MAY BE TAKEN UP IN EXECUTIVE SESSION FOR LEGAL ADVICE) (9:54 AM) (10:40 AM) (11:23 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Bob Burton, Attorney, Armbrust & Brown, representing the Board of Directors, Rob Roy Homeowners Association; Jeff Connally, Travis County Resident; Dan Gillean, Travis County Resident; Richard Armitage, President, Rob Roy Homeowners Association; and Tom Nuckols, Assistant County Attorney.

**Clerk’s Note:** Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the order of the Travis County Commissioners Court abandoning the following streets: Beecher Lane, Boardman Lane, Chapin Lane, Cicero Lane, Clarendon Lane, Coleridge Lane, Coustaeau Lane, Ehrlich Road, Humbolt Lane, Leopold Lane, Muir Lane, Pascal Court, Pascal Lane, Rob Roy Road, St. Stephens Cove, St. Stephens School Road, Stegner Lane, and Thoureau Lane, to private streets where the homeowners will accept the full responsibility of maintenance for these streets and the drainage. The Rob Roy Homeowners Association will provide the Court with confirmation that the following insurance pertaining to the streets is in place: A) commercial general liability Insurance with limits of liability not less than \$1,000,000.00 per occurrence, and an umbrella liability insurance with limits of liability of not less than \$5,000,000.00 per occurrence; and 2) property and casualty insurance against fire and other risks for the insurable value of the streets or the amount of insurance customarily available from conventional underwriting sources on similar policies; and also that board has decided and done a resolution that they would limit the annual expenditures for maintenance of the streets to a budgeted level, and they would solicit donations and establish a fund for the payment of the initial assessment for these members who are unable to pay due to financial hardships.

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| <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 |

**PLANNING AND BUDGET DEPT. ITEMS**

- 30.** CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:50 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.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:50 AM)

- A.** GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) IN THE SHERIFF'S OFFICE. THE APPLICATION IS FOR FUNDS TO PAY FOR ADDITIONAL TRAFFIC ENFORCEMENT ON LABOR DAY;
- B.** GRANT APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR A NORTHRIDGE ACRES NON-BORDER COLONIA FUND APPLICATION. A NEW GRANT ADMINISTERED BY TRAVIS COUNTY WITH NO ADDITIONAL COUNTY MATCH REQUIREMENTS; AND
- C.** GRANT CONTRACT WITH COMMUTE SOLUTIONS COALITION FOR A CENTRAL TEXAS COMMUTE SOLUTIONS INNOVATIVE PROGRAM GRANT IN TRANSPORTATION AND NATURAL RESOURCES. THE GRANT PROVIDES FUNDS TO PURCHASE MATERIALS FOR THE TRAVIS COUNTY AIR QUALITY PROGRAM.

**Clerk's Note:** Items 31.A-C 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

32. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION OF ISSUES REGARDING SOCIAL SERVICES CONTRACT WITH SICKLE CELL ANEMIA ASSOCIATION. (9:50 AM)

**Clerk's Note:** In Item 32 the Court approved a modification of the contract, and a Termination and Full and Final Mutual Settlement of the contract between Travis County and the Sickle Cell Anemia Association.

**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.

## OTHER ITEMS

33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:50 AM)

**Clerk's Note:** Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

34. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF MAY 2005. (9:50 AM)

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

35. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSESSMENT AND COLLECTION OF TAXES AND RELATED SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11. (9:50 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 APPROVE ISSUANCE OF LIMITED OBLIGATION REVENUE BONDS BY EL CAMPO HEALTH FACILITIES DEVELOPMENT CORPORATION FOR A HEALTH FACILITY LOCATED AT OR ADJACENT TO 4100 JACKSON AVENUE, AUSTIN, TEXAS, AND OWNED BY WESTMINSTER MANOR, AND AUTHORIZE COUNTY JUDGE TO SIGN RELATED DOCUMENTATION. (9:53 AM)

Item 36 postponed until June 28, 2005.

- 37. CONSIDER AND TAKE APPROPRIATE ACTION ON PRECINCT FOUR RESERVE DEPUTY CONSTABLE BOND FOR SCOTT M. PARKER, JR. (9:50 AM)

**Clerk’s Note:** Item 37 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 38. APPROVE BONDS FOR THE FOLLOWING INDIVIDUALS TO SERVE AS VISITING TRAVIS COUNTY JUSTICES OF THE PEACE: (3:01 PM)

A. NIGEL GUSDORF; AND

B. KEVIN R. MADISON.

**Clerk’s Note:** Items 38.A and B are associated with one another and were called for concurrent discussion.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Items 38.A and B.

**Motion carried:**

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| 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.

- 39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING MICHAEL GALBERT V. OFFICER CASTILLO ET AL. <sup>1</sup>  
(3:02 PM) (4:29 PM)

**Clerk's Note:** Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

No action required on Item 39.

- 40. CONSIDER AND TAKE APPROPRIATE ACTION ON COUNTER-OFFER RECEIVED FROM LES FEMMES CULINAIRES ON SETTLEMENT AND RELEASE FOR GAS LINE REPAIRS AT FARMERS MARKET. <sup>1</sup>  
(COMMISSIONER SONLEITNER) (3:02 PM) (4:30 PM)

**Clerk's Note:** Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to counter their counter-offer, needing to lock down some time specific language and scope, but in general, we are amenable to what they are talking about. But, the County Attorney will offer some very specific language dealing with time specific and scope.

**Motion carried:**

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| 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 |

- 41. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING ONGOING LITIGATION IN CONGRESSIONAL REDISTRICTING MATTER. <sup>1</sup>  
(COMMISSIONER DAVIS) (3:02 PM) (4:30 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 our outside lawyer in this case to proceed with the appeal.

**A Clarification to the previous Motion was made by Commissioner Davis** that the appeal is to the US Supreme Court.

**Motion carried:**

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| 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 |

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ROSENBAUM V. TRAVIS COUNTY (REQUESTED BY COUNTY ATTORNEY). <sup>1</sup> (3:02 PM) (4:32 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 Daugherty** to give Staff directions to send an appropriate letter to Mr. Rosenbaum.

**Motion carried:**

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| 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 42 to be reposted on June 28, 2005.

43. CONSIDER AND TAKE APPROPRIATE ACTION ON PERSONNEL ISSUES REGARDING THE ACTING EMERGENCY SERVICES COORDINATOR. <sup>3</sup>  
(3:02 PM) (4:32 PM)

**Clerk's Note:** Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion Only. No action necessary on Item 43.

44. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM AUTO CREDIT TO WAIVE LATE FEE, PENALTY AND INTEREST ON 2004 TAXES. <sup>1</sup>  
(3:02 PM)

Item 44 not needed.

**ADDED ITEMS**

**A1.** CONSIDER AND TAKE APPROPRIATE ACTION ON SECURITY ISSUES AT THE HOLT BUILDING. <sup>4</sup> (EXECUTIVE SESSION) (3:02 PM) (4:33 PM) (4:34 PM)

**Clerk’s Note:** Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.076, Security.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the security plan that has been worked on in cooperation with the Constable, the Facilities Division, and our thanks to the Sheriff’s Office.

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

**Clerk’s Note:** Item A1 was further discussed at 4:34pm.

**Members of the Court heard from:** Jessica Rio, Budget Analyst, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to reconsider the Motion in Item A1.

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| <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 |

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to approve the security plan that has been worked on in cooperation with the Constable, the Facilities Division, and our thanks to the Sheriff’s Office; and to also direct PBO to do an automatic transfer in the amount of \$22,363.00 from the Security Reserve.

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| <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 |

- A2.** RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON ISSUES RELATING TO THE TRAVIS COUNTY ECONOMIC DEVELOPMENT POLICY. <sup>1</sup>  
(3:02 PM) (4:33 PM)

**Clerk's Note:** Judge Biscoe announced that Item A2 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** to direct the Assistant County Attorney to make the appropriate changes to our current policy that we gave directions on, and that specifically, we indicate that the maximum financial incentive that we approve be 80%, and that be one of the criteria that we do not waive under any circumstances.

**A Friendly Amendment to the previous Motion was offered by Commissioner Sonleitner** to bring this Item back to the Court for review and approval in three weeks, July 12, 2005.

**Acceptance of the Friendly Amendment was made by Judge Biscoe.**

**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 A2 to be reposted on July 12, 2005.

