MINUTES OF MEETING – AUGUST 16, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 16th day of August, 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 Deputies Melissa Velasquez and Robert Resnick.

The Commissioners Court recessed the Voting Session at 11:59 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, the Travis County Health Facilities Development Corporation, the Capital Health Facilities Development Corporation, the Capital Industrial Development Corporation, the Travis County Cultural Education Facilities Finance Corporation, and the Travis County Development Authority, convened at 1:45 PM and adjourned at 1:47 PM.

The Commissioners Court reconvened the regular Voting Session at 1:48 PM.

The Commissioners Court retired to Executive Session at 3:51 PM.

The Commissioners Court reconvened the Voting Session at 5:40 PM.

The Commissioners Court adjourned the Voting Session at 5:46 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE FOUR PARCELS OF RIGHT OF WAY (ROW) LOCATED IN FRONT OF LOTS 72, 73, 74 AND 75 OF APACHE SHORES FIRST INSTALLMENT – PRECINCT THREE. (ACTION ITEM # 9) (COMMISSIONER DAUGHERTY) (9:17 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 9 for a summary of the Court's action.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Tom Delaney, Resident, Brass Buttons Trail; and Magdalena Clifton, Resident, Brass Buttons Trail.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

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

2. RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR AN ACCESS EASEMENT TO BE KNOWN AS "CUESTA TRAIL" NEAR FM 2222, IN PRECINCT 3. (ACTION ITEM #10) (COMMISSIONER DAUGHERTY) (9:26 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to the action taken on Agenda Item 10 for a summary of the Court's action.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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	ves

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

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	ves

CITIZENS COMMUNICATION

Members of the Court heard from: Don Smith, Fire Chief, Travis County Emergency Services District 4; Rusty Signor, Resident, Hamilton Pool Road; Carole Willard, Resident, Hamilton Pool Road; Mark Willard, Resident, Hamilton Pool Road; and Mary Ann Holland, Resident, Hamilton Pool Road. (9:27 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C9, and Items 4, 5, 6, 7, 8.A&B, 10, 11, 12, 14.A-D, 17, 18, 23, and 24. (9:38 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.
- **C4.** APPROVE BOND FOR PRECINCT 4 OFFICE RESERVE DEPUTY CONSTABLE, PAUL R. WILLIAMS.
- C5. APPROVE PROCLAMATION RECOGNIZING FIRST CUMBERLAND PRESBYTERIAN CHURCH AS IT CELEBRATES 150 YEARS AS A CONGREGATION AND RECEIVES A TEXAS HISTORICAL MARKER. (COMMISSIONER SONLEITNER)
- C6. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 20, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK B, RIVER PLACE SECTION 26 (SHORT FORM PLAT 1 LOT 9.079 ACRES BIG VIEW DRIVE NO FISCAL REQUIRED SEWAGE SERVICE TO BE PROVIDED BY RIVER PLACE MUNICIPAL UTILITY DISTRICT—CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)
- C7. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 6, 2005 TO RECEIVE COMMENTS REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PART OF THE CEDAR STREET RIGHT OF WAY (ROW) BETWEEN LOTS 104 & 105 LOCATED IN THE HUGHES PARK LAKE SUBDIVISION #1 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

- C8. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 6, 2005 TO RECEIVE COMMENTS REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE HALF OF THE CEDAR STREET RIGHT OF WAY (ROW) FRONTING ONLY LOT 105 LOCATED IN THE HUGHES PARK LAKE SUBDIVISION #1 IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- **C9.** APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 20, 2005 TO RECEIVE COMMENTS ON THE FOLLOWING ITEMS FOR THE TOTAL VACATION AND REPLAT OF HIDELL ADDITION, A SUBDIVISION IN PRECINCT ONE: (COMMISSIONER DAVIS)
 - **A.** TOTAL VACATION OF A RECORDED SUBDIVISION: HIDELL ADDITION, AS RECORDED IN VOL.97, PAGE 167 OF TRAVIS COUNTY RECORDS;
 - **B.** HIDELL ADDITION TWO (SHORT FORM PLAT 10 LOTS 93.00 ACRES CAMERON ROAD SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC- CITY OF AUSTIN ETJ).

SPECIAL ITEM

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

3. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING WITH BROWNING-FERRIS INDUSTRIES (BFI). (JUDGE BISCOE) (9:39 AM) (2:48 PM) (3:51 PM) (5:40 PM)

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; Heath Eddleblute, South Central Texas District Manager, Browning-Ferris Industries (BFI); Ray Shull, BFI; Paul Gosselink, Attorney representing BFI; Steve Mobley, Giles Holdings; Jerry Dietrich, Civil Engineer, Attorney, Father of Melanie McAfee; Karen Deckard, Travis County Resident; Joyce Best, Travis County Resident; Trek English, Travis County Resident; Margot Clarke, Travis County Resident; Clint Smith, Gray Panthers of Austin; Melanie McAfee, Owner, Barr Mansion; Robin Schneider, Executive Director, Texas Campaign for the Environment; Evelyn Remmert, Travis County Resident; Glen Hall, Attorney representing Mark McAfee; Jeanette Klotz, Travis County Resident; and Elizabeth Trevino, Travis County Resident.

Clerk's Note: Judge Biscoe announced that Item 3 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No action required on Item 3.

Item 3 to be reposted on August 30, 2005.

PURCHASING OFFICE ITEMS

4. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. 04T00004OJ, FALCON INSURANCE AGENCY, FOR AVIATION INSURANCE COVERAGE. (HRMD) (9:38 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. APPROVE CONTRACT AWARD FOR ROAD RECYCLING, IFB B050109-RG, TO THE SOLE BIDDER, AARON CONCRETE. (TNR) (9:38 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. APPROVE CONTRACT NO. PS050272JW WITH JULIE GIBBS FOR NURSE EXAMINER SERVICES. (SHERIFF'S OFFICE) (9:38 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 ORDER EXEMPTING THE PURCHASE OF GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) CABLING REQUIREMENTS FROM THE COMPETITIVE PROCUREMENT PROCESS, PURSUANT TO SECTION 262.024 (A)(4) OF THE COUNTY PURCHASING ACT. (ITS) (9:38 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 ON THE FOLLOWING REQUESTS: (9:38 AM)
 - **A.** APPROVE CONTRACT AWARDS FOR JANITORIAL SERVICES AT VARIOUS FACILITIES, IFB #BO50100-MP, TO THE QUALIFIED LOW BIDDERS:
 - 1. KB CONTRACT CLEANERS: GROUP A LINE ITEMS 1 AND 2; GROUP B LINE ITEMS 3 AND 4; GROUP C LINE ITEMS 5 AND 6; GROUP E LINE ITEM 8; GROUP F LINE ITEM 9; GROUP H LINE ITEM 11; GROUP I LINE ITEM 12; GROUP J LINE ITEM 13; GROUP K LINE ITEM 14.
 - 2. BLUEBONNET CLEANING: GROUP D LINE ITEM 7;
 - **3.** HERRERA AND SONS: THIRD LOW BIDDER, GROUP G LINE ITEM 10;
 - **B.** REJECT BID RECEIVED FROM MAJESTIKLEEN. (FM, TNR)

Clerk's Note: Items 8.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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE FOUR PARCELS OF RIGHT OF WAY LOCATED IN FRONT OF LOTS 72, 73, 74 AND 75 OF APACHE SHORES FIRST INSTALLMENT, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:26 AM)

Clerk's Note: Item 9 is the action item for the public hearing on Agenda Item 1.

No action necessary on Item 9.

Item 9 postponed until further notice.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED STREET NAME ASSIGNMENT FOR AN ACCESS EASEMENT TO BE KNOWN AS "CUESTA TRAIL" NEAR FM 2222, IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:38 AM)

Clerk's Note: Item 10 is the action item for the public hearing on Agenda Item 2.

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.

11. APPROVE THE USE OF ALTERNATIVE FISCAL FOR RANCHO ALTO PHASE I, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:38 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 A PRELIMINARY PLAN IN PRECINCT TWO: ARRINGTON SUBDIVISION PRELIMINARY PLAN (2 LOTS – 4.87 ACRES – ROWE LANE – NO FISCAL IS REQUIRED FOR A PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY MANVILLE WATER SUPPLY CORP. – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:38 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. CONSIDER AND TAKE APPROPRIATE ACTION ON FINAL REPORT FROM THE CITIZENS BOND ADVISORY COMMITTEE REGARDING THE FY 2005 PROPOSED BOND PROGRAM. (1:48 PM)

Members of the Court heard from: Richard Moya, Chair, Travis County Citizens Bond Advisory Committee; Perry Lorenz, Vice Chair, Travis County Citizens Bond Advisory Committee; Nell Penridge, Travis County Citizens Bond Advisory Committee; John Hutchinson, Walnut Place Neighborhood Association; Kristina Kubeck, Walnut Place Neighborhood Association; Joyce Thoresen, Walnut Place Neighborhood Association; Larry Beard, Travis County Resident; Trek English, Travis County Resident; Mark McAfee, Owner, Barr Mansion; and Ann McAfee, Travis County Resident.

Discussion Only. No formal action taken.

Item 13 to be reposted on August 23, 2005.

PLANNING AND BUDGET DEPT. ITEMS

- **14.** REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:38 AM)
 - **A.** GRANT CONTRACT WITH THE CITY OF AUSTIN FOR AN ASSISTANT DISTRICT ATTORNEY TO PROSECUTE CRIMES INVOLVING THE UNLAWFUL USE OR POSSESSION OF FIREARMS.
 - **B.** GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY BLOCK GRANT-DISCRETIONARY FUNDS PROGRAM IN JUVENILE PROBATION DEPARTMENT TO CONTINUE OPERATION SAFE STREETS PROGRAM.
 - C. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY BLOCK GRANT IN JUVENILE PROBATION DEPARTMENT TO CONTINUE THE JUVENILE PROBATION ASSESSMENT CENTER.
 - **D.** GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A JUVENILE ACCOUNTABILITY BLOCK GRANT IN JUVENILE PROBATION DEPARTMENT TO AUGMENT THE JUVENILE PROBATION DRUG COURT.

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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (5:46 PM)

No action necessary on Item 15.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

16. RECEIVE PRESENTATION TO APPROVE BASELINE STANDARDS-ACCOUNTABILITY AND INITIAL ELIGIBILITY FOR NON-PROFIT AGENCIES AND PROVIDE DIRECTION TO APPLY STANDARDS TO SOCIAL SERVICES CONTRACTS. (3:30 PM) (3:46 PM)

Members of the Court heard from: Arlene Tillman, Director, Administrative Services, Travis County Health and Human Services (TCHHS); and Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the baseline standards.

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

Clerk's Note: Item 16 was further discussed at 3:46 PM with a request by Judge Biscoe that the Commissioners Court record show Commissioner Davis voting in favor of the Motion on Item 16. The Commissioners Court record does reflect the Corrected Vote.

Corrected Vote:

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

ADMINISTRATIVE OPERATIONS ITEMS

17. 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 \$266,248.15 FOR THE PERIOD OF JULY 29, 2005 THROUGH AUGUST 4, 2005. (9:38 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:38 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 CHAPTER 17, HOSPITAL AND INSURANCE FUND-COUNTY EMPLOYEES: (9:16 AM)
 - **A.** DISSOLVE CHAPTER 17, HOSPITAL AND INSURANCE FUND-COUNTY EMPLOYEES, EFFECTIVE 12:01 A.M., OCTOBER 1, 2005; AND
 - **B.** AMEND TRAVIS COUNTY CODE TO CREATE NEW CHAPTER 17, EMPLOYEE HEALTH BENEFIT FUND RULE, EFFECTIVE OCTOBER 1, 2005.

Items 19.A and B postponed until August 23, 2005.

- **20.** CONSIDER AND TAKE APPROPRIATE ACTION ON PHASE 2 OPTIONS FOR THE 5501 AIRPORT BLVD BUILDING: (3:50 PM)
 - 1. RELOCATE CES SERVICE CENTER, CJP, EMS, FM DIVISIONS;
 - 2. RELOCATE CJP, EMS AND FM DIVISIONS;
 - 3. RELOCATE HHS DIVISIONS FROM PALM SQUARE:
 - 4. DEVELOP AN OFFICE SPACE AREA FOR TRANSITIONAL USE: OR
 - **5.** TAKE NO ACTION.

Items 20.1-5 postponed until August 23, 2005.

- **21.** CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (3:39 PM) (3:46 PM)
 - A. THE TRAVIS COUNTY T-FLEX PLAN RESOLUTION AND SUMMARY PLAN DESCRIPTION TO INCORPORATE A GRACE PERIOD OF TWO AND A HALF MONTHS FOR MEDICAL EXPENSES AT THE END OF THE EACH PLAN YEAR EFFECTIVE IN PLAN YEAR 2006; AND
 - **B.** THE TRAVIS COUNTY T-FLEX PLAN TO SET THE MINIMUM ANNUAL CONTRIBUTION FOR MEDICAL ACCOUNTS FROM \$50 TO \$120 AND DEPENDENT ACCOUNTS FROM \$60 TO \$120, EFFECTIVE OCTOBER 1, 2005.

Clerk's Note: Items 21.A and B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); and Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Items 21. A and 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 absent

Clerk's Note: Items 21.A and B were further discussed at 3:46 PM with a request by Judge Biscoe that the Commissioners Court record show Commissioner Gómez voting in favor of the Motion on Items 21.A and B. The Commissioners Court record does reflect the Corrected Vote.

Corrected Vote:

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

JUSTICE AND PUBLIC SAFETY ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION ON PROGRESS REPORT REGARDING CENTRAL BOOKING INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN. (11:46 AM)

Members of the Court heard from: Mike Trimble, Former Criminal Justice Coordinator, Criminal Justice Planning (CJP); and Susan Spataro, Travis County Auditor.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the amendment to the interlocal agreement in Item 22.

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 22 to be reposted on August 23, 2005.

OTHER ITEMS

23. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:38 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JULY 2005. (AUDITOR'S OFFICE) (9:38 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.

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 REQUEST EXPERT WITNESS AND AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND AND/OR TAKE APPROPRIATE ACTION REGARDING MICHELLE FAUGHT V. TRAVIS COUNTY, ET AL. ¹ (3:51 PM) (5:41 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.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to reject the counter-offer, and renew the offer that the Commissioners Court previously made. It was \$3,000.00 and was made as an offer of judgment, in exchange for a settlement agreement.

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

26. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND 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. 1 (3:51 PM) (5:41 PM)

Clerk's Note: Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No action required on Item 26.

27. 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) ² (3:51 PM) (5:41 PM)

Clerk's Note: Judge Biscoe announced that Item 27 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 approve a 1-week extension of the contract and get their formal reply in writing.

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 27 to be reposted on August 23, 2005.

28. 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. ¹ (3:51 PM) (5:45 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 23, 2005.

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ROSENBAUM V. TRAVIS COUNTY (REQUESTED BY COUNTY ATTORNEY). 1 (3:51 PM) (5:42 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.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to move towards settlement where we would be paying Mr. Rosenbaum \$170,000.00. Also as part of the agreement we would be getting legal documents saying that we also are getting a drainage easement along with that offer; and to authorize the County Judge to sign on behalf of the Commissioners Court, as the prepared agreement proposes.

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

30. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON ISSUES RELATING TO THE TRAVIS COUNTY ECONOMIC DEVELOPMENT PROGRAM POLICY AND/OR TAX ABATEMENT POLICY. 1 (3:51 PM) (5:43 PM)

Clerk's Note: Judge Biscoe announced that Item 30 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 proceed with the draft as outlined by the County Attorney, and that we take that draft policy and put it in final shape for adoption next week, as well as apply it to the Home Depot Item.

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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR FINANCIAL INCENTIVES FOR HOME DEPOT. ¹ (3:51 PM)

Item 31 postponed until August 23, 2005.

32. 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. ¹ (3:51 PM) (5:43 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 Gómez to reject the offer, pending completion of discovery.

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. 1 & 3 (3:51 PM) (5:44 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to take \$4,200.00 in salary savings from the Precinct Two Constables Office budget, and that we provide the necessary supplemental amount of \$15,800.00 from the Travis County Risk Management Fund.

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

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO PROVIDE EMPLOYEE BENEFITS TO EMPLOYEES OF HOSPITAL DISTRICT. (3:51 PM) (5:44 PM)

Clerk's Note: Judge Biscoe announced that Item 34 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 request that the three employees keep working, as they have been doing, to secure coverage elsewhere; that we take no action today, and that they report back to us at the appropriate time in the future when they have exhausted other options and need us as a last resort.

A Friendly Amendment to the previous Motion was offered by Commissioner Sonleitner to keep Travis County appraised of when Cobra deadlines pop up on each of the three people who are impacted by this Item.

Acceptance of the Friendly Amendment was made by Judge Biscoe and Commissioner Gómez.

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 ITEM

A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AND EXPEDITE DELIVERY OF TWO REPLACEMENT VEHICLES FOR THE OFFICE OF THE MEDICAL EXAMINER. (3:47 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Alan Miller, Budget Analyst, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to formally request the people who prepare the vehicle to expedite delivery of the van that we have already paid for; to approve the immediate order of a second vehicle, and to give it priority when it arrives; and to approve a budget transfer into that account so they can send a purchase order to the Purchasing Department from the CAR Reserve in the amount of \$25,000.00.

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 **seconded by** Commissioner Gómez to adjourn the Voting Session. (5:46 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