

MINUTES OF MEETING – FEBRUARY 7, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 7th day of February, 2006, the Commissioners' Court convened the regular Voting Session at 9:21 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 Deborah Mendez and Deputy Robert Resnick.

The Commissioners Court retired to Executive Session at 10:08 AM.

The Commissioners Court reconvened the Voting Session at 10:29 AM.

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

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:40 PM and adjourned at 1:55 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle) convened at 1:55 PM and adjourned at 1:55 PM.

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

The Commissioners Court retired to Executive Session at 2:04 PM.

The Commissioners Court reconvened the Voting Session at 4:09 PM.

The Commissioners Court adjourned the Voting Session at 4:22 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING AN OFFER FROM SOUTHWESTERN BELL TELEPHONE, L.P. TO BUY AN EXCLUSIVE ACCESS, CABLE AND EQUIPMENT EASEMENT ON LAND OWNED BY TRAVIS COUNTY ALONG FM 973 IN PRECINCT FOUR. (COMMISSIONER GOMEZ) (ACTION ITEM #4) (9:22 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item #4 for a summary of the action item.

Motion by Commissioner Gómez **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 Gómez **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

Members of the Court heard from: George Nash, United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine Division; John Kuhl, Environmental Officer, Transportation and Natural Resources (TNR); and Kenneth Snyder, Northridge Acres Resident. (9:23 AM)

Clerk's Note: The Commissioners Court announced that a public meeting will be held at 10:00 AM on Saturday, February 18, 2006 at the Austin Community College Pinnacle Campus, concerning the detection of the Asian Gypsy Moth in Southwest Travis County, and to announce the need for 100% cooperation of residence and property owners to try to prevent the establishment of a quarantine in Travis County.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C7, and Items 4, 5, 6, 8, 9, 11, 12, 15.A&B, 16.A&B, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29. (9:48 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 SETTING A PUBLIC HEARING DATE OF FEBRUARY 21, 2006 TO RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO BE KNOWN AS "ELECTRIC AVENUE" PARALLEL TO STATE HIGHWAY 71 WEST OF BEE CREEK ROAD, IN PRECINCT 3. (COMMISSIONER DAUGHERTY)
- C4. APPOINT ALFREDO VALENCIA TO THE EMERGENCY SERVICES DISTRICT #11 BOARD FOR A TERM TO EXPIRE DECEMBER 2008. (COMMISSIONER GÓMEZ)

Clerk's Note: Item C4 should read, "TERM TO EXPIRE DECEMBER 2007."

CONSENT ITEMS CONTINUED

- C5. APPOINT JOHN COLUNGA TO THE EMERGENCY SERVICES DISTRICT #11 BOARD FOR A TERM TO EXPIRE DECEMBER 2008. (COMMISSIONER GÓMEZ)

Clerk's Note: Item C5 should read, "TERM TO EXPIRE DECEMBER 2007."

- C6. RE-APPOINT TIM REINHART TO THE EMERGENCY SERVICES DISTRICT #11 BOARD FOR A TERM TO EXPIRE DECEMBER 2008. (COMMISSIONER GÓMEZ)

Clerk's Note: Item C6 should read, "TERM TO EXPIRE DECEMBER 2007."

- C7. APPROVE PROCLAMATION WELCOMING THE "GOLDEN GATES" RUSSIAN CHILDREN'S GROUP TO TRAVIS COUNTY FOR THE FOLK ALLIANCE CONFERENCE IN AUSTIN. (COMMISSIONER SONLEITNER)

SPECIAL ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY AND RELATED MATTERS. (9:52 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 burn stays in place.

Item 2 to be reposted on February 14, 2006.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:53 AM) (10:08 AM) (10:29 AM)
- A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, FOREST CITY SWEETWATER, L.P.;
 - B. SWEETWATER RANCH SECTION 1, PRELIMINARY PLAN IN PRECINCT 3 (561 TOTAL LOTS, 544 RESIDENTIAL, 16 MUD AND HOMEOWNERS ASSOCIATION LOTS AND 1 COMMERCIAL LOT - 311.4 ACRES – STATE HIGHWAY 71 WEST – NO FISCAL REQUIRED FOR THIS PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY LAZY NINE MUD, (NO ETJ).
 - C. SWEETWATER RANCH SECTION 2, PRELIMINARY PLAN IN PRECINCT 3 (1296 TOTAL LOTS, 1258 RESIDENTIAL, 38 MUD AND HOMEOWNERS ASSOCIATION LOTS - 735.5 ACRES – STATE HIGHWAY 71 WEST – NO FISCAL REQUIRED FOR THIS PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY LAZY NINE MUD, NO ETJ). (COMMISSIONER DAUGHERTY)

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to postpone action on Items 3.A-C until further notice.

Clerk's Note: The Court did not Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to not delay Items 3.A-C and have a vote up or down for Items 3.A-C today.

Clerk's Note: The Court did not Vote on the Substitute Motion at this time.

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

ITEM 3 CONTINUED

Clerk's Note: The Court revisited Item 3 at 10:39 AM.

Withdrawal of the second to the Substitute Motion was made by Commissioner Sonleitner.

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

A Friendly Amendment to the original Motion was offered by Commissioner Sonleitner to specifically ask questions about the waste water plant and whether this is meeting our County requirements, questions about the location of the wastewater plant, and some unresolved questions related to the use of spray irrigation.

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

Clerk's Note: The Court took a Vote on the Standing Motion and Second at this time.

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

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN OFFER FROM SOUTHWESTERN BELL TELEPHONE, L.P. TO BUY AN EXCLUSIVE ACCESS, CABLE AND EQUIPMENT EASEMENT ON LAND OWNED BY TRAVIS COUNTY ALONG FM 973 IN PRECINCT FOUR. (COMMISSIONER GOMEZ) (9:48 AM)

Clerk's Note: Judge Biscoe announced Item 4 would be approved on Consent, contingent on the last sentence of the easement document being pulled out, revised, and reposted on the agenda.

Clerk's Note: Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

5. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS IN SPANISH OAKS SECTION V, SECTION III, SECTION A, AND PHASE II-B SUBDIVISIONS IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:48 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: ROCKY POINT SUBDIVISION (SHORT FORM PLAT – 4 LOTS – 13.09 ACRES – WEST DARLEEN DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LCRA – CITY OF JONESTOWN ETJ). (COMMISSIONER DAUGHERTY) (9:48 AM)

Clerk's Note: Item 6 should read, "SHORT FORM PLAT – 5 LOTS."

Clerk's Note: Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO GRANT EXEMPTION FROM PLATTING REQUIREMENTS FOR, AND/OR TAKE OTHER APPROPRIATE ACTION ON A CONDOMINIUM PROJECT IN PRECINCT THREE: LONGHORN CANYON (APPROXIMATELY 29 UNITS – 7.06 ACRES LOCATED AT 2601 QUINLAN PARK ROAD – WATER AND SEWAGE TO BE PROVIDED BY WCID #17 – AUSTIN 2-MILE ETJ). (COMMISSIONER DAUGHERTY) (10:34 AM) (11:05 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Don Grigsby, TNR.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 7.

Motion carried:

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

Clerk's Note: Item 7 was further discussed at 11:08 AM with a request by Commissioner Davis that the Commissioners' Court record reflect a Corrected Vote on Item 7. Judge Biscoe instructed that the record show Commissioner Davis voting in favor of the Motion on Item 7. The Commissioners' Court does reflect the Corrected Vote.

Corrected Vote:

Motion carried:

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

PLANNING AND BUDGET DEPT. ITEMS

8. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:48 AM)

A. APPROVE GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR AN EDWARD BYRNE GRANT IN THE SHERIFF'S OFFICE. THE GRANT PROVIDES FUNDS TO PURCHASE ELECTRONIC TICKET WRITERS AS PART OF THE E-CITATION PROJECT.

Clerk's Note: Item 8.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:48 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. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON THE FOLLOWING BUDGET ITEMS: (10:37 AM)

- A. FY 07 BUDGET PARAMETERS, INCLUDING PROJECTED REVENUE AND EXPENSE ISSUES AND ASSUMPTIONS; AND

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

Clerk's Note: Discussion only. No formal action taken.

10. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON THE FOLLOWING BUDGET ITEMS: (10:52 AM)

- B. FY 07 BUDGET GUIDELINES.

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

Clerk's Note: Discussion only. No formal action taken.

Item 10.B to be reposted on February 14, 2006.

ADMINISTRATIVE OPERATIONS ITEMS

11. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR PARTICIPANTS IN THE TRAVIS COUNTY EMPLOYEE HEALTH CARE FUND FOR PAYMENT OF \$520,210.25 FOR THE PERIOD OF JANUARY 20, 2006 TO JANUARY 26, 2006. (9:48 AM)

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:48 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. DISCUSS AND TAKE APPROPRIATE ACTION ON FY 06 MEDICAL JOB FAMILY, JOB ANALYSIS PROJECT, RECOMMENDED JOB TITLES, PAY GRADES, FLSA DESIGNATIONS AND SUPPLEMENTAL PAY RATES AND PRACTICES. (11:08 AM)

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Luane Shull, Compensation Manager, HRMD; Todd Osburn, HRMD; Bill Derryberry, Senior Budget Analyst, PBO; Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve of the entirety of Item 13 in terms of the recommendations of HRMD, the Market Differential Pay Grade.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS REGARDING THE TRAVIS COUNTY MEDICAL EXAMINERS OFFICE: (11:36 AM)

- A. REPORT FROM HUMAN RESOURCES DEPARTMENT ON MARKET STUDY FINDINGS AND RECOMMENDATIONS FOR MEDICAL EXAMINER AND DEPUTY MEDICAL EXAMINERS JOB CLASSIFICATIONS AND TITLES;

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, HRMD; and Dr. Roberto Bayardo, Chief Medical Examiner, Travis County.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve Item 14.A, which would set the salary range for the various pathologists at our Medical Examiner's office.

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 14 CONTINUED

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS REGARDING THE TRAVIS COUNTY MEDICAL EXAMINERS OFFICE:
(11:47 AM)

B. REQUEST FOR AN ADDITIONAL DEPUTY MEDICAL EXAMINERS FTE POSITION AND BEGIN RECRUITMENT IMMEDIATELY; AND

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, HRMD; and Dr. Roberto Bayardo, Chief Medical Examiner, Travis County.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the addition of one additional Deputy Medical Examiner FTE position and authorize recruitment to commence immediately.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS REGARDING THE TRAVIS COUNTY MEDICAL EXAMINERS OFFICE:
(2:04 PM) (4:09 PM)

C. BRIEFING FROM THE COUNTY ATTORNEY ON OUT OF COUNTY CONTRACTS WITH MEDICAL EXAMINER AND DEPUTY MEDICAL EXAMINERS. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION UNDER GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY)

Clerk's Note: Judge Biscoe announced that Item 14.C would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 14.C.

PURCHASING OFFICE ITEMS

15. A. APPROVE MODIFICATIONS TO THE FOLLOWING CONTRACTS FOR INDIGENT BURIAL SERVICES: (9:48 AM)

1. NO. PS000160MQ, WILKE-CLAY-FISH;
2. NO. PS000161MQ, AUSTIN PEEL AND SON FUNERAL HOME;
3. NO. PS000162MQ, NEW FOREST OAKS INC.;
4. NO. PS000163MQ, COOK WALDEN FUNERAL HOME INC.;
5. NO. PS000165MQ, FULLER SHEFFIELD FUNERAL SERVICE;
6. NO. PS000166MQ, HARRELL FUNERAL HOME LTD.;
7. NO. PS000167MQ, KING TEARS MORTUARY INC.;
8. NO. PS000168MQ, MISSION FUNERAL HOME;
9. NO. PS000169MQ, RICHARD, J. M.; AND
10. NO. PS000171MQ, WEED CORLEY FISH FUNERAL HOME.

- B. AUTHORIZE THE COUNTY PURCHASING AGENT TO SIGN THE CONTRACT MODIFICATIONS ON THE COURTS BEHALF.

Clerk's Note: Items 15.A.1-10 and B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. APPROVE MODIFICATIONS TO THE FOLLOWING CONTRACTS FOR THE ADDITION OF A WEB INTERFACE MODULE FOR THE CAPITAL IMPROVEMENT PROJECT (CIP) FINANCIAL REPORTING DATABASE SYSTEM (FRDS): (9:48 AM)

- A. MODIFICATION NO. 6 TO CONTRACT NO. PS010169LB, THOMAS KELLY SOFTWARE ASSOCIATES, FOR DESIGN, DEVELOPMENT AND INSTALLATION OF CIP FRDS; AND
- B. MODIFICATION NO. 1 TO CONTRACT NO. MA010224LB, THOMAS KELLY SOFTWARE ASSOCIATES, FOR MAINTENANCE OF CIP FRDS. (TNR) (COMMISSIONER GÓMEZ)

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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 04T00174JT, SCALE FREE COMPANY, FOR WATER TREATMENT SERVICES. (FAC MGMT) (COMMISSIONER GÓMEZ) (9:48 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 05T00208MP, MATOKA, INC., FOR EROSION CONTROL SERVICES. (TNR) (COMMISSIONER GÓMEZ) (9:48 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 THREE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 03T00106RV, ENVIRONMENTAL SURVEY CONSULTING, FOR NATIVE HARVEST SEEDING AND PLANTING SERVICES. (TNR) (COMMISSIONER GÓMEZ) (9:48 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. REVISED: APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS030171JW, TEXAS OAKS PSYCHIATRIC HOSPITAL, L.P., DBA OAKS TREATMENT CENTER, FOR ADDITIONAL SERVICES TO RESIDENTIAL TREATMENT SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (9:48 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 TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 4) TO THE FOLLOWING CONTRACTS FOR HARDWARE STORE ITEMS: (9:48 AM)
- A. NO. 02T00167MP, GRAINGER, INC.;
 - B. NO. 02T00168MP, HOME DEPOT ST. JOHNS; AND
 - C. NO. 02T00169MP, LOWES HOME IMPROVEMENT. (COMMISSIONER GÓMEZ)

Clerk's Note: Items 21.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR HEAVY DUTY ROAD MACHINERY OEM PARTS AND LABOR: (9:48 AM)

- A. NO. 05T00184-NB, CENTRAL TEXAS HEAVY EQUIPMENT;
- B. NO. 05T00185-NB, ANDERSON MACHINERY AUSTIN, INC.;
- C. NO. 05T00186-NB, LACAL EQUIPMENT CO.;
- D. NO. 05T00187-NB, RDO EQUIPMENT COMPANY;
- E. NO. 05T00188-NB, TEXANA MACHINERY CORPORATION;
- F. NO. 05T00224-NB, CLOSNER EQUIPMENT CO. INC.;
- G. NO. 05T00225-NB, PROFESSIONAL TURF PRODUCTS;
- H. NO. 05T00256-NB, WAUKESHA PEARCE INDUSTRIES, INC.;
- I. NO. 05T00259-NB, COOPER EQUIPMENT CO.;
- J. NO. 05T00260-NB, HOLT COMPANY OF TEXAS;
- K. NO. 05T00261-NB, LONE STAR BMW/TRIUMPH; AND
- L. NO. 05T00262-NB, LONGHORN INTERNATIONAL EQUIPMENT. (TNR)
(COMMISSIONER GÓMEZ)

Clerk's Note: Items 22.A-L 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. PS040093EF, COMMUNITIES IN SCHOOLS-CENTRAL TEXAS, INC., FOR SERVICES RELATED TO THE YOUTH AND FAMILY ASSESSMENT CENTER. (HHS & VS) (COMMISSIONER GÓMEZ) (9:48 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS050130RE, COMMUNITY PARTNERSHIP FOR THE HOMELESS, FOR TEMPORARY HOUSING TO VETERANS. (HHS & VS) (COMMISSIONER GÓMEZ) (9:48 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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

25. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS REGARDING TRAVIS COUNTY INDIGENT BURIAL SERVICES PROGRAM POLICY, CHAPTER 73, TRAVIS COUNTY CODE. (9:48 AM)

Clerk's Note: Judge Biscoe noted that the Travis County Indigent Burial Services Program Policy, Chapter 73, of the Travis County Code will go into effect March 1, 2006.

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.

OTHER ITEMS

26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:48 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 REQUEST FOR COURT APPROVAL OF JUDGE'S TRAVEL FOR THE 2006 WINTER CONVENTION OF THE ASSOCIATION OF TRIAL LAWYERS OF AMERICA PER BUDGET RULE #12A. (9:48 AM)

Clerk's Note: Judge Biscoe noted that Item 27 would be funded from the Criminal Courts Budget.

Clerk's Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. CONSIDER AND TAKE APPROPRIATE ACTION TO AUTHORIZE PURCHASE OF 17 FOUR-DOOR, FULL SIZE TRUCKS IN LIEU OF STANDARD ISSUE POLICE PACKAGE FOR THE TRAVIS COUNTY SHERIFFS OFFICE PATROL DIVISION. (SHERIFFS OFFICE) (9:48 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND KELLY LANE WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1. (9:48 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 CHANGE SECTION 32.015 OF THE TRAVIS COUNTY CODE TO UNIFY DEADLINES FOR FINANCIAL DISCLOSURE STATEMENTS. (COUNTY CLERK) (1:56 PM)

Members of the Court heard from: Tamara Armstrong, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 30.

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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON APPROVAL AND PERFORMANCE OF CONTRACT WITH TEXAS HISTORICAL COMMISSION.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Barry Hutchison, Chair, Travis County Historical Commission.

Discussion Only. No formal action taken.

Item 31 to be reposted on February 14, 2006

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.

32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS, ET AL V. CURTIS M. & PATRICIA A. SIMON (KRISTY BENNET RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:04 PM) (4:10 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the proposed tax resale deed to Kristy Bennett, who has delivered to Travis County the sum of \$6,073.11 in cash.

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON OFFERS FROM TIA VAN BERG FOR TAX RESALE DEEDS IN THE FOLLOWING TAX FORECLOSURE SALE PROPERTIES: ¹ (2:04 PM) (4:10 PM)

A. TRAVIS COUNTY, ET AL V. STANLEY C. & BETTY JO STEMEN; AND

B. TRAVIS COUNTY, ET AL V. MERRY F. JENNINGS.

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.

Clerk's Note: The Court has received a total sum of \$2850.44 for property described in Item 33.A.

Clerk's Note: The Court has received a total sum of \$5506.12 for property described in Item 33.B.

Motion by Judge Biscoe and seconded by Commissioner Daugherty approve the proposed tax resale deeds for Tia Van Beg for the two pieces of property located in 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

34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CLYDE DOYAL, TRUSTEE (ADVANCED INVESTMENTS RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:04 PM) (4:13 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve the proposed tax resale deal to Advanced Investments, which has paid Travis County the sum of \$11,250.00 in cash.

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. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. ALONZO WHITE (VICTOR MANUEL GRIMALDO RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:04 PM) (4:13 PM)

Clerk's Note: Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the proposed tax resale deeds, for two lots, to Victor Manuel Grimaldo, one for \$9,210.00 and the other for \$9,220.00.

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

36. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CONRAD A. & IRENE BEHRENS (REIJI Z. CASS RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:04 PM) (4:15 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.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve the proposed tax resale deed to Reiji Z. Cass, who has paid Travis County the sum of \$3,428.81.

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

37. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING METHOD OF DISPOSAL OF PROPERTY LOCATED AT 9207 JOHNNY MORRIS ROAD.
^{1 AND 2} (2:04 PM) (4:15 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.

No action required on Item 37.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER IN SARAH CARPENTER-PINEDA V. MARGO FRASIER, ET. AL. (CIVIL RIGHTS CASE). ¹ (2:04 PM) (4:16 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we reject the offer and counter with an Offer of Judgment in the amount of \$25,000.00, inclusive of costs and attorneys fees and contingent on proof of relationship with Sarah Carpenter Pineda and the child, and contingent upon approval by the Guardian Ad Litem, and the Guardian Ad Litem's costs will be covered by Travis County, as usual.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ENTERTAINMENT BY J&J INC. V. RUFINO CORNEJO AND LUKE MERCER, CONSTABLE PRECINCT 1, ET. AL. ¹ (2:04 PM) (4:17 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 we reject the offer to settle the second for the same amount from the bonding company.

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

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ENTERTAINMENT BY J&J INC. V. CELIA PEREZ, VERONICA PEREZ GOVEA AND LUKE MERCER, CONSTABLE PRECINCT 1, ET. AL. ¹ (2:04 PM) (4:17 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.

No action required on Item 40.

41. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PURCHASE OF AN OFFICE BUILDING LOCATED AT 5555 AIRPORT BLVD., AUSTIN, TEXAS. . ^{1 AND 2} (2:04 PM) (4:18 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 and Gov't. Code Ann. 551.072, Real Property.

No action taken on Item 41.

Item 41 to be reposted on February 14, 2006.

42. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON ISSUES RAISED IN BASIC DEVELOPMENT PERMIT APPLICATION OF BILL SWINNEY AND SON DAU TRUST. ¹ (2:04 PM) (4:18 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.

No action taken on Item 42.

43. CONSIDER THE PROPOSED SALE OF APPROXIMATELY 0.274 ACRES OF UNUSED, EXCESS RIGHT-OF-WAY FROM OLD BASTROP HIGHWAY LOCATED IN PRECINCT 4, AND THE APPOINTMENT OF COMMISSIONER GÓMEZ AS COMMISSIONER OF SALE, AND TAKE OTHER APPROPRIATE ACTION. ^{1 AND 2} (2:04 PM) (4:18 PM)

Clerk's Note: Judge Biscoe announced that Item 43 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.

Clerk's Note: Item 43 involves the statutory twenty-day notice requirement that the Court asked Transportation and Natural Resources to cover. Judge Biscoe also noted that there is an offer to purchase in the amount of \$1,500.00, and other appropriate statutory language.

Members of the Court heard from: Stacey Scheffel, TNR.

Motion by Judge Biscoe and seconded by Commissioner Davis to appoint Commissioner Gómez as Commissioner of Sale.

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 TNR EMPLOYEE, SLOT NO. 528 PURSUANT TO TEX. GOV'T CODE ANN. 551.071 (1)(A) & (B) AND 551.074. ^{1 AND 3}
(2:04 PM) (4:20 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 and Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize TNR and appropriate personnel to make the appropriate corrections to documents in the Auditor's office, TNR, Sheriff's Office and any other appropriate places to correct mistakes made in this matter.

A Clarification of the previous Motion was made by Commissioner Sonleitner that the Court is only agreeing to any nonmonetary demands.

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

45. DISCUSS APPLICANTS FOR CHIEF ADMINISTRATIVE OFFICER FOR THE TRAVIS COUNTY MEDICAL EXAMINERS OFFICE AND TAKE APPROPRIATE ACTION. ³ (2:04 PM) (4:21 PM)

Clerk's Note: Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 45 to be reposted on February 14, 2006.

ADDENDA ITEMS

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT EMPLOYEE, SLOT 413. ^{1 AND 3} (2:04 PM) (4:21 PM)

Clerk's Note: Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we authorize the requested three-day administrative leave with pay, which should carry the employee through January 24th.

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

- A2. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR TRAVIS COUNTY FACILITIES MANAGEMENT DEPARTMENT EMPLOYEE, SLOT 7. ^{1 AND 3} (2:04 PM) (4:22 PM)

Clerk's Note: Judge Biscoe announced that Item A2 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

Clerk's Note: Judge Biscoe noted that Item A2 should read, "EMPLOYEE, SLOT 126."

Item A2 to be reposted on February 14, 2006.

ADJOURNMENT

Motion by Judge Biscoe seconded by Commissioner Sonleitner to adjourn the Voting Session. (4:22 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