

## **MINUTES OF MEETING – DECEMBER 13, 2005**

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

On Tuesday, the 13<sup>th</sup> day of December, 2005, the Commissioners' Court convened the regular Voting Session at 9:10 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court recessed the Voting Session at 11:57 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:41 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 1:41 PM.

The Commissioners Court reconvened the regular Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 4:05 PM.

The Commissioners Court reconvened the Voting Session at 5:51 PM.

The Commissioners Court adjourned the Voting Session at 5:58 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING REQUEST TO TEMPORARILY CLOSE WOLF LANE JUST SOUTH OF SH 71 BEGINNING DECEMBER 19, 2005 THROUGH APPROXIMATELY JANUARY 31, 2006 FOR THE PURPOSE OF REPLACING A DAMAGED CULVERT UNDER THE ROAD IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (ACTION ITEM # 19) (9:13 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 Gómez and seconded by Commissioner Davis** to open the public hearing.

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

**Members of the Court heard from:** Joe Gieselmann, Executive Manager, Transportation and Natural Resources (TNR); Don Ward, Division Manager, Road and Bridge, TNR; Bill Swinney, Travis County Resident; and Brenda Swinney, Travis County Resident.

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

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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Bob Barstow, Owner, Windy Point Park; Don Smith, Fire Chief, Travis County Emergency Services District 4; Chief Reynolds, Travis County Emergency Services District 4; Adrian Cyphers, Travis County Fire Academy Cadet; and The Travis County Fire Academy Cadet Class 6. (9:30 AM)

**Clerk's Note:** Judge Biscoe announced that the Travis County Combined Charities Campaign officially ends on December 15, 2005.

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C3, and Items 3.A&B, 7, 10, 11, 13, 16.A&B, 17, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, and 33. (9:53 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF NOVEMBER 22, 2005.

## SPECIAL ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:33 AM)

**Members of the Court heard from:** Simon Broussard, Travis County Fire Marshall.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the order prohibiting outdoor burning.

**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

## PLANNING AND BUDGET DEPT. ITEMS

3. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:53 AM)
  - A. A GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT) IN JUVENILE PROBATION. A NEW GRANT PROGRAM THAT PROVIDES RESOURCES TO AUGMENT SERVICES FOR JUVENILES WITH MENTAL HEALTH AND SUBSTANCE ABUSE ISSUES.
  - B. A GRANT AWARD FROM TARGET CORPORATION TO THE SHERIFF'S OFFICE. GRANT PROVIDES \$1,140 TO FUND FREE VEHICLE IDENTIFICATION NUMBER ETCHING.

**Clerk's Note:** Items 3.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.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTED DEBT ISSUANCE SCHEDULE AND CAPITAL PROJECTS, INCLUDING APPROVAL OF FUNDING AND FISCAL IMPACT RELATED TO THE FOLLOWING PROJECTS: (1:42 PM) (5:56 PM)

A. 2005 BOND AUTHORIZATION

1. ROADS, ROAD-RELATED DRAINAGE, AND RIGHT-OF-WAY – PROPOSITION ONE;
2. PARKS AND OPEN SPACE PARKLAND – PROPOSITION TWO; AND
3. JAIL FACILITY REPLACEMENT BEDS AND RENOVATIONS – PROPOSITION THREE AND/OR CERTIFICATES OF OBLIGATION.

B. 2001 BOND AUTHORIZATION FOR ROADS AND PARKS

C. CERTIFICATES OF OBLIGATION FOR THE FOLLOWING:

1. PURCHASE OF BUILDINGS IN AUSTIN;
2. FLINT ROCK ROAD EXTENSION;
3. PRECINCT 2 BUILDING RENOVATION PROJECT; AND
4. OTHER FACILITIES MANAGEMENT RENOVATION PROJECTS

D. REJECT ALL BIDS IN RESPONSE TO IFB NO. B050105-LP RELATING TO ANDERSON MILL ROAD CONSTRUCTION AND DRAINAGE IMPROVEMENTS DUE TO ALL BIDS SIGNIFICANTLY EXCEEDING THE PROJECT BUDGET, AND TAKE OTHER APPROPRIATE ACTION.

**Clerk's Note:** Items 4.A-D are associated with one another and were called for concurrent discussion.

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

**ITEM 4 CONTINUED**

**Clerk's Note:** The Court discussed Roman numeral II "Not Yet Approved Issuance of Debt to Date (Voter Approved)" from the second page of the memo by Jessica Rio, Budget Analyst, PBO.

- II.A 2005 Proposition One (Roads, Road-Related Drainage, Right-of-Way)
- II.B 2005 Proposition Two (Parks and Open Space Parkand)
- II.C 2005 Proposition Three (Jail Facility Replacement Beds and Renovation)
- II.D 2001 Proposition One (Local Roads, Drainage and Pedestrian) assumes debt swap proposal approved by Court.
- II.E 2001 Proposition Two (County Parks Projects)

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the second page of Ms. Rio's memo, Roman numeral IIA, B, C, D, and E, and they total \$60,120,000.00.

**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

**Clerk's Note:** The Court discussed Roman numeral III "Not Yet Approved Issuance of CO Debt to Date (Non-Voter Approved)" from the second page of the memo by Jessica Rio, Budget Analyst, PBO.

- III.2 Flint Rock Rd. Extension

**Motion by Commissioner Daugherty and seconded by Commissioner Sonleitner** to approve Item 4.C.2, the Flint Rock Rd. Extension in the amount of \$2,189,000.00 in 20 year financing.

**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 4 CONTINUED

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to reject all bids in Item 4.D.

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

**Clerk's Note:** Item 4.C was further discussed at 5:56 PM.

**Clerk's Note:** The Court discussed Roman numeral III “Not Yet Approved Issuance of CO Debt to Date (Non-Voter Approved)” from the second page of the memo by Jessica Rio, Budget Analyst, PBO.

### III.1 Purchase of other buildings in Austin

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the \$6.8 million dollars in Roman numeral III.1, second page of the memo.

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

**Clerk's Note:** The Court discussed Roman numeral III “Not Yet Approved Issuance of CO Debt to Date (Non-Voter Approved)” from the second page of the memo by Jessica Rio, Budget Analyst, PBO.

### III.3 Pct. 2 Building Renovation Project

### III.4 Other Facilities Management Renovation Projects

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe that we put in the appropriate costs related to Precinct 2 and the Other Facilities Management Renovations Projects, \$1,963,500.00 and \$2,248,195.00, as set forth in the memo.

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

**AT 2:00 P.M.**

5. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN SPACE PLANNING ISSUES, INCLUDING: (2:21 PM)
  - A. ELECTED OFFICIALS REQUESTS REGARDING REALLOCATING SPACE IN THE BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER AND THE USE OF EXISTING RESOURCES FOR FURTHER PLANNING EFFORTS FOR COURT NEEDS; AND

**Members of the Court heard from:** Belinda Powell, Capital Planning Coordinator, PBO; Ronnie Earle, Travis County District Attorney; Roger El Khoury, Director, Facilities Management; John Dietz, District Judge, 250<sup>th</sup> District Court; Bob Perkins, District Judge, 331<sup>st</sup> District Court; Randy Howry, President, Austin Bar Association; Amalia Rodriguez Mendoza, Travis County District Clerk; and Michael Hemby, Senior Planner, Travis County Sheriff's Office (TCSO).

Discussion Only. No formal action taken.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN SPACE PLANNING ISSUES, INCLUDING: (4:05 PM) (5:56 PM)
  - B. THE CURRENT APPROVED STRATEGY TO DEVELOP A GENERAL GOVERNMENT CAMPUS.

**Clerk's Note:** Judge Biscoe announced that Item 5.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Discussion Only. No formal action taken on Item 5.B.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:10 AM)

Item 6 not needed.



**ADMINISTRATIVE OPERATIONS ITEMS**

7. 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 \$1,067,128.43 FOR THE PERIOD OF NOVEMBER 25, 2005 THROUGH DECEMBER 1, 2005. (9:53 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:  
(11:28 AM)
- A. DISCUSS AND TAKE APPROPRIATE ACTION ON THE DEFERRED COMPENSATION 457(B) PLAN CONSULTANT FOR TRAVIS COUNTY, RFS S050118-OJ; AND
- B. APPROVE CONTRACT AWARD FOR THE DEFERRED COMPENSATION 457(B) PLAN CONSULTANT FOR TRAVIS COUNTY, RFS S050118-OJ, TO THE BEST QUALIFIED RESPONDENT, THE RETIREMENT STORE.  
(HRMD)

**Clerk's Note:** Items 8.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; and Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD).

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Items 8.A and B.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	no

9. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. SL030126LC, BEARINGPOINT, INC., FOR SERVICE LEVEL AGREEMENT WITH EPAY ATTACHMENT. (COUNTYWIDE) (9:56 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Amalia Rodriguez Mendoza, Travis County District Clerk; Mike Griffith, Bearing Point; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); and Chris Cox, ITS.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the contract modification in Item 9.

**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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM URS CORPORATION FOR RIGHT OF ENTRY TO EXPOSITION CENTER GROUNDS TO PERFORM GROUND WATER MONITORING AND AUTHORIZE DIRECTOR OF FACILITIES MANAGEMENT TO SIGN LETTER OF APPROVAL. (9:53 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. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND BEN FOSTER IN COORDINATION WITH THE UNIVERSITY OF TEXAS AT AUSTIN TO ENTER AND USE OLD COUNTY JAIL FOR THE PURPOSE OF SHOOTING A STUDENT FILM. (9:53 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 TO DENY LIABILITY CLAIM RECOMMENDATION FROM AUSTIN ENERGY/CITY OF AUSTIN. (10:34 AM)

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; David Greer, TNR; Chris Edwards, Attorney, City of Austin; Don Ward, Division Manager, Road and Bridge, TNR; Donna Stirman, HRMD; and Sherine Thomas, Assistant County Attorney.

**Motion by** Commissioner Sonleitner to deny the claim by Austin Energy and that the appropriate people who need to be brought to the table for discussions and conversations are SBC (Southwestern Bell Corporation), and we ought to appropriately participate in any kind of settlements.

**Clerk's Note:** The Motion died for lack of a second.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis for County Staff to get with Austin Energy/City of Austin, bring Southwestern Bell in, sit down and try to resolve this matter, come back to us after the first of the year, let us know the progress, and if we've got to go to litigation, we'll just do it; and that the authorized representative be a Human Resources Staff person or a Risk Management representative.

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

Item 12 to be reposted on January 17, 2006.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:53 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.

## JUSTICE AND PUBLIC SAFETY DEPT. ITEMS

14. RECEIVE PRESENTATION ON VISITATION CENTER PROJECT AT THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER AND GIVE DIRECTIONS ON HOW TO PROCEED. (11:42 AM)

**Members of the Court heard from:** Kimberly Pierce, Interim Planning Manager, Criminal Justice Planning (CJP); and Warden Pittman, Travis County Community Justice Center.

Discussion Only. No formal action taken.

Item 14 to be reposted on December 20, 2005.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

15. CONSIDER AND TAKE APPROPRIATE ON STAFF RECOMMENDATIONS REGARDING PROPOSED EXPANSION OF TRAVIS COUNTY'S INVESTMENT IN WORKFORCE DEVELOPMENT SERVICES. (1:55 PM)

**Members of the Court heard from:** Lawrence Lyman, Senior Planner, Research and Planning, Travis County Health and Human Services, (TCHHS); and Blanca Leahy, Division Director, Research and Planning, TCHHS.

**Clerk's Note:** Health and Human Services presented the following recommendations:

Long-term services: Amend contract with Capital IDEA to expand capacity to provide long-term services.

Short-term services: Rapid Employment Model: partnership with WorkSource to pilot innovative model to utilize intensive, occupation specific training to quickly move disadvantaged residents into stable employment.

Opportunities for Youth: Expand opportunities for disadvantaged youth; help avoid more costly intensive interventions as adults. Amend MetroTrails contract with American YouthWorks. New contract with Opportunity Austin (Greater Austin Chamber of Commerce) to support private sector involvement to improve secondary education in public schools.

Supportive Investments: In addition to the above services, the department proposes the following:

Child Care: Invest \$16,500 in WorkSource;

Evaluation: Contract with the Ray Marshall Center at the University of Texas to create and implement an evaluation plan for local WFD services.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the recommended strategy with the understanding that the contract ought to have a provision that requires a six-month status report to the Commissioners Court.

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

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

16. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS REGARDING CHIMNEY OAKS AT DOS RIOS SECTION ONE IN PRECINCT THREE: (9:53 AM)
- A. CASH SECURITY AGREEMENT; AND
- B. CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING:  
CHIMNEY OAKS AT DOS RIOS SECTION ONE (LONG FORM PLAT – 2 LOTS – 5.48 ACRES – COLORADO CANYON DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LCRA - NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 16.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.

17. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR TRAVIS BLUFF, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:53 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 TO INVITE COUNTY RESIDENTS TO VISIT NEWLY ACQUIRED TRAVIS COUNTY REIMERS RANCH AND JOHN HOGGE PARK IN SOUTHWEST TRAVIS COUNTY. (4:01 PM)

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

Discussion Only. No formal action taken.

Item 18 to be reposted on December 20, 2005.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY CLOSE WOLF LANE JUST SOUTH OF SH 71 BEGINNING ON DECEMBER 19, 2005 THROUGH APPROXIMATELY JANUARY 31, 2006 FOR THE PURPOSE OF REPLACING A DAMAGED CULVERT UNDER THE ROAD IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:53 AM)

**Clerk's Note:** Item 19 is the action item for the public hearing on Agenda Item 1.

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT ROAD AND BRIDGE FISCAL YEAR 2005-06 WORKPLAN. (4:00 PM)

Item 20 to be reposted on December 20, 2005.

## PURCHASING OFFICE ITEMS

21. APPROVE MODIFICATION NO. 22 TO CONTRACT MA980095, COMPUTDYNE - PUBLIC SAFETY & JUSTICE, INC., FOR AGREEMENT FOR EXTENDED SERVICES. (ITS) (COMMISSIONER GÓMEZ) (9:53 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. APPROVE SOLE SOURCE EXEMPTION AND PURCHASE OF THE LIVESCAN PALM SCANNERS WITH MAINTENANCE FROM IDENTIX, INCORPORATED. (TCSO) (COMMISSIONER GÓMEZ) (9:53 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.

23. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 03C00078SP, MARK III SYSTEMS, FOR IBM COMPUTER PRODUCTS AND SERVICES. (ITS) (COMMISSIONER GÓMEZ) (9:53 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. APPROVE CONTRACT AWARD FOR GUARDRAIL AND BRIDGERAIL INSTALLATION, REMOVAL AND REPLACEMENT, IFB #B060032-LD, TO THE SOLE BIDDER, H AND H FENCE. (TNR) (COMMISSIONER GÓMEZ) (9:53 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. APPROVE PURCHASE OF PARCEL MAIL EXPEDITED SERVICES OFF STATE CONTRACT FROM UPS MAIL INNOVATIONS. (RECORDS MANAGEMENT) (COMMISSIONER GÓMEZ) (9:53 AM)

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

26. APPROVE PURCHASE OF POLICE VEHICLES OFF STATE CONTRACT FROM BABY JACK II AUTOMOTIVE. (TNR) (COMMISSIONER GÓMEZ) (9:53 AM)

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

27. CONSIDER AND TAKE APPROPRIATE ACTION ON QUANTUM MERUIT CLAIM FROM J. PLUMBING FOR PAYMENT OF UTILITY RELOCATION WORK RELATED TO THE KENNEDY RIDGE DRAINAGE PROJECT. (TNR) (11:06 AM)

**Members of the Court heard from:** Frank Holder, Assistant Purchasing Agent; Liz Asiturno, Friend of Mr. Jose Estrada; Mr. Jose Estrada, Contractor; John Hille, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez that Mr. Estrada be paid the full amount that's been suggested here in this particular recommendation, \$14,238.35.

**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



28. APPROVE PURCHASE OF PAPER PRODUCTS FROM MATERA PAPER COMPANY THROUGH THE TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD, CONTRACT NO. IL030067OJ. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:53 AM)

**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. APPROVE CONTRACT AWARD FOR MCGREGOR PARK SERVICE ROAD IMPROVEMENT PROJECT, IFB NO. B050124-LP, TO THE LOW BIDDER, SMITH CONTRACTING COMPANY. (TNR) (COMMISSIONER DAUGHERTY) (9:53 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. APPROVE TWO THIRTY-DAY EXTENSIONS (MODIFICATION NO. 3) TO CONTRACT NO. 03T00096OJ, AMERISOURCE BERGEN CORPORATION, FOR PHARMACEUTICALS AND PHARMACEUTICAL SUPPLIES. (SHERIFF) (COMMISSIONER GÓMEZ) (9:53 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. APPROVE TWO THIRTY-DAY EXTENSIONS (MODIFICATION NO. 2) TO CONTRACT NO. 04T00055OJ, TRANSCOR AMERICA, FOR TRANSPORTATION AND EXTRADITION SERVICES. (SHERIFF) (COMMISSIONER GÓMEZ) (9:53 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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 03T00156OJ, CDC CARPETS, FOR FLOOR COVERING SERVICES - TIME AND MATERIALS. (FAC. MGMT.) (COMMISSIONER GÓMEZ) (9:53 AM)

**Clerk's Note:** Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## OTHER ITEMS

33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:53 AM)

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

## 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.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON SECURITY COMMITTEE ISSUES AND RECOMMENDATIONS. <sup>4</sup> (4:05 PM) (5:51 PM)

**Clerk's Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.076, Security.

Discussion Only. No formal action taken.

Item 34 to be reposted on December 20, 2005.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TWO VACANT AND UNDEVELOPED LOTS IN THE KENNEDY RIDGE SUBDIVISION LOCATED IN PRECINCT ONE. (COMMISSIONER DAVIS) <sup>2</sup> (4:05 PM) (5:51 PM)

**Clerk's Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner that we counter offer to Ms. Diane Rodriguez the amount of \$10,000.00 for Lot 2, and \$10,000.00 for Lot 53, and that's in Block E of Kennedy Ridge Subdivision, Section 2. That money will come from a bond fund that was approved, in account number 468-4931-808-8144.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET. AL. (CIVIL RIGHTS CASE) <sup>1</sup> (4:05 PM) (5:52 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken on Item 36.

37. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING  
LEASE/PURCHASE AGREEMENT FOR THE JP/CONSTABLE PCT. 2  
OFFICES AT 10409 BURNET ROAD. <sup>2</sup> (4:05 PM) (5:52 PM)

**Clerk's Note:** Judge Biscoe announced that Item 37 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 that we move in the direction of telling all appropriate persons in Facilities Management and the County Attorney's Office to prepare the appropriate legal documents to move towards a purchase of this property for \$3.81 million dollars, and that this be brought back at the appropriate time to finalize, and that that number be communicated with PBO (Planning and Budget Office) so that we can include this in the CO (Certificates of Obligation) line item under a different number.

**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

38. CONSIDER AND TAKE APPROPRIATE ACTION FOR THE POTENTIAL  
PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. <sup>2</sup> (4:05 PM) (5:53 PM)

**Clerk's Note:** Judge Biscoe announced that Item 38 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 that we first authorize PBO (Planning and Budget Office) to prepare an automatic transfer of \$100,000.00 in earnest money from the Allocated Reserve; that it be on the Court's Agenda next week; and that we indicate our intention to execute a properly prepared reimbursement resolution in the amount of \$2,980,000.00 to purchase this property; and to authorize the County Judge to sign on behalf of the Commissioners Court.

**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 38 to be reposted on December 20, 2005.

39. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON REQUEST FOR INFORMATION FROM PROJECT DUAL REGARDING FINANCIAL INCENTIVES UNDER COUNTY FINANCIAL INCENTIVES PROGRAM POLICY. <sup>1</sup> (4:05 PM) (5:55 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Sonleitner** that the County Judge respond to these representatives what the legal counsel told us regarding two identical agreements, and have this matter back on the Court's Agenda next week just in case we need it.

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

Item 39 to be reposted on December 20, 2005.

40. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON TAX  
REBATE AGREEMENT WITH SAMSUNG AUSTIN SEMICONDUCTOR L.L.C. 1  
(4:05 PM) (5:55 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.

Discussion Only. No formal action taken.

Item 40 to be reposted on December 20, 2005.

41. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON TAX ABATEMENT AGREEMENT WITH HOME DEPOT U.S.A, INC. <sup>1</sup> (4:05 PM)

**Clerk's Note:** Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 41 to be reposted on December 20, 2005.

42. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING MATTERS IN REFERENCE TO THE FARMERS MARKET AT 6701 BURNET ROAD: <sup>1 AND 2</sup>  
(4:05 PM) (5:55 PM)

A. IMPROVEMENT REQUESTED FOR TENANT BY MANAGER; AND

**B. RECOMMENDATIONS FROM BROKER.**

**Clerk's Note:** Judge Biscoe announced that Items 42.A and B 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** Judge Biscoe to authorize the County Attorney to convey to the manager that we are not so inclined unless we get considerably more information about what that is for, given part 42.B.

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

**Motion by** Commissioner Sonleitner **and seconded by** Judge Biscoe to please put in one more offer to the manager to please take care of the grafitti on the back of the building that they wanted to put this improvement in.

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

## ADJOURNMENT

**Motion by** Commissioner Davis **seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:58 PM)

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

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

**Date of Approval**

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