MINUTES OF MEETING – SEPTEMBER 27, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of September, 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 retired to Executive Session at 10:33 AM.

The Commissioners Court reconvened the Voting Session at 11:10 AM.

The Commissioners Court recessed the Voting Session at 12:06 PM.

The Commissioners Court reconvened the Voting Session at 1:41 PM.

The Commissioners Court recessed the Voting Session at 1:57 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:57 PM and adjourned at 2:01 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 2:01 PM and adjourned at 2:05 PM.

The Commissioners Court reconvened the regular Voting Session at 2:06 PM.

The Commissioners Court recessed the Voting Session at 2:25 PM until September 29, 2005.

The Commissioners Court reconvened the Voting Session at 9:19 AM on September 29, 2005.

The Commissioners Court adjourned the Voting Session at 9:25 AM on September 29, 2005.

PUBLIC HEARINGS

1. RECEIVE PUBLIC COMMENTS ON FY'06 TAX INCREASE AND BUDGET. (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Items 26 and 27 for a summary of the action items.

Motion by Judge Biscoe **and seconded by** Commissioner Davis 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

Clerk's Note: No speakers addressed the Court.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner 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 PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOTS 1-A, 2-A AND 4-A OF THE AMENDED PLAT OF MILWOOD SECTION 24 (SHORT FORM – 6 LOTS – 10.095 ACRES – PARMER LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1 – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (ACTION ITEM #17) (9:16 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 17 for a summary of the action item.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty 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).

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty 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

3. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: JOSHUA SUBDIVISION, A RESUBDIVISION OF LOTS 1 AND 2, BLOCK C OF BUFFALO GAP SUBDIVISION (SHORT FORM PLAT - 2 LOTS – 2.373 ACRES – BUFFALO GAP ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY) (ACTION ITEM #18) (9:18 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 18 for a summary of the action item.

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, 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 yes

4. RECEIVE COMMENTS REGARDING A REQUEST TO CONSIDER TEMPORARILY CLOSING IVEAN PEARSON ROAD FOR CONSTRUCTION BEGINNING NO SOONER THAN NOVEMBER 1, 2005 FOR A PERIOD OF EIGHT WEEKS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #19) (9:19 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 19 for a summary of the action item.

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, TNR; Dan Davis, Travis County Resident; and Brian Jordan, Attorney representing the Applicant.

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

SPECIAL ITEM

5. CONSIDER AND TAKE APPROPRIATE ACTION ON APPROPRIATE ASSISTANCE IN RESPONSE TO HURRICANE RITA. (9:31 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS).

Clerk's Note: The Court without objection gave directions to Health and Human Services to make the food resources we have been receiving through the Capital Area Food Bank available, as needed, to Hurricane Rita Evacuees.

Discussion Only. No formal action taken.

Item 5 to be reposted on October 4, 2005.

6. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ASSISTANCE TO PERSONS AFFECTED BY HURRICANE KATRINA. (9:39 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Andrea Colunga Bussey, Travis County Health and Human Services (TCHHS); and Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

Discussion Only. No formal action taken.

Item 6 to be reposted on October 4, 2005.

CITIZENS COMMUNICATION

Members of the Court heard from: Charles Williams, Conservation Coordinator, TNR; Brian Block, Executive Director, Keep Austin Beautiful; and Emily George, Colorado River Foundation. (9:26 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C9, and Items 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 21, 22, 23.A-D, 24, 28, 29, 31, 32.A&B, 36, 37, 39, 40.A&B, A1.A&B, A3, A4.A&B, and A5.A&B. (9:46 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 COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF SEPTEMBER 6, 2005.
- C4. APPROVE AUTOMATIC BUDGET TRANSFERS.
- C5. APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 11, 2005 TO RECEIVE COMMENTS REGARDING A REQUEST TO CONSIDER TEMPORARILY CLOSING OLD MANOR ROAD FOR BRIDGE CONSTRUCTION BETWEEN OCTOBER 12, 2005 AND APRIL 15, 2006 IN PRECINCT ONE. (COMMISSIONER DAVIS)
- C6. APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 11, 2005 TO RECEIVE COMMENTS REGARDING TEMPORARILY CLOSING OXSHEER DRIVE BETWEEN GRIMES RANCH ROAD AND OXEN WAY FOR THE PURPOSE OF A BLOCK PARTY ON OCTOBER 15, 2005 AND IN CASE OF RAIN AN ALTERNATE DATE OF OCTOBER 22, 2005 IN PRECINCT THREE.
- C7. APPROVE SETTING A PUBLIC HEARING DATE OF OCTOBER 11, 2005 TO RECEIVE COMMENTS REGARDING A REQUEST TO CONSIDER TEMPORARILY CLOSING LUND ROAD NORTH BETWEEN LUND CARLSON ROAD AND THE TRAVIS COUNTY LINE FOR THE PURPOSE OF FILMING A MOVIE IN PRECINCT ONE. (COMMISSIONER DAVIS)

CONSENT ITEMS CONTINUED

- C8. APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 1, 2005 TO RECEIVE COMMENTS REGARDING REQUEST FOR A PARTIAL VACATION OF A RECORDED SUBDIVISION IN PRECINCT ONE: FOREST BLUFF SUBDIVISION SECTION 1 (LOTS 2 5) AS RECORDED IN DOCUMENT 200300050 OF TRAVIS COUNTY RECORDS (DELTA POST DRIVE NO FISCAL REQUIRED CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS)
- C9. APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 1, 2005 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK 49, AUSTIN LAKE HILLS SECTION ONE RESUBDIVISION (SHORT FORM PLAT 2 LOTS 4.146 ACRES VILLAGE WEST DRIVE NO FISCAL REQUIRED CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)

JUSTICE AND PUBLIC SAFETY ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO INCREASE FEES FOR MISDEMEANOR ASSAULT AND PUBLIC INTOXICATION REHABILITATIVE CLASSES PROVIDED BY THE COUNSELING AND EDUCATION SERVICES DEPARTMENT. (9:46 AM)

Clerk's Note: Judge Biscoe announced that Item 7 is a fee increase from \$60.00 to \$70.00.

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 ORDER AMENDING THE TRAVIS COUNTY CODE CHAPTER 39, WIRELESS COMMUNICATIONS (CELL PHONES) POLICY TO EXTEND CHAPTER 39 FOR ONE ADDITIONAL YEAR. (9:46 AM)

Clerk's Note: Judge Biscoe announced that Item 8 is a one year extension of the cell phones policy.

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.

PURCHASING OFFICE ITEMS

9. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. 02T00005OJ WITH UNITED HEALTHCARE INSURANCE COMPANY FOR COBRA ADMINISTRATIVE SERVICES AGREEMENT. (9:46 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.

10. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 04T00023RG, SOUTHERN TIRE MART, FOR FLAT TIRE AND TUBE REPAIR AND REPLACEMENT. (TNR) (9:46 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.

11. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 04T00301OJ, UNUM LIFE INSURANCE COMPANY, FOR OPTIONAL LIFE, ACCIDENTAL DEATH & DISMEMBERMENT, SHORT TERM DISABILITY AND LONG TERM DISABILITY FOR TRAVIS COUNTY EMPLOYEES AND RETIREES. (HRMD) (9:46 AM)

Clerk's Note: Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 02T00038OJ, UNUM LIFE INSURANCE COMPANY, FOR BASIC LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT. (HRMD) (9:46 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 A TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 02T00294OJ, EVERCOM SYSTEMS, INC., FOR INMATE, PAY PHONE AND FACSIMILE SERVICES. (ITS DEPT. AND SHERIFF'S OFFICE) (9:46 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 MODIFICATION NO. 4 TO CONTRACT NO. IL000041EF WITH THE CITY OF AUSTIN FOR THE CONGREGATE MEALS PROGRAM. (HHS) (9:46 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 FY 2006 CHILD CARE LOCAL MATCH TRANSFER AGREEMENT, CONTRACT NO. PS040153EF, WITH WORKSOURCE-GREATER AUSTIN AREA WORKFORCE DEVELOPMENT BOARD. (HHS) (9:46 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 A TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT MA040180LC, NEUBUS, INC., FOR MICROFILM SCANNING AND INDEXING SERVICES. (COUNTY CLERK) (9:46 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOTS 1-A, 2-A AND 4-A OF THE AMENDED PLAT OF MILWOOD SECTION 24 (SHORT FORM – 6 LOTS – 10.095 ACRES – PARMER LANE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY NORTH AUSTIN MUNICIPAL UTILITY DISTRICT NO. 1 – CITY OF AUSTIN ETJ). (COMMISSIONER SONLEITNER) (9:46 AM)

Clerk's Note: Item 17 is the action item for the public hearing on Agenda Item 2.

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 A PLAT FOR RECORDING IN PRECINCT THREE: JOSHUA SUBDIVISION, A RESUBDIVISION OF LOTS 1 AND 2, BLOCK C OF BUFFALO GAP SUBDIVISION (SHORT FORM PLAT - 2 LOTS – 2.373 ACRES – BUFFALO GAP ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY) (9:51 AM) (2:06 PM)

Clerk's Note: Item 18 is the action item for the public hearing on Agenda Item 3.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Clerk's Note: The Court further discussed Item 18 at 2:06 PM.

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 18.

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO TEMPORARILY CLOSE IVEAN PEARSON ROAD FOR CONSTRUCTION BEGINNING NO SOONER THAN NOVEMBER 1, 2005 FOR A PERIOD OF EIGHT WEEKS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:53 AM)

Clerk's Note: Item 19 is the action item for the public hearing on Agenda Item 4.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Dan Davis, Travis County Resident; and Brian Jordan, Attorney representing Applicant.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 19.

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

20. CONSIDER AND ADOPT AMENDMENTS TO CHAPTER 30, TRAVIS COUNTY CODE, TRAVIS COUNTY/CITY OF AUSTIN JOINT SUBDIVISION REGULATIONS. (9:59 AM)

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

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

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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A VARIANCE REQUEST TO CHAPTER 30, TEXAS ADMINISTRATIVE CODE, SECTION 285.4 (a)(1)(B) TO ALLOW AN ONSITE WASTEWATER SYSTEM AND A WATER WELL TO BE PLACED ON A LOT CONTAINING .984 ACRES VERSUS THE REQUIRED 1.0 ACRE AT 8600 WHITECLIFF DRIVE IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:46 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 ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN CYPRESS CANYON 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:46 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.

PLANNING AND BUDGET DEPT. ITEMS

- 23. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:46 AM)
 - A. GRANT CONTRACT WITH THE RSVP ADVISORY COUNCIL FOR A SENIORS AND VOLUNTEERS FOR CHILDHOOD IMMUNIZATION GRANT PROGRAM IN HEALTH AND HUMAN SERVICES TO CONTINUE THE PROGRAM FOR FY 06.
 - B. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR AN INTENSIVE IN-HOME FAMILY SERVICES GRANT PROGRAM, WHICH PROVIDES RESOURCES TO ASSESS THE NEEDS OF JUVENILES IN THE JUVENILE PROBATION DEPARTMENT.
 - C. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A PROTECTIVE ORDER GUARDIAN AD LITEM GRANT PROGRAM IN JUVENILE PROBATION, WHICH CONTINUES THE EXISTING PROGRAM FOR FY 06.
 - D. GRANT CONTRACT AMENDMENT NO. 2 WITH THE OFFICE OF THE ATTORNEY GENERAL FOR AN ACCESS AND VISITATION GRANT IN JUVENILE PROBATION THAT INCREASES THE GRANT AWARD BY \$32,000.

Clerk's Note: Items 23.A-D 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:46 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 CONTINUATION OF FY '06 BUDGET MARK-UP. (10:00 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to increase the Cost of Living Adjustment (COLA) for retirees from 2% to 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

Clerk's Note: The Court discussed the District Clerk's budget requests related to the FACTS System.

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Amalia Rodriguez Mendoza, Travis County District Clerk; Alicia Perez, Executive Manager, Administrative Operations; and Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS).

Discussion Only. No formal action taken.

Clerk's Note: The Court discussed the Facilities Management budget requests regarding Replacement Vehicles/Equipment as Discussed at Budget Hearing as listed in the Budget Agenda Worksheet, Reference #48A.

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to transfer \$97,700.00 from the Allocated Reserve and as a result increase the CAR Reserve.

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

ITEM 25 CONTINUED

Clerk's Note: The Court discussed the Motions to Amend the Proposed Budget, as presented by Leroy Nellis, Budget Manager, Planning and Budget Office.

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the list of Motions to Amend the Fiscal Year 2006 Proposed Budget, and approve the appropriate changes to the previously approved budget rules, and incorporate the two additional Motions adopted today regarding the cost of living increase for retirees and the Facilities Management budget request.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER SETTING THE TRAVIS COUNTY TAX RATE FOR 2005. (TO BE CONTINUED ON THURSDAY, SEPTEMBER 29, 2005 AT 9:00 A.M.) (10:27 AM) (2:25 PM)

Clerk's Note: Item 26 is the action item for the public hearing on Agenda Item 1.

Members of the Court heard from: Christian Smith, Executive Manager, PBO; and Barbara Wilson, Assistant County Attorney.

Clerk's Note: The Court announced that discussion of Item 26 would be continued on and recessed until September 29, 2005. Please refer to Item 3 on September 29, 2005 for a summary of the Court's action on this Item.

Discussion Only. No formal action taken.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER APPROVING THE TRAVIS COUNTY BUDGET FOR FY 06. (TO BE CONTINUED ON THURSDAY, SEPTEMBER 29, 2005 AT 9:00 A.M.) (10:29 AM) (2:25 PM)

Clerk's Note: Item 27 is the action item for the public hearing on Agenda Item 1.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Clerk's Note: The Court announced that discussion of Item 27 would be continued on and recessed until September 29, 2005. Please refer to Item 4 on September 29, 2005 for a summary of the Court's action on this Item.

Discussion Only. No formal action taken.

28. APPROVE AN ORDER TO DESIGNATE THE REGULAR MEETING DAYS OF COMMISSIONERS COURT OF TRAVIS COUNTY. (9:46 AM)

Clerk's Note: The Court announced that the regular meeting date will be Tuesday of each week and the annual regular term meeting will be September 29, 2006.

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.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER SETTING SALARIES FOR DISTRICT JUDGES, COUNTY COURT-AT-LAW JUDGES, PROBATE JUDGE AND DISTRICT ATTORNEY. (9:46 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.

30. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE CERTAIN BROKERS AND DEALERS TO ASSIST TRAVIS COUNTY IN MAKING INVESTMENTS. (9:52 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 30.

Motion carried: County Judge Samuel T. Biscoe yes

Precinct 1, Commissioner Ron Davis abstain
Precinct 2, Commissioner Karen Sonleitner ves

Precinct 3, Commissioner Gerald Daugherty yes

Precinct 4, Commissioner Margaret J. Gómez yes

ADMINISTRATIVE OPERATIONS ITEMS

31. 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 \$309,918.83 FOR THE PERIOD OF SEPTEMBER 9, 2005 THROUGH SEPTEMBER 15, 2005. (9:46 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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:46 AM)
 - B. CONSIDER AND TAKE APPROPRIATE ACTION ON NON-ROUTINE SALARY ADJUSTMENT FOR CHIEF DEPUTY CONSTABLE IN PRECINCT 2, PURSUANT TO TRAVIS COUNTY CODE, SECTION 10.03002.

Clerk's Note: Items 32.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.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON 2ND ANNUAL TRAVIS COUNTY WELLNESS FAIR, BROWN SANTA 5K RUN/WALK AND KIDS 5K, AND DECKER CHALLENGE 20K RUN/WALK. (1:41 PM)

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; Bonnie Floyd, Assistant Purchasing Agent; Paul Carrozza, Owner, RunTex; and Donna Stirman, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the partnership with RunTex.

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 33 CONTINUED

Clerk's Note: The Court discussed the request from Staff to approve the following list of Motions recommended in order to move forward with the planning stage:

- 1. Approve a Wellness Fair to be held at the Travis County Exposition Center Banquet Hall on December 4, 2005 at discounted rental fees.
- 2. Approve payment of up to \$2,200.00 from the Wellness Budget in the Travis County Housing Finance Corporation to the Exposition Center to cover costs associated with the Wellness Fair on December 4, 2005, and related purposes.
- 3. Authorize the Wellness Committee to solicit vendors and sponsors to participate in the Wellness Fair.
- 4. Approve printing up to 5,000 registration forms, flyers, sponsor packets, payroll stuffers and other information to promote participation in the Wellness Fair and Brown Santa 5K and Kids K.
- 5. Approve hanging banners in front of County building announcing the Wellness Fair at the Expo Center December 4, 2005.
- 6. Approve airing public service announcement on TCTV-17.
- 7. Approve sponsoring children from local elementary schools who are served by Communities In Schools.
- 8. Encourage Travis County departments and employees to participate in the 5K Walk/Run either by entering the event or volunteering to assist in conducting the race activities.
- 9. Approve an 8-week training program developed by United Healthcare and RunTex leading up to the December 4, 2005 event.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the list of Motions as recommended from Staff.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROGRAM ELEMENTS FOR THE NEW CONSTRUCTION PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX. (11:25 AM) (2:07 PM)

Members of the Court heard from: Ken Gaede, Project Manager, Facilities Management; David Balagia, Major, Travis County Sheriff's Office (TCSO); and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to add on the addition to Central Control, \$77,798.00, and establish the Contingency budget \$11,702.00, as what would be added onto the Certificates of Obligation.

Withdrawal of the previous Motion was made by Commissioner Sonleitner and Judge Biscoe.

Clerk's Note: The Court further discussed Item 34 at 2:07 PM.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and David Balagia, Major, TCSO.

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe that the new addition to Central Control, \$77,798.00, and the Contingency line item, \$11,702.00, be added to the \$160,500.00 that we've already said would go into the Certificates of Obligation (COs); and that the new number related to Certificates of Obligation would be a total of \$40,250,000.00.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion included the approval of the \$40,000,000.00 plus the \$23,500,000.00, plus Phase 2 in the amount of \$250,000.00, for a total of \$63,750,000.00 for the whole program.

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

35. CONSIDER AND TAKE APPROPRIATE ACTION ON MODIFICATION OF 48 SINGLE-BED CELLS AT BUILDING ONE AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX. (11:13 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; David Balagia, Major, TCSO; Ken Gaede, Project Manager, Facilities Management; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve the 48 single bed cells project at Building One at the Travis County Correctional Complex; and that the \$160,500.00 gets moved into the Certificates of Obligation (CO's) that we are doing.

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

36. CONSIDER AND TAKE APPROPRIATE ACTION ON FUNDS FOR ONE TRAVIS COUNTY EMPLOYEE TO PARTICIPATE IN LEADERSHIP AUSTIN TRAINING IN ACCORDANCE WITH CHAPTER 16 OF THE TRAVIS COUNTY CODE. (9:46 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.

OTHER ITEMS

37. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:46 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AUTHORIZING NEW \$5.00 FEE AND SPECIAL FUND FOR JUVENILE CASE MANAGEMENT. (10:31 AM)

Motion by Commissioner Sonleitner **and seconded by** Judge Biscoe to approve Item 38.

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

39. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE ORDER FOR NEW ELECTION DAY POLLING LOCATIONS. (9:46 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.

- 40. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE THE FOLLOWING ORDERS: (9:46 AM)
 - A. EARLY VOTING PERMANENT POLLING LOCATIONS; AND
 - B. EARLY VOTING MOBILE POLLING LOCATIONS.

Clerk's Note: Items 40.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.

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. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE PROPERTY AT 10409 BURNET ROAD. ² (10:33 AM) (11:10 AM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Discussion Only. No formal action taken.

Item 41 to be reposted on October 11, 2005.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED FARMERS MARKET LEASE AGREEMENT WITH JENNIFER BENGSTON, D/B/A/ LOVE BUGS. (COMMISSIONER SONLEITNER) 1 AND 2 (10:33 AM) (11:10 AM)

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 and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the lease with Jennifer Bengston, doing business as Love Bugs.

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

43. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH THE VETERANS LAND BOARD OF THE STATE OF TEXAS AND CARL FINLEY HEREFORD, JR., ET. AL., FOR THE ACQUISITION OF APPROXIMATELY 10.02 ACRES OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER DAUGHERTY) ² (10:33 AM) (11:10 AM)

Clerk's Note: Judge Biscoe announced that Item 43 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 that we proceed with the purchase price of \$200,400.00 for the 10.02 acres that would be in connection with the Balcones Canyonland Plan; and that be entered into with the Veterans Land Board of the State of Texas and Carl Finley Hereford Jr.; contingent on finalizing the legal documents.

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

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING ARCHAEOLOGICAL SITES IN EAST METRO PARK. 1 (10:33 AM) (11:11 AM)

Clerk's Note: Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to direct Staff to send a strong letter to the project overseers at East Metro Park asking the persons that were involved in removing artifacts from the archaeological sites, to return these particular artifacts to 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

THE FOLLOWING ITEMS ARE ADDENDA:

- A1. A. CONSIDER AND TAKE APPROPRIATE ACTION TO MODIFY CONTRACT NO. PS000307JJ WITH JEFFREY S. WARD & ASSOCIATES, INC. TO WRITE GRANT APPLICATIONS, PURCHASE ADDITIONAL PROPERTIES AND PERFORM ADDITIONAL TASKS IN THE EVENT OF A LOCAL DISASTER. (9:46 AM)
 - B. AUTHORIZE THE PURCHASING AGENT TO NEGOTIATE TERMS AND CONDITIONS OF ADDITIONAL CONTRACT REQUIREMENTS AND SIGN THE RESULTING MODIFICATION.

Clerk's Note: Items A1.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.

A2. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR FEE WAIVER AND EXCLUSIVE USE OF SOUTHEAST METROPOLITAN PARK FOR THE 1ST ANNUAL JAIME DEANDA Y LOS CHAMACOS CELEBRITY SOFTBALL TOURNAMENT, A FUND RAISING EVENT FOR CHILDREN AFFECTED BY HURRICANE KATRINA. (COMMISSIONER GOMEZ) (11:46 AM)

Members of the Court heard from: Roy Turley, Division Manager, Parks, TNR; Charles Bergh, Division Director, Parks and Natural Resources, TNR; Anthony Perez, Organizer; Pete Pulido, Organizer; and John Hille, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the contract with Azteca Sports for November 6, 2005 to have the benefit celebrity tournament, and the rain day is November 20, 2005, at the Southeast Metropolitan Park, with the understanding that there will be a financial report to the Commissioners Court after the tournament to report the earnings for the Red Cross and the Salvation Army.

A Friendly Amendment to the previous Motion was offered by Commissioner Sonleitner that the waiver of the fee is contingent on Travis County being a named sponsor on the event; and that we have had a finding of the extraordinary situation here that this is an exception to rules and not a new rule.

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

A Friendly Amendment to the previous Motion was offered by Commissioner Daugherty that the Red Cross and the Salvation Army recognize that the event is going on, that they are the recipients of money and supportive.

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

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

A3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRINT 260,000 COPIES OF TAXPAYER NEWS FOR MAILING WITH THE 2005 TAX BILLS. (9:46 AM)

Clerk's Note: Item A3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- A4. APPROVE MODIFICATIONS TO THE FOLLOWING CONTRACTS: (9:46 AM)
 - A. MODIFICATION 3, CONTRACT NO. PS000011LH, NICOLAS CARRASCO, PH.D., FOR SEX OFFENDER TREATMENT SERVICES; AND
 - B. MODIFICATION 4, CONTRACT NO. PS010144JW, PROVIDENCE SERVICES CORPORATION OF TEXAS, FOR IN-HOME FAMILY SERVICES.

Clerk's Note: Items A4.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.

- A5. DISCUSS AND TAKE APPROPRIATE ACTION TO APPOINT THE FOLLOWING INDIVIDUALS TO THE TRAVIS COUNTY HOSPITAL AND INSURANCE FUND COUNTY EMPLOYEES APPEAL COMMITTEE: (9:46 AM)
 - A. FRANCES MCGINNIS, APN (EMPLOYED AT T.C.S.O.)
 - B. SHIRLEY J. BROWN, RN, MBA (EMPLOYED AT JUVENILE PROBATION)

Clerk's Note: Items A5.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.

ADJOURNMENT

Motion by Commissioner Gómez **seconded by** Commissioner Davis to adjourn the Voting Session. (9:25 AM, September 29, 2005)

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