

MINUTES OF MEETING – OCTOBER 11, 2005

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 11th day of October, 2005, the Commissioners' Court convened the regular Voting Session at 9:16 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 record notes that Commissioner Karen Sonleitner was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:08 AM.

The Commissioners Court reconvened the Voting Session at 12:05 PM.

The Commissioners Court adjourned the Voting Session at 12:09 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 12:09 PM and adjourned at 12:10 PM.

CONSENT ITEMS

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C6, and Items 8, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 34.A, 36, 37, 38. (9:24 AM)

Motion carried:

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

- 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 COMMISSIONERS COURT MINUTES FOR THE FOLLOWING DATES:
 - A. BUDGET MARK-UP SESSION OF SEPTEMBER 7, 2005;
 - B. BUDGET MARK-UP SESSION OF SEPTEMBER 8, 2005; AND
 - C. VOTING SESSION OF SEPTEMBER 13, 2005
- C5. RE-APPOINT MR. DONALD DUMAS TO THE AUSTIN/TRAVIS COUNTY MENTAL HEALTH-MENTAL RETARDATION (ATC-MHMR) BOARD AS A PRECINCT 2 APPOINTMENT FOR A TWO-YEAR TERM. (COMMISSIONER SONLEITNER)
- C6. APPOINT MARGIE ALFORD TO THE TRAVIS COUNTY HISTORICAL COMMISSION AS A PRECINCT 2 APPOINTMENT; EFFECTIVE IMMEDIATELY UNTIL OCTOBER 2007. (COMMISSIONER SONLEITNER)

SPECIAL ITEMS

5. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON APPROPRIATE ASSISTANCE IN RESPONSE TO HURRICANE RITA. (9:27 AM)

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

Clerk's Note: The Court was given a status report by Staff and informed that a formal report on the assistance provided in response to Hurricane Rita would be given on October 18, 2005.

Discussion Only. No formal action taken.

Item 5 to be reposted on October 18, 2005.

6. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON APPROPRIATE ASSISTANCE IN RESPONSE TO HURRICANE KATRINA. (9:29 AM)

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

Clerk's Note: The Court was given a brief status report by Staff and informed that a formal report on the assistance provided in response to Hurricane Katrina would be given on October 18, 2005.

Discussion Only. No formal action taken.

Item 6 to be reposted on October 18, 2005.

7. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:29 AM)

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

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

Motion carried:

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

ADMINISTRATIVE OPERATIONS ITEMS

8. 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 \$230,037.61 FOR THE PERIOD OF SEPTEMBER 23, 2005 THROUGH SEPTEMBER 29, 2005. (9:24 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:35 AM)

- A. ROUTINE PERSONNEL AMENDMENTS;
- B. NON-ROUTINE PERSONNEL ACTIONS – SHERIFF – SALARY ADJUSTMENTS – TRAVIS COUNTY CODE, SECTION 10.03002; AND
- C. NON-ROUTINE PERSONNEL ACTIONS – SHERIFF – SALARY ADJUSTMENT EXCEPTIONS - TRAVIS COUNTY CODE, SECTION 10.03013.

Clerk’s Note: Items 9.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Bill Derryberry, Budget Analyst, Planning and Budget Office (PBO); and Debbie Rich, Travis County Sheriff’s Office (TCSO).

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 9.A the routine personnel matters.

Motion carried:

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

Motion by Commissioner Daugherty and seconded by Commissioner Davis to approve the non-routine personnel actions in Items 9.B and C.

Motion carried:

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE SHIFT DIFFERENTIAL INCREASE FOR CERTAIN MEDICAL PERSONNEL IN SHERIFF'S OFFICE. (9:40 AM)

Members of the Court heard from: Linda Moore Smith, Director, HRMD; Debbie Rich, TCSO; and Bill Derryberry, Budget Analyst, PBO.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 10, and to return in 90 days to see what effect these changes have made.

Motion carried:

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

11. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON RE-NAMING DEDICATION CEREMONY FOR HEMAN SWEATT COURTHOUSE ON OCTOBER 21, 2005. (9:47 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Eric Shepperd, Assistant County Attorney; and Sue Spears, Administrative Assistant, Travis County Commissioner Precinct One Office.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve the program brought before the Court on the re-naming dedication ceremony.

Motion carried:

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

PURCHASING OFFICE ITEMS

- 12. APPROVE CONTRACT AWARD FOR REPLACEMENT AND ADDITION OF HEAT TRACE ON THE HOT WATER SYSTEM, TRAVIS COUNTY CORRECTIONAL COMPLEX HEALTH SERVICES BUILDING, IFB NO. B050090-RV, TO THE SOLE BIDDER, THERMAL MECHANICAL CONTRACTORS, INC. (TCSO) (9:24 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 5)TO CONTRACT NO. PS000251LB, SAFEPLACE, FOR DOMESTIC VIOLENCE AND SEXUAL ASSAULT SURVIVAL CENTER. (DISTRICT ATTORNEY) (9:24 AM)

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

- 14. APPROVE CONTRACT AWARD FOR A POINT OF SALE SYSTEM, RFP NO. P050001-JR, TO THE HIGHEST RANKED PROPOSER, US EDIRECT. (TNR) (9:31 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Bonnie Floyd, Assistant Purchasing Agent; and Jorge Talavera, Purchasing Department.

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 14.

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

15. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. MA030099LC, FUTURE COM, FOR MAINTENANCE OF SECURITY PRODUCTS AND SOFTWARE. (ITS) (9:24 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 MODIFICATION NO. 1 TO CONTRACT MA040002LC, SUNGARD HTE, INC., FOR HTE SOFTWARE SERVICES. (ITS) (9:24 AM)

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

17. APPROVE INTERLOCAL AGREEMENT FOR WILDLIFE DAMAGE MANAGEMENT WITH TEXAS COOPERATIVE EXTENSION FOR SERVICES RELATED TO WILDLIFE CONTROL (COYOTES). (HHS) (9:24 AM)

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

18. APPROVE MODIFICATION NO. 4 TO INTERLOCAL AGREEMENT NO. IL020053EF, TEXAS DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES, FOR COMMUNICATION ACCESS SERVICES. (HHS) (9:24 AM)

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

19. APPROVE MODIFICATION NO. 3 TO CONTRACT PS010064JW, CHOOSING HOW I LIVE LIFE, FOR SUBSTANCE ABUSE TREATMENT AND COUNSELING SERVICES. (JUVENILE PROBATION) (9:24 AM)

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

20. APPROVE MODIFICATION NO. 4 TO INTERLOCAL IL010019JW, AUSTIN-TRAVIS COUNTY MHMR, FOR CHILDREN'S BEHAVIORAL HEALTH SERVICES THROUGH REFERRALS BY THE CHILDREN'S PARTNERSHIP. (JUVENILE PROBATION) (9:24 AM)

Clerk's Note: Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. APPROVE MODIFICATION NO. 9 TO CONTRACT NO. PS960075KW WITH AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR FAMILY PRESERVATION PROGRAM SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:24 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 5' PUBLIC UTILITY EASEMENT LYING ON THE SOUTH SIDE OF LOT 3, BLOCK CC LOCATED IN AQUA MONTE SECTION 2, A RESUBDIVISION OF LOTS 1, 3, 4 AND 5 OF BLOCK E; AND LOTS 5 – 9, 13, AND 14 OF BLOCK D – A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 1.

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 ON REQUEST TO CONSIDER TEMPORARILY CLOSING OLD MANOR ROAD FOR BRIDGE CONSTRUCTION FOR APPROXIMATELY SIX MONTHS BETWEEN OCTOBER 12, 2005 AND APRIL 15, 2006 IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:24 AM)

Clerk's Note: Item 23 is the action item for the public hearing on Agenda Item 2.

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TEMPORARILY CLOSING OXSHEER DRIVE BETWEEN GRIMES RANCH ROAD AND OXEN WAY FOR A BLOCK PARTY FROM 5:00 P.M. UNTIL 12:00 MIDNIGHT ON OCTOBER 15, 2005 (AND IN CASE OF RAIN ON OCTOBER 22, 2005) IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

Clerk's Note: Item 24 is the action item for the public hearing on Agenda Item 3.

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 REGARDING A REQUEST TO CONSIDER TEMPORARILY CLOSING LUND ROAD NORTH BETWEEN LUND CARLSON ROAD AND THE TRAVIS COUNTY LINE BEGINNING ON OCTOBER 12, 2005 FOR APPROXIMATELY THREE WEEKS FOR THE PURPOSE OF FILMING A MOVIE IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:24 AM)

Clerk's Note: Item 25 is the action item for the public hearing on Agenda Item 4.

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

- 26. CONSIDER AND TAKE APPROPRIATE ACTION TO: (9:57 AM)
 - A. ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN AND OTHER TRANSPORTATION AGENCIES FOR COST PARTICIPATION IN A MOBILITY PLAN STUDY (PHASE 2 TOLL STUDY); AND
 - B. APPOINT A MEMBER TO THE STEERING COMMITTEE, AND A PROXY.

Clerk’s Note: Items 26.A and B are associated with one another and were called for concurrent discussion.

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

Discussion Only. No formal action taken.

Items 26.A and B to be reposted on October 18, 2005.

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM LCRA TO PARTICIPATE IN A COMMUNITY PLANNING FORUM TO DISCUSS THE IMPACT OF SH 130, INCLUDING AUTHORIZATION TO USE COUNTY NAME AND LOGO. (COMMISSIONER DAVIS) (10:38 AM)

Members of the Court heard from: Yvonne Davis, Manager, Central Texas Public Affairs, Lower Colorado River Authority (LCRA); and Dr. Charles Urdy, LCRA.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 27, the request to participate in a community planning forum on November 30, 2005.

Motion carried:

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: RODMAN SUBDIVISION (SHORT FORM PLAT - 2 LOTS - 8.83 ACRES - PICADILLY DRIVE - NO FISCAL REQUIRED - WATER AND SEWAGE SERVICE TO BE PROVIDED BY THE WINDERMERE UTILITY COMPANY - CITY OF PFLUGERVILLE ETJ). (COMMISSIONER SONLEITNER) (9:24 AM)

Clerk's Note: Judge Biscoe announced that approval of Item 28 was contingent upon approval by the Pflugerville City Council.

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 A SHORT FORM PLAT FOR RECORDING IN PRECINCT THREE: LONGHORN VILLAGE AT STEINER RANCH, 1 LOT – 55.182 ACRES – QUINLAN PARK ROAD - NO FISCAL IS REQUIRED - WATER AND SEWAGE SERVICE TO BE PROVIDED BY THE TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 17 WASTEWATER SYSTEM - CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:24 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 ON THE ALTERNATIVE FISCAL AGREEMENT FOR SENNA HILLS SECTION 8, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:24 AM)

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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON AN APPEAL OF THE DENIAL OF TRAVIS COUNTY BASIC DEVELOPMENT PERMIT APPLICATION 05-2376. (COMMISSIONER DAUGHERTY) (11:01 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Discussion Only. No formal action taken.

Item 31 to be reposted on October 18, 2005.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (9:16 AM)
- A. APPROVE RESOLUTION IN SUPPORT OF RIVER OF TRADE CORRIDOR COALITION (ROTCC); AND
 - B. APPROVE MEMBERSHIP IN ROTCC.

Items 32.A and B postponed until October 18, 2005.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (10:10 AM) (10:45 AM)
- A. PROPOSED AMENDMENTS TO THE LEASE AGREEMENT BETWEEN THE TRAVIS COUNTY HOSPITAL DISTRICT AND THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM FOR THE USE AND BENEFIT OF THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON FOR THE OPERATION OF THE AUSTIN WOMEN'S HOSPITAL;
 - B. A REQUEST FROM THE TRAVIS COUNTY HOSPITAL DISTRICT TO ASSIST THE DISTRICT WITH THE INTERGOVERNMENTAL TRANSFER PERTAINING TO THE MEDICAID UPPER PAYMENT LIMIT PROGRAM FOR FISCAL YEAR 2005;
 - C. PROPOSED AMENDMENTS TO THE TRAVIS COUNTY HOSPITAL DISTRICT'S INVESTMENT AND COLLATERAL POLICIES AND PROCEDURES; AND
 - D. PROPOSED AMENDMENTS TO THE TRAVIS COUNTY HOSPITAL DISTRICT'S ETHICS POLICY.

Clerk's Note: Items 33.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Patricia Young Brown, President and CEO, Travis County Hospital District; Stacy Wilson, Assistant County Attorney; John Hille, Assistant County Attorney; Kimberly Watson, Travis County Auditor's Office; and Mary Mayes, Investment Manager, Cash/Investment Management.

ITEM 33 CONTINUED

Clerk’s Note: Item 33.D was further discussed at 10:45 AM.

Members of the Court heard from: Patricia Young Brown, President and CEO, Travis County Hospital District; and Stacy Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommendations to the amendments, related to discretionary contracts and key persons concerns.

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

Item 33.D to be reposted on October 25, 2005.

PLANNING AND BUDGET DEPT. ITEMS

- 34. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
 - A. GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR AN AUTOMATION OF TRAFFIC CONVICTION REPORTING GRANT IN JUSTICES OF THE PEACE PRECINCT NOS. 1, 2, 3, 4 AND 5. (9:24 AM)

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

- 35. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:17 AM)

Item 35 not needed.

OTHER ITEMS

36. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 AM)

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

37. CONSIDER AND APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 20. (9:24 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 APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF WESTLAKE HILLS. (9:24 AM)

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

39. APPROVE INCREASING THE AMOUNT OF MONEY MAINTAINED BY THE COUNTY CLERK'S OFFICE FOR USE IN MAKING CHANGE. (THIS ITEM TO BE DISCUSSED IN EXECUTIVE SESSION ALSO, PURSUANT TO GOV'T CODE ANN 551.071 AND 551.076) (9:17 AM)

Item 39 pulled from the Agenda.

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.

- 40. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON COUNTY POLICY AND LEGAL STANDARDS REGARDING SPEECH ACTIVITIES ON TRAVIS COUNTY PROPERTY AND FACILITIES. ¹ (11:08 AM) (12:05 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the draft policy with the changes recommended by legal counsel, that we put that in final shape for distribution by the public upon request, and that we have this back on the Court's Agenda, October 25, 2005 at 9:00am, for a public hearing.

Motion carried:

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

Item 40 to be reposted on October 25, 2005.

- 41. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE PROPERTY AT 10409 BURNET ROAD. ² (11:08 AM)

Item 41 postponed until October 18, 2005.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON APPROVAL OF FIRST AMENDMENT TO LEASE AT 205-209 WEST 9TH STREET. ^{1 AND 2} (11:08 AM) (12:06 PM)

Clerk's Note: Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed first amendment to the lease at 205-209 West 9th Street.

Motion carried:

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

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND APPOINT REPRESENTATIVE FROM COMMISSIONERS COURT TO SIGN SETTLEMENT AGREEMENT ON BEHALF OF TRAVIS COUNTY IN THE JAMES THORNTON MATTER. ^{1 AND 3} (9:17 AM)

Item 43 pulled from the Agenda.

44. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY TO PROVIDE COMMENTS TO TCEQ AND LCRA ON APPLICATIONS BY LAZY NINE/SWEETWATER DEVELOPMENT. ¹
(11:08 AM) (12:06 PM)

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 Judge Biscoe **and seconded by** Commissioner Daugherty to authorize the County Judge to work with legal counsel, specifically Tom Nuckols, Assistant County Attorney, to prepare a response to the requesting Travis County Residents, setting forth what we have found in the application, and also outlining the general approach that Travis County will take to put in final shape subdivision rules, and also to discuss specific wastewater issues in the future.

Motion carried:

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

45. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. LESLIE GILL AND SUE GILL (TRACY SPEAR RESALE DEED), AND TAKE APPROPRIATE ACTION. ¹ (11:08 AM) (12:07 PM)

Clerk’s Note: Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Judge to sign, on behalf of Travis County, the proposed tax resale deed to Tracy Spear, who has paid Travis County the sum of \$5,557.00 in cash.

Motion carried:

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

48. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY REGARDING OFFER TO PURCHASE RESALE PROPERTY BY FIC INVESTMENT USA CORPORATION IN THE FOLLOWING TAX LAWSUITS, AND TAKE APPROPRIATE ACTION: ¹ (11:08 AM) (12:08 PM)

- A. TRAVIS COUNTY, ET AL V. J.W. SMALL;
- B. TRAVIS COUNTY, ET AL V. DEAN L. BARBARANNE;
- C. TRAVIS COUNTY, ET AL V. RICHARD D. STEVER;
- D. TRAVIS COUNTY, ET AL V. JAMES AND DEBRA NASH;
- E. TRAVIS COUNTY, ET AL V. DONALD R. HERTENBERGER, JR.;
- F. TRAVIS COUNTY, ET AL V. CAROL GLEICHNER; AND
- G. TRAVIS COUNTY, ET AL V. LILU YUEN.

Clerk’s Note: Judge Biscoe announced that Items 48.A-G would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize the County Judge to sign, on behalf of Travis County, the proposed tax resale deeds to FIC Investment USA Corporation which has paid Travis County for tract number 1, \$13,051.41; tract number 2, for which the County has received \$7,355.47; tract number 3, for which the County has received \$9,824.37; tract number 4, for which the County has received \$8,426.73; tract number 5, for which the County has received \$5,823.96; tract number 6, for which the County has received \$3,619.09; and tract number 7, for which the County has received \$6,644.24. Again, all of these are in one deed made out to FIC Investment USA Corporation.

Motion carried:

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

THE FOLLOWING IS AN ADDENDUM:

- A1. CONSIDER AND TAKE APPROPRIATE ACTION TO CONTRACT WITH MTG MANAGEMENT CONSULTANTS, L.L.C. TO ASSIST WITH VARIOUS COUNTY PROJECTS. (10:18 AM)

Members of the Court heard from: Jim Connolly, Assistant County Attorney; and Cyd Grimes, Travis County Purchasing Agent.

Clerk’s Note: The Court discussed the projects Mike Trimble, former Criminal Justice Coordinator, would assist in:

1. Central Booking Interlocal with Caryl Colburn, Director, Counseling and Education Services as the Project Manager, to work with Staff and the City of Austin and arrive at the final elements that are critical to an Interlocal agreement.
2. Selection of the Criminal Justice Coordinator, with Caryl Colburn, Director, Counseling and Education Services as the Project Manager.
3. Assist with the short-listing of applications for the Emergency Services Coordinator position, preferably to 5 applicants, with Alicia Perez, Executive Manager, Administrative Operations and Danny Hobby, former Emergency Services Coordinator, as the Travis County project managers.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve sending this proposal to Purchasing and Legal, along with the comments that Commissioner Gómez and I made yesterday, with a request for Legal to follow whatever the legal requirements are; do all we can to end up with a proposal for the Court to consider, maybe consider next week with an eye towards acting on October 25, 2005. Then, if we can get from Joe Lessard his proposal next Tuesday, October 18, 2005, we’ll be able to compare the two.

Clerk’s Note: Judge Biscoe further clarified that what we are about to decide is asking Purchasing and Legal to get with Mike Trimble, former Criminal Justice Coordinator. At the same time, Joe Lessard has been chatted with, so get him to get whatever proposal he can by next Tuesday, October 18, 2005. It looks like we might have to apply the ethics policy to Mr. Trimble, in which case we would have to give notice one week and take action one week later, which will be October 25, 2005.

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

Item A1 to be reposted on October 18, 2005.

