

MINUTES OF MEETING – JANUARY 17, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 17th day of January, 2006, the Commissioners' Court convened the regular Voting Session at 9:13 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 11:26AM.

The Commissioners Court reconvened the Voting Session at 12:03 PM.

The Commissioners Court recessed the Voting Session at 12:03 PM.

The Commissioners Court reconvened the regular Voting Session at 1:38 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:38 PM and adjourned at 1:38 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:39 PM and adjourned at 1:56 PM.

The Commissioners Court reconvened the regular Voting Session at 1:56 PM.

The Commissioners Court retired to Executive Session at 1:57 PM.

The Commissioners Court reconvened the Voting Session at 3:19 PM.

The Commissioners Court adjourned the Voting Session at 3:24 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 40' DRAINAGE EASEMENT ON THE SOUTH SIDE OF LOT 160 LOCATED IN WESTMINSTER GLEN ESTATES PHASE 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM # 9) (9:14 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 9 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, Transportation and Natural Resources (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

2. RECEIVE COMMENTS REGARDING PROPOSED FEES FOR TRAVIS
COUNTY MILTON REIMERS RANCH PARK. (ACTION ITEM # 10) (9:16 AM)

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

Clerk's Note: The Court discussed Staff's recommendation to charge the standard Travis County Park fee at Reimers Ranch Park.

Motion by Commissioner Sonleitner **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; and Kirk Holiday, representing Central Texas Mountaineers.

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

CITIZENS COMMUNICATION

Clerk's Note: No speakers addressed the Court. (9:18 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C5, and Items 6.A&B, 7, 9, 10, 14, 15, 19.A-F, 20, 21, 22, 24.A-C, 25, and 28. (9:19 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 JANUARY 3, 2006.
- C4. APPROVE APPOINTMENT OF THE FOLLOWING DEPUTIES FOR PRECINCT FIVE CONSTABLE OFFICE:

BAILES, DARA;	GAGE, TIMOTHY	REDD, ALAN J.
BARNES, SAMANTHA	HAGAN, MILDRED D.	RICKETSON DEBBIE
BINTLIFF, DAVID E.	JOHNSON, RUBY L.	RIOJAS, EDWARD
BLAYLOCK, GERRY	KOCH, MORRIS ERWIN	ROMERO, LUIS
BRAMMER, CAROLYN	LANTERMAN, CHARLES	ROSSER, JOSEPH
CALLIS, JOHN C.	LOPEZ, CARLOS B.	RUIZ, JOE
COPELAND, RICHARD G.	MORRIS, DAVID M.	TORRES, JUAN
CURRY, EDWARD E.	MOUNT, MIRACLE M.	
DEWOLFE, NEIL	MULTER, DALE E.	
DOUGLAS, SANDRA M.	OLGUIN, NANCY	

- C5. APPROVE SETTING A PUBLIC HEARING DATE OF FEBRUARY 21, 2006 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 74 AND 81 CROSSWIND SUBDIVISION (SHORT FORM PLAT - 2 LOTS – 3.293 ACRES – TRADEWIND DRIVE - SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY)

RESOLUTIONS & PROCLAMATIONS

3. APPROVE RESOLUTION RECOGNIZING FRANK O. HOLDER, JR. ON HIS RETIREMENT FROM THE TRAVIS COUNTY PURCHASING OFFICE.
(9:21 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent, Bonnie Floyd, Assistant Purchasing Agent, Marvin Brice, Purchasing, and Frank Holder, Assistant Purchasing Agent.

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

SPECIAL ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:41 AM)

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

Clerk's Note: Judge Biscoe announced that by taking no action the prohibition against outdoor burning stays in place.

Discussion Only. No formal action taken.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER DECLARING LOCAL DISASTER TO ADDRESS THE POTENTIAL THREAT OF WILDFIRES DUE TO DROUGHT AND ADVERSE WEATHER CONDITIONS AND BANNING THE USE OF COMBUSTIBLE MATERIALS, INCLUDING FIREWORKS, IN OUTDOOR ENVIRONMENTS, PURSUANT TO SECTION 418.108 OF THE GOVERNMENT CODE. (9:52 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 renew the order.

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 5 to be reposted on January 24, 2006.

PLANNING AND BUDGET DEPT. ITEMS

6. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:19 AM)
- A. GRANT APPLICATION TO THE TEXAS DEPARTMENT OF HUMAN SERVICES FOR THE COMMODITY RENEWAL PROGRAM IN JUVENILE PROBATION. THIS APPLICATION IS TO CONTINUE THE PROGRAM FOR FY 06.
- B. GRANT CONTRACT TO THE TASK FORCE ON INDIGENT DEFENSE FOR THE FY 06 INDIGENT DEFENSE FORMULA GRANT PROGRAM IN THE CRIMINAL COURTS, WHICH CONTINUES THE EXISTING PROGRAM FOR FY 06.

Clerk's Note: Items 6.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.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:19 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 REQUEST FROM COURT OF APPEALS FOR THE THIRD DISTRICT OF TEXAS TO ASSIST WITH IMPLEMENTATION OF HB 11 REGARDING JUDICIAL COMPENSATION. (10:11AM) (11:26 AM) (1:57 PM) (3:19 PM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); and Barbara Wilson, Assistant County Attorney.

Clerk's Note: Judge Biscoe announced that Item 8 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion Only. No formal action taken.

Item 8 to be reposted on January 31, 2006.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 40' DRAINAGE EASEMENT ON THE SOUTH SIDE OF LOT 160 LOCATED IN WESTMINSTER GLEN ESTATES PHASE 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:19 AM)

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

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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSED FEES FOR TRAVIS COUNTY MILTON REIMERS RANCH PARK. (9:19 AM)

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

Clerk's Note: Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ADOPTION OF PARK RULES FOR MILTON REIMERS RANCH PARK AND POGUE SPRINGS PRESERVE. (9:56AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR, and Charles Bergh, Division Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to adopt the proposed rules for Milton Reimers Park and the Pogue Preserve.

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

12. A. REVISED: CONSIDER AND TAKE APPROPRIATE ACTION ON A DEVELOPMENT AND PARKLAND DEDICATION AGREEMENT WITH MAK MARSHALL RANCH FOR THE DEDICATION OF APPROXIMATELY 75 ACRES OF PARKLAND CONNECTING TO TRAVIS COUNTY'S SOUTHEAST METROPOLITAN PARK AND FOR THE COUNTY'S DEVELOPMENT OF PARK IMPROVEMENTS THEREIN. (9:14 AM)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON AN EXEMPTION ORDER FOR PROFESSIONAL ENGINEERING DESIGN SERVICES WITH CUNNINGHAM ALLEN FOR PARK IMPROVEMENTS RELATING TO TRAVIS COUNTY'S SOUTHEAST METROPOLITAN PARK AND AUTHORIZE PURCHASING AGENT AND TNR EXECUTIVE MANAGER TO COMMENCE NEGOTIATION PURSUANT TO THE COUNTY PURCHASING ACT, TEX. LOCAL GOVERNMENT CODE, ANN. SECTION 262.062(a)(4). (COMMISSIONER GÓMEZ)

Items 12.A and B postponed until January 24, 2006.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RENEW CONTRACT AND PROVIDE FUNDING FOR ENVISION CENTRAL TEXAS. (9:54 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to renew the contract and also provide \$25,000.00 in funding from the earmark against Allocated 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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

HEALTH AND HUMAN SERVICES DEPT. ITEMS

14. CONSIDER AND TAKE APPROPRIATE ACTION TO CHANGE NAME OF TRAVIS COUNTY DEPARTMENT 18 FROM “TEXAS AGRICULTURAL EXTENSION SERVICE” TO “TEXAS COOPERATIVE EXTENSION – TRAVIS COUNTY” IN THE COUNTY’S FINANCIAL SYSTEM. (9:19 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.

ADMINISTRATIVE OPERATIONS ITEMS

15. 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 \$441,962.24 FOR THE PERIOD OF DECEMBER 30, 2005 THROUGH JANUARY 5, 2006. (9:19 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. A. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY DAMAGE TOTAL LOSS CLAIM RECOMMENDATIONS: (10:29AM)

- A. TNR UNIT 2338 – SETTLE;
- B. TCSO UNIT 2838 – SETTLE;
- C. TCSO UNIT 2350 – SETTLE;
- D. TCSO UNIT 2459 – SETTLE;
- E. TCSO UNIT 1810 – SETTLE;
- F. TCSO UNIT 2155 – SETTLE;
- G. TCSO UNIT 1946 – SETTLE; AND
- H. TCSO UNIT 1975 – SETTLE;

Clerk's Note: Staff noted Item 16.A.B should read "TCSO Unit 2383 – Settle;".

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Greg Hamilton, Travis County Sheriff; Rick Whitehead, TCSO; and Major Scott Burroughs, TCSO.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 16.A.A.

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve Item 16.A.B.

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

ITEM 16 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve Item 16.A.D.

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

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Items 16.A.C, A.E, A.F, A.G, and A.H.

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

16. B. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE TOTAL LOSS OF TCSO UNIT 1955. (10:53 AM)

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve Staff recommendations.

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

ITEM 16 CONTINUED

16. C. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE AUTO LIABILITY CLAIM RECOMMENDATION FOR STATE FARM INSURANCE AND STACY KEATON. (11:01AM)

Members of the Court heard from: Donna Stirman, HRMD.

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Staff recommendations.

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	abstain

17. A. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (11:04 AM)

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve Item 17.A.

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

B. CONSIDER AND TAKE APPROPRIATE ACTION ON NON-ROUTINE PERSONNEL ACTION – A PROMOTION FOR EMPLOYEE IN MEDICAL EXAMINER’S OFFICE, PER TRAVIS COUNTY CODE SECTION 10.03008. (11:04 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Gómez and seconded by Commissioner Daugherty to approve Item 17.B.

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

PURCHASING OFFICE ITEMS

18. DISCUSS, APPROVE, OR GIVE STAFF DIRECTION REGARDING THE ISSUANCE OF REQUEST FOR QUALIFICATIONS NO. Q060056-MB, DESIGN BUILD SERVICES FOR ADDITIONS AND ALTERATIONS TO THE TRAVIS COUNTY CORRECTIONAL COMPLEX. (COMMISSIONER GÓMEZ)
(10:03AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed RFQ with the understanding that we will bring this item back up after our Executive Session discussion, hopefully to figure out the exact wording that we will have regarding the new ethics requirement.

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. APPROVE CONTRACT AWARDS FOR EROSION CONTROL MATERIALS, IFB NO. B060036-NB, TO THE FOLLOWING LOW BIDDERS: (9:19 AM)

- A. BAMERT SEED CO., FOR LINE ITEM 1;
- B. JUSTIN SEED, FOR LINE ITEMS 2, 6;
- C. AFS ENVIRONMENTAL, INC., FOR LINE ITEMS 3, 4, 7, 8;
- D. LONE STAR PRODUCTS, LINE ITEMS 11, 12, 14, 15, 16;
- E. EXCEL GARDEN PRODUCT, LINE ITEMS 5, 9, 10; AND
- F. GEO-SOLUTIONS, INC., FOR LINE ITEMS 13, 17, 18, 19 (TNR)
(COMMISSIONER GÓMEZ)

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

20. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT 05T00040DR, ASPEN AIR INC., FOR RESIDENTIAL HVAC SERVICES. (HHS) (COMMISSIONER GÓMEZ) (9:19 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 ORDER EXEMPTING THE PURCHASE OF DETENTION EQUIPMENT AND SECURITY ELECTRONICS SYSTEMS MATERIALS FROM ISI DETENTION CONTRACTING GROUP, INC. AND SUBSIDIARY, METROPLEX CONTROL SYSTEMS, FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(7)(D) OF THE COUNTY PURCHASING ACT. (FM) (COMMISSIONER GÓMEZ) (9:19 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 MODIFICATION NO. 7 TO CONTRACT NO. 04K00263JJ, EAST METRO PARK (PHASE 1, PROJECT 1), C.C. CARLTON INDUSTRIES, LTD. CONTRACTOR. (TNR) (COMMISSIONER DAVIS) (M)

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 ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ENGINEERING SERVICES FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (TNR) (9:14 AM)

Item 23 not needed.

24. APPROVE MODIFICATION NO. 1 FOR THE FOLLOWING REAL ESTATE BROKERAGE CONTRACTS: (9:19 AM)

- A. NAI COMMERCIAL INDUSTRIAL GROUP, INC. #PS060048LP;
- B. SOUTHWEST STRATEGIES GROUP #PS060050LP; AND
- C. THE STAUBACH COMPANY CENTRAL TEXAS, LLC #PS060052LP.
(FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ)

Clerk's Note: Items 24.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:19 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO CREATE A STATE HIGHWAY 130 CORRIDOR DEVELOPMENT PLANNING COMMITTEE. (11:06 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve the 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

Clerk's Note: The Court noted that Commissioner Davis and Commissioner Gómez are appointed to the planning committee.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A RESOLUTION APPROVING A BOND ANTICIPATION NOTE TO BE ISSUED BY TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION FOR THE BENEFIT OF LONGHORN VILLAGE. (11:25 AM) (1:56 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 27.

Motion carried:

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

28. APPROVE SETTING A PUBLIC HEARING DATE OF FEBRUARY 21, 2006 AT 9:00 A.M. AT TRAVIS COUNTY COMMISSIONERS COURTROOM, 314 W. 11TH STREET, AUSTIN, TEXAS TO RECEIVE COMMENTS REGARDING A PETITION FOR THE CREATION OF AN EMERGENCY SERVICES DISTRICT #13 IN THE PART OF NORTHEAST TRAVIS COUNTY THAT IS NOT CURRENTLY SERVED BY ANOTHER DISTRICT. (9:19 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.

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.

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING ACQUISITION OF RIGHT OF WAY AND EASEMENTS IN PENDING CONDEMNATION PROCEEDINGS FOR WELLS BRANCH PARKWAY EXTENSION PROJECT (LISSO HEIRS) INCLUDING ACCEPTANCE OF AN ALTERNATE DEDICATION OF RIGHT OF WAY IN REPLACEMENT OF A PORTION OF THE OVERALL TAKING AND TAKE ANY ACTION AS NECESSARY. ¹ (11:26 AM) (3:21 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve A) an agreement to dedicate right-of-way and directing and authorizing the County Judge to sign such agreement; B) a waiver by condemnees, who are the land owners, in cause number 2525; C) an amended condemnation resolution; and D) a first amended condemnation petition in said cause number 2525.

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

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING ACQUISITION OF RIGHT OF WAY AND EASEMENTS IN PENDING CONDEMNATION PROCEEDINGS FOR THE CAMERON ROAD EXTENSION AND BRIDGE CONSTRUCTION PROJECT AND CONSIDER CONDEMNNEES' OFFER OF SETTLEMENT AND TAKE ANY ACTION AS NECESSARY ON THE FOLLOWING PARCELS AS FOLLOWS: ¹ (11:26 AM) (3:22 PM)

Motion by Commissioner Davis **and seconded by** Judge Biscoe to reject the offer by the condemnees and that we continue in the condemnation proceedings shown in the particular parcels 1, 2, and 3 in Item number 30.

An Addition to the previous Motion was made by Judge Biscoe to make clear our willingness to consider any appropriate offer to settle.

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

- A. PARCEL #1 AND #1E, RECORD OWNER KINGS GATE, L.P.;
- B. PARCEL #2 AND #2Ea/2Eb, RECORD OWNER NORTH GATE LP.; AND
- C. PARCEL #3 AND #3Ea/3Eb, RECORD OWNER BISHOPS FIELD, L.P.

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

31. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN ENTERTAINMENT BY J & J INC. V. RUFINO CORNEJO AND LUKE MERCER, CONSTABLE PRECINCT ONE, ET AL. ¹ (11:26 AM) (1:58 PM) (3:23 PM)

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

Discussion Only. No formal action taken.

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PURCHASE OF AN OFFICE BUILDING LOCATED AT 5555 AIRPORT BLVD., AUSTIN, TEXAS. ² (11:26 AM) (1:57 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't Code Ann 551.072, Real Property.

Item 32 to be postponed until January 24, 2006.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET. AL. (CIVIL RIGHTS CASE) ¹ (11:26 AM) (1:58 PM) (3:23 PM)

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

Discussion Only. No formal action taken.

Item 33 to be reposted on January 24, 2006.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN MURRAY, ET AL. V. EARLE, ET. AL. NO. A-02-CA-252-SS. ¹ (11:26AM) (1:58 PM) (3:24 PM)

Clerk's Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 34 pulled from the Agenda.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION AND/OR CONSIDER SETTLEMENT OFFER IN SARAH CARPENTER-PINEDA V. MARGO FRASIER, ET. AL. (CIVIL RIGHTS CASE) ¹ (11:26 AM)

Item 35 postponed until January 24, 2006

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING NEW ETHICS REQUIREMENTS OF LOCAL GOVERNMENT CODE CHAPTER 176, AND TAKE APPROPRIATE ACTION. ¹ (11:26 AM) (1:58 PM) (3:20)

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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to include the newly prepared and recently delivered language from the County Attorney's Office regarding the conflict of interest matter, and that it be added to paragraph 7.5 of the RFQ that we approved this morning under 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

ADJOURNMENT

Motion by Commissioner Davis **seconded by** Commissioner Daugherty to adjourn the Voting Session. (3:24 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge