

## **MINUTES OF MEETING – AUGUST 9, 2005**

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

On Tuesday, the 9<sup>th</sup> day of August, 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 Deputies Robert Resnick and Melissa Velasquez.

The Commissioners Court retired to Executive Session at 11:07 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 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:42 PM and adjourned at 1:43 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:44 PM and adjourned at 1:44 PM.

The Commissioners Court, meeting as the Capital Health Facilities Development Corporation, convened at 1:44 PM and adjourned at 1:44 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation, convened at 1:44 PM and adjourned at 1:45 PM.

The Commissioners Court, meeting as the Travis County Cultural Education Facilities Finance Corporation, convened at 1:45 PM and adjourned at 1:45 PM.

The Commissioners Court reconvened the Voting Session at 1:46 PM.

The Commissioners Court retired to Executive Session at 4:58 PM.

The Commissioners Court reconvened the Voting Session at 5:53 PM.

The Commissioners Court adjourned the Voting Session at 6:01 PM.

### SPECIAL ITEM

1. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:20 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to follow Staff's recommendation to lift the burning ban.

<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

### CITIZENS COMMUNICATION

**Members of the Court heard from:** Jimmy Castro, Travis County Resident; Bridgid Shea, Travis County Resident; Susan Moffett, Travis County Resident; Adelita Winchester, Caritas of Austin; and Pam Robers, Texas Association of Community Action Agencies. (9:22 AM)

### CONSENT ITEMS

**Motion by Commissioner Gómez and seconded by Commissioner Sonleitner** to approve the following Consent Items: C1-C7; and Items 3, 6, 7, 8, 9, 11, 12, 13, 14, 17, 18, 19, 21, 22, A1, and A2. (9:40 AM)

<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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

**CONSENT ITEMS CONTINUED**

- C2.** AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3.** APPROVE AUTOMATIC BUDGET TRANSFERS.
- C4.** APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: WEBB ADDITION (SHORT FORM PLAT – 1 LOT – 2.946 ACRES – CITY PARK ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)
- C5.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 13, 2005 TO RECEIVE COMMENTS REGARDING REQUEST TO APPROVE A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 5, BLOCK 6, HUDSON BEND COLONY NO. 2 (SHORT FORM PLAT 2 LOTS – 3.443 ACRES – POOL CANYON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)
- C6.** APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 23, 2005 TO RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PORTION OF FM 973 NEAR MANOR TO BE KNOWN AS “SCHMIDT LOOP” IN PRECINCT ONE. (COMMISSIONER DAVIS)
- C7.** APPOINT JOHN VILLANACCI TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD #3 TO FILL THE UNEXPIRED TERM OF MARVIN HADDOCK, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2006. (COMMISSIONER DAUGHERTY)

**PLANNING AND BUDGET DEPT. ITEMS**

- 2.** RECEIVE SUMMARY PRESENTATION OF THE FY’06 PRELIMINARY BUDGET. (9:42 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Discussion only. No formal action needed.

- 3. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:

- A. GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM IN THE SHERIFF'S OFFICE. GRANT PROVIDES OVERTIME FUNDS FOR ADDITIONAL TRAFFIC ENFORCEMENT. (9:40 AM)

**Clerk's Note:** Item 3.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:18 AM)

Item 4 not needed.

- 5. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM HEALTH AND HUMAN SERVICES DEPARTMENT (HHS) TO FUND STAFF FOR THE CHILDREN'S PARTNERSHIP PROGRAM IN TRAVIS COUNTY HHS THROUGH THE END OF SEPTEMBER TO ALLOW PROGRAM CONTINUATION UNTIL DECISION ON THE FY'06 GENERAL FUND BUDGET REQUEST. (9:54 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 5, with the department picking up the cost for the rest of this year, in the FY '05 budget.

**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

**PURCHASING OFFICE ITEMS**

6. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 12) TO CONTRACT NO. PS960294JW, WORKERS ASSISTANCE PROGRAM, FOR CASE MANAGEMENT SERVICES. (JUVENILE PROBATION) (9:40 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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 13) TO CONTRACT NO. PS960295JW, AUSTIN CHILD GUIDANCE CENTER, FOR MENTAL HEALTH TREATMENT AND CONSULTATION SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:40 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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 9) TO CONTRACT NO. PS970029JW, AUSTIN CHILD GUIDANCE CENTER, FOR PROVISION OF INTENSIVE MULTI-FAMILY COUNSELING SERVICES FOR JUVENILE OFFENDERS UNDER THE SUPERVISION OF THE JUVENILE PROBATION DEPARTMENT. (9:40 AM)

**Clerk's Note:** Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 05T00239OJ, COUNTYWIDE FURNITURE, WITH JOHN GRIFFIN. (HRMD) (9:40 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.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A PUBLIC/PRIVATE PARTNERSHIP ON HOWARD LANE EAST. (EXECUTIVE SESSION ALSO, PURSUANT TO GOV'T CODE ANN 551.071 AND 551.072) (COMMISSIONER DAVIS) (10:29 AM) (11:07 AM) (5:59 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

**Clerk's Note:** Judge Biscoe announced that Item 10 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 Davis **and seconded by** Commissioner Gómez that, based on a letter dated July 22, 2005, to Glen Hodges, and based on that response, that we proceed and continue to work with the Weaver and Schreiver landowners on the proposed Howard Lane East project, if this is their desire.

**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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE MEMORANDUM OF AGREEMENT BETWEEN TRAVIS COUNTY, THE TEXAS ASSOCIATION OF COMMUNITY ACTION AGENCIES, INC., HUDSON'S MEAT MARKET, INC. AND CARITAS OF AUSTIN RELATING TO PARTICIPATION IN THE HUNTERS FOR THE HUNGRY PROGRAM 2005-2006 SEASON. (COMMISSIONER DAUGHERTY) (9:40 AM)

**Clerk's Note:** Item11 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 A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: CYPRESS CANYON SUBDIVISION, SECTION 3-A (LONG FORM PLAT – 16 LOTS – 5.226 ACRES – CANYON SPRINGS DRIVE – FISCAL POSTED WITH TRAVIS COUNTY–SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/ TRAVIS COUNTY WCID NO. 1D - CITY OF CEDAR PARK ETJ) (COMMISSIONER DAUGHERTY) (9:40 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 THE USE OF ALTERNATIVE FISCAL FOR CYPRESS CANYON SECTION THREE-B AND FOUR, TWO SUBDIVISIONS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:40 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 REQUEST FOR A PUBLIC HEARING DATE OF AUGUST 23, 2005 TO RECEIVE COMMENTS AND DISCUSS THE CITIZENS BOND ADVISORY COMMITTEE RECOMMENDATION TO HOLD A NOVEMBER 2005 BOND ELECTION, AND CONSIDER THE PROPOSED PROJECT LIST. (9:40 AM)

**Clerk's Note:** The Court announced that Item 14 sets the date for the public hearing.

**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.

**TAKE UP AT 1:30 P.M.**

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING WITH BROWNING-FERRIS INDUSTRIES (BFI). (JUDGE BISCOE) (1:46 PM) (4:58 PM) (5:53 PM)

**Members of the Court heard from:** Heath Eddleblute, South Central Texas District Manager, Browning-Ferris Industries (BFI); Paul Gosselink, Attorney representing BFI; Ray Shull, BFI; Tom Nuckols, Assistant County Attorney; Joyce Best, Northeast Austin Resident; Evelyn Remmert, Travis County Resident; Cecil Remmert, Travis County Resident; Melanie McAfee, Owner, Barr Mansion; Rick Lowry, Attorney; Trek English, Northeast Action Group; Frank Riley, Attorney; Jeanette Klotz, Travis County Resident; Margot Clarke, Travis County Resident; Nana Hairston, Travis County Resident; Mark McAfee, Owner, Barr Mansion; Robin Schneider, Executive Director, Texas Campaign for the Environment; Bob Gregory, Texas Disposal Systems (TDS); and Jerry Acuña, Chairman, Solid Waste Advisory Commission, City of Austin.

**Motion by** Commissioner Davis to postpone Item 15 for three weeks, until August 30, 2005.

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

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to postpone Item 15 for one week, until August 16, 2005.

**Motion carried:**

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

**Clerk’s Note:** Judge Biscoe announced that Item 15 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Item 15 postponed until August 16, 2005.



## HEALTH AND HUMAN SERVICES DEPT. ITEMS

16. RECEIVE PRESENTATION OF REPORT ON BASELINE STANDARDS - ACCOUNTABILITY AND INITIAL ELIGIBILITY FOR NON-PROFIT AGENCIES AND PROVIDE DIRECTION TO INCLUDE STANDARDS IN SOCIAL SERVICES CONTRACTS. (9:19 AM)

Item16 postponed until August 16, 2005.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CITY OF AUSTIN TO APPROVE PLANS FOR MODIFICATIONS AT 4523 TANNEHILL LANE, AUSTIN, TEXAS. (9:40 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.

## ADMINISTRATIVE OPERATIONS ITEMS

18. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR TRAVIS COUNTY EMPLOYEES AND DEPENDENTS COVERED BY THE HOSPITAL AND INSURANCE FUND FOR PAYMENT OF \$537,712.12 FOR THE PERIOD OF JULY 22 THROUGH JULY 28, 2005. (9:40 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:40 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:

- A. FIRST QUARTERLY PERFORMANCE REPORT FOR THE TRAVIS COUNTY EMPLOYEE WELLNESS AND HEALTH CLINIC; (9:56 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Dr. Trent Turner, Physician, Travis County Employee Wellness and Health Clinic; and Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD).

Discussion only. No formal action taken.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON:

- B. **REVISED ITEM:** LICENSE AGREEMENT FORM FOR USE OF COUNTY SPACE BY PRIVATE PROVIDERS OF WELLNESS ACTIVITIES; AND AUTHORIZE **RISK AND BENEFITS MANAGER** TO EXECUTE AGREEMENTS. (10:13 AM)

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 20.B.

**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

**OTHER ITEMS**

21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:40 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 APPROVE RESOLUTION REGARDING COURT COST FEE UNDER SENATE BILL 241. (DISTRICT CLERK) (9:40 AM)

**Clerk's Note:** The Court noted that the date for the imposition of the fee would be January 1, 2006, and the District Clerk will revise the resolution that was sent, to show that date.

**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. CONSIDER AND TAKE APPROPRIATE ACTION TO SET A PUBLIC HEARING TO DISCUSS THE ANNUAL WRITTEN PLANS FOR THE 028 RECORDS MANAGEMENT PRESERVATION FUND AND 057 COUNTY CLERK'S RECORDS ARCHIVAL FUND AND PUBLISH THE APPROPRIATE NOTICE AS REQUIRED BY 118.025 OF THE LOCAL GOVERNMENT CODE. (COUNTY CLERK) (5:58 PM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to schedule the public hearing on August 30, 2005, at 9:00 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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPOINTMENT OF A TRAVIS COUNTY COMMITTEE ON SECURITY ISSUES, INCLUDING MEMBERS AND AN APPROPRIATE CHARGE. (10:17 AM)

**Members of the Court heard from:** Doyne Bailey, Chief Deputy, Travis County Sheriff's Office (TCSO).

**Clerk's Note:** The Court received the following list of proposed membership on the Travis County Committee on Security Issues: Chuck Watt, ROCIP Safety Specialist, HRMD; Lloyd Evans, Division Director, Facilities Management; Roger El Khoury, Director, Facilities Management; Walter Lagrone, Director, Operations and Technology, Information and Telecommunications Systems (ITS); Bennie Cureton, Sergeant, TCSO; Mike Hemby, Research Analyst, TCSO; Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Simon Broussard, Travis County Fire Marshall; Debra Hale, Director, Court Administration; and Doyne Bailey, Chief Deputy, TCSO. Rosie Ramon-Duran, Community Supervision and Corrections Department (CSCD), was suggested as a member of the Committee, and Josie Mathias, TCSO, was suggested to provide staff support. The Court also received the proposed charge to the Committee.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to approve the charge and the membership.

<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

## 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.

- 25.** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION IN: CINCO J INC. D/B/A JOHNSON OIL CO. V. TRAVIS COUNTY, ROY MICHAEL GREEN, M.J. DEAN AND MICHAEL WALLACE. <sup>1</sup> (11:07 AM) (5:55 PM)

**Clerk's Note:** Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 25 to be reposted on August 16, 2005.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH DIANE FINCH GRANT FOR THE ACQUISITION OF APPROXIMATELY 83.404 ACRES OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER DAUGHERTY) <sup>2</sup> (11:07 AM) (4:58 PM) (5:55 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to instruct Staff to make the offer of the state law price of \$1,830,000.00.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Sonleitner that we would like a response back within one week.

**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 26 to be reposted on August 16, 2005.

- 27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE MATTER OF THE APPLICATION OF MAGNA-FLOW INTERNATIONAL, INC., PERMIT NO. WQ04484-000, TCEQ DOCKET NO. 2005-0199-SLG. <sup>1</sup> (11:07 AM)

**Members of the Court heard from:** Tom Nuckols, Assistant County Attorney.

Item 27 not discussed.

Item 27 to be reposted on August 16, 2005.

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ROSENBAUM V. TRAVIS COUNTY (REQUESTED BY COUNTY ATTORNEY). <sup>1</sup> (11:07 AM) (5:55 PM)

**Clerk's Note:** Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 28 to be reposted on August 16, 2005.

29. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON ISSUES RELATING TO THE TRAVIS COUNTY ECONOMIC DEVELOPMENT PROGRAM POLICY AND/OR TAX ABATEMENT POLICY. <sup>1</sup> (11:07 AM) (4:58 PM) (5:55 PM)

**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.

Discussion only. No formal action taken.

Item 29 to be reposted on August 16, 2005.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR FINANCIAL INCENTIVES FOR HOME DEPOT. <sup>1</sup> (11:07 AM)

Discussion only. No formal action taken.

Item 30 to be reposted on August 16, 2005.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND AND/OR TAKE APPROPRIATE ACTION REGARDING ANGELA D. STEADTLER V. TRAVIS COUNTY, ET AL. <sup>1</sup> (11:07 AM) (5:56 PM)

**Clerk's Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 31 to be reposted on August 16, 2005.

- 32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. FRANCIS M. & RUTH H. HIGHLY (TONY CERNOSEK RESALE DEED) AND TAKE APPROPRIATE ACTION. <sup>1</sup> (11:07 AM) (4:58 PM) (5:56 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 32 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 authorize the County Judge to sign the proposed tax resale deed to Tony Cernosek, who has given Travis County \$4,500.00 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

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING A TRAVIS COUNTY PRECINCT TWO CONSTABLE OFFICE EMPLOYEE, SLOT 7. <sup>1&3</sup> (11:07 AM) (5:57 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney, and Gov’t. Code Ann. 551.074, Personnel Matters.

Discussion only. No formal action taken on Item 33.

Item 33 to be reposted on August 16, 2005.



34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING OFFERS TO PURCHASE RESALE PROPERTY BY CSE DEVELOPMENT, LLC IN THE FOLLOWING TAX LAWSUITS (ALL PROPERTIES LOCATED IN PRECINCT 3): <sup>1</sup> (11:07 AM) (4:58 PM) (5:57 PM)

- A. TRAVIS COUNTY, ET AL V. DUANE V. KEMERER;
- B. TRAVIS COUNTY, ET AL V. GRACIELA CORONA ORTEGA, TRUSTEE;
- C. TRAVIS COUNTY, ET AL V. VIRGIL V. & MARY ANN GRAVES;
- D. TRAVIS COUNTY, ET AL V. KENNETH D. OLSON;
- E. TRAVIS COUNTY, ET AL V. JAMES H. & SANDRA L. DAVIS;
- F. TRAVIS COUNTY, ET AL V. KENNETH D. OLSON;
- G. TRAVIS COUNTY, ET AL V. SUITES COSTA DORADA;
- H. TRAVIS COUNTY, ET AL V. JULIAN R. & KATHLEEN LANGE;
- I. TRAVIS COUNTY, ET AL V. TAUFAN PALATEHAN;
- J. TRAVIS COUNTY, ET AL V. RONALD J. & BARBARA J. SEJD;
- K. TRAVIS COUNTY, ET AL V. JAMES G. ALEXANDER, JR.;
- L. TRAVIS COUNTY, ET AL V. MICHAEL D. TURNER;
- M. TRAVIS COUNTY, ET AL V. WALLACE R. & BETTY J. HAYNES; AND
- N. TRAVIS COUNTY, ET AL V. DELAIN H. ADAMS.

**Clerk’s Note:** Judge Biscoe announced that Items 34.A-N 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 Judge Biscoe and seconded by Commissioner Daugherty** to authorize the County Judge to sign the proposed resale deed – one deed that involves 14 tracts of land, all of which are in the Lago Vista Independent School District. The deed is to CSE Development, LLC, which has paid Travis County the sum of \$95,000.00 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

**ADDED ITEMS**

**A1.** APPROVE EMERGENCY EXEMPTION ORDER FOR AN UPGRADE TO THE SECURITY ACCESS CONTROL SYSTEM FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(a)(2) OF THE COUNTY PURCHASING ACT. (TCSO) (9:40 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 ON REQUEST TO APPOINT ABRAHAM MINIJAREZ AS TRAVIS COUNTY MENTAL HEALTH REPRESENTATIVE ON THE CAPCOG CRIMINAL JUSTICE ADVISORY COMMITTEE. (9:40 AM)

**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.

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (6:01 PM)

<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

**MINUTES APPROVED BY THE COMMISSIONERS’ COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**