

MINUTES OF MEETING – APRIL 11, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 11th day of April 2006, the Commissioners' Court convened the regular Voting Session at 9:17 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 Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:15 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:53 PM and adjourned at 1:53 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:53 PM and adjourned at 2:07 PM.

The Commissioners Court reconvened the Voting Session at 2:07 PM.

The Commissioners Court retired to Executive Session at 4:44 PM.

The Commissioners Court reconvened the Voting Session at 6:38 PM.

The Commissioners Court adjourned the Voting Session at 6:43 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 30' PUBLIC UTILITY EASEMENT STARTING AT THE SOUTHWESTERLY END OF RINARD LANE – A STREET MAINTAINED BY TRAVIS COUNTY IN PRECINCT 4. (COMMISSIONER GÓMEZ) (ACTION ITEM #8) (9:21 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 8 for a summary of the action item.

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

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

2. RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE CIRCLE DR. IN PRECINCT THREE FOR UTILITY CONSTRUCTION BEGINNING APRIL 12, 2006 AND CONTINUING THROUGH JULY 11, 2006 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAUGHERTY) (ACTION ITEM #9) (9:22 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 Gieselmann, Executive Manager, TNR; Joe Hall, Engineer, TNR; David Luther, Commissioner, President, Travis County Emergency Services District #3; Bobby Holeman, Business Owner, Circle Drive; and Jason Heimes, Project Manager, City of Austin.

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

3. RECEIVE INPUT FROM RESIDENTS OF TRAVIS COUNTY REGARDING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN AFFAIRS, OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT, THAT ARE REQUIRED TO BE USED IN UNINCORPORATED AREAS. (FIRST PUBLIC HEARING) (9:33 AM)

Clerk's Note: This Item is a public hearing to receive comments.

Motion by Judge Biscoe 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: Christy Moffet, Social Services Manager, Travis County Health and Human Services (TCHHS); Meg Poag, Planner, TCHHS; Katy Kappel, Executive Director, Services for the Elderly; and Erin Goodison, Manager, Safe Place Austin.

Motion by Judge Biscoe 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

CITIZENS COMMUNICATION

Members of the Court heard from: Jennifer Gayle, Travis County Resident; Michael Wray, Chair, Traffic Safety Committee, Seven Oaks Home Owners Association; Tom Rogers, Seven Oaks Resident; Paul Reynolds, Chief, Travis County Emergency Services District 4; Paul Benjamin, Firefighter Cadet Class 6; Adrian Lamar Cyphers, Firefighter Cadet Class 6; Damon Easter, Firefighter Cadet Class 6; Grady William Fowles, Firefighter Cadet Class 6; Brian Gitman, Firefighter Cadet Class 6; Victor Hugo Gomez, Firefighter Cadet Class 6; William Thomas Lord, Firefighter Cadet Class 6; Marlo Alexis Martinez, Firefighter Cadet Class 6; Janica McKibben, Firefighter Cadet Class 6; Ryan Mike-Mayer, Firefighter Cadet Class 6; Julio Esteven Molis, Firefighter Cadet Class 6; Andrew Ramon, Firefighter Cadet Class 6; Andrew Lee Rivera, Firefighter Cadet Class 6; Andrew Chistiano Rodriguez, Firefighter Cadet Class 6; Timothy Preston Sellars, Firefighter Cadet Class 6; Michael Neil Sorenson, Firefighter Cadet Class 6; David Ray, Firefighter Cadet Class 6; Josh Richard Todd, Firefighter Cadet Class 6; Rosendo Vasquez, Firefighter Cadet Class 6; Edwin Vazquez II, Firefighter Cadet Class 6; and Mark Zuniga, Firefighter Cadet Class 6. (9:46 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C3 and Items 8, 9, 10.A&B, 13, 14, 17, 19, 20.A&B, 22, 25, 26, 27, 29, 31, 32, 33, 34, and 35. (10:14 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. APPOINT J. EDD NEW TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD #3, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2007. (COMMISSIONER DAUGHERTY)

RESOLUTIONS & PROCLAMATIONS

4. APPROVE RESOLUTION RECOGNIZING THE MONTH OF APRIL 2006 AS "CHILD ABUSE PREVENTION MONTH" IN TRAVIS COUNTY. (10:05 AM)

Members of the Court heard from: Pamela Baggett-Wallis, Public Awareness and Advocacy Committee, Travis County's Children's Protective Services Board (TCCPS); and Jim Lehrman, Director, Office of Children Services, TCHHS&VS.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 4.

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

5. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION REGARDING THE ASIAN GYPSY MOTH IN TRAVIS COUNTY. (10:12 AM)

Members of the Court heard from: George Nash, United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service, Plant Protection and Quarantine Division.

Clerk's Note: The appropriate treatment, Pheromone, will start on April 18, 2006 between 6:00 AM and 4:00 PM and, if not finished due to weather restrictions, will continue on April 19, 2006. Letters of notification are being distributed this week and the Texas Department of Transportation (TXDOT) will have programmable signs up starting April 17, 2006.

Discussion only. No formal action taken.

AT 9:30 A.M.

6. RECEIVE PRESENTATION OF CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY'S 2005 ANNUAL REPORT. (9:17 AM)

Item 6 postponed until April 25, 2006.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**AT 10:30 A.M.**

7. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT ONE: VILLAGES OF NEW SWEDEN SUBDIVISION (1,355 LOTS – 429.4 ACRES – F.M. 973 AND NEW SWEDEN CHURCH ROAD – NO FISCAL REQUIRED – WATER TO BE PROVIDED BY AQUA WATER SUPPLY CORPORATION – SEWAGE SERVICE TO BE PROVIDED BY 973 WASTEWATER COMPANY – NEW SWEDEN MUD #1 – NO MUNICIPAL ETJ). (COMMISSIONER DAVIS) (10:30 AM) (4:44 PM) (6:38 PM)

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR; Cliff Kessler, President, Blackland Prairie Concerned Citizens Association; Jack Attestrom, New Sweden Resident, Member, Blackland Prairie Concerned Citizens Association; Adrienne Domas, Planner, TNR; John Hille, Assistant County Attorney; Marilyn Samuelson, New Sweden Resident, Founder, Blackland Prairie Concerned Citizens Association; Nicole Harting, Founder, New Sweden Neighborhood Association; Phillip Arellano, New Sweden Resident; Patricia Coombs, New Sweden Resident; Diane Johnson, New Sweden Resident; Milo Guzman, New Sweden Resident; Rhett Dawson, RMD & Company; and Ken Heroy, Engineer, Pate Engineering.

Clerk's Note: Judge Biscoe announced that Item 7 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 7, that was the approval of the Preliminary Plan for The Villages of New Sweden Subdivision.

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 directed the County Attorney to bring to the Court additional language for requirements of a MUD.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 30' PUBLIC UTILITY EASEMENT STARTING AT THE SOUTHWESTERLY END OF RINARD LANE – A STREET MAINTAINED BY TRAVIS COUNTY IN PRECINCT 4. (COMMISSIONER GÓMEZ) (10:14 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO TEMPORARILY CLOSE CIRCLE DR. IN PRECINCT THREE FOR UTILITY CONSTRUCTION BEGINNING APRIL 12, 2006 AND CONTINUING THROUGH JULY 11, 2006 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAUGHERTY) (10:14 AM)

Clerk's Note: Item 9 is the action item for the public hearing on Agenda 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 ON THE FOLLOWING:
(10:14 AM)
 - A. A VARIANCE TO SECTION 30-2-151 OF TITLE 30 (AUSTIN-TRAVIS COUNTY SUBDIVISION REGULATIONS) THAT REQUIRES STREETS IN NEW SUBDIVISIONS TO BE ALIGNED WITH EXISTING STREETS IN THE ADJOINING PROPERTY; AND
 - B. A REVISED PRELIMINARY PLAN IN PRECINCT TWO: WELLS BRANCH COMMERCE PARK (14 LOTS – 45.6 ACRES – IH 35N – NO FISCAL REQUIRED – WATER AND SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – CITY OF AUSTIN 2-MILE ETJ). (COMMISSIONER SONLEITNER)

Clerk's Note: Items 10.A&B 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 THE REVISED FEE SCHEDULE FOR PARTICIPATION UNDER THE BALCONES CANYONLANDS CONSERVATION PLAN – SHARED VISION JULY 15, 2006 THROUGH JULY 14, 2007. (COMMISSIONER DAUGHERTY) (10:21 AM)

Members of the Court heard from: Kevin Connally, Travis County Natural Resources Environmental Specialist, TNR.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 11.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED POLICY RELATING TO REGULATING OBSTACLES IN THE COUNTY RIGHT-OF-WAY. (10:25 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and David Greear, Traffic Manager, TNR.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 12.

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

13. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS IN STEINER RANCH PHASE 1 SECTION 10A (INCLUDING UNIVERSITY CLUB DRIVE), A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (10:14 AM)

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

14. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF A MEDIAN CUT IN THE WIMBERLY LANE RIGHT-OF-WAY FOR THE ST. GABRIEL CATHOLIC SCHOOL SUBDIVISION, A SUBDIVISION IN PRECINCT 3, IN ADVANCE OF RELEASE OF FISCAL. (COMMISSIONER DAUGHERTY) (10:14 AM)

Clerk's Note: Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON: (9:18 AM)
- A. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, FOREST CITY SWEETWATER, L.P.
 - B. REVISED 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 IS 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 (1298 LOTS, 1263 RESIDENTIAL, 38 MUD AND HOMEOWNER ASSOCIATION LOTS – 735.5 ACRES – STATE HIGHWAY 71 WEST – NO FISCAL IS REQUIRED FOR THIS PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY LAZY NINE MUD, NO ETJ).
 - D. ALTERNATIVE FISCAL AGREEMENT FOR SWEETWATER SECTION ONE VILLAGE A SUBDIVISION, IN PRECINCT 3.
 - E. CONSTRUCTION AGREEMENT FOR SWEETWATER SECTION ONE VILLAGE A SUBDIVISION, IN PRECINCT 3.
 - F. INDEMNIFICATION AGREEMENT WITH FOREST CITY SWEETWATER, L.P. TO FUND THE PERMANENT TRAFFIC IMPROVEMENTS ON STATE HIGHWAY 71 AT PEDERNALES SUMMIT PARKWAY, IN PRECINCT 3.
 - G. ADVANCED FUNDING AGREEMENT FOR VOLUNTARY TRANSPORTATION IMPROVEMENT PROJECTS WITH THE STATE OF TEXAS AND TRAVIS COUNTY FOR THE PERMANENT TRAFFIC IMPROVEMENTS (INCLUDING SHOULDERS AND A TURN LANE) ON STATE HIGHWAY 71 AT PEDERNALES SUMMIT PARKWAY, IN PRECINCT 3.

Item 15 postponed until further notice.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PLANNING REQUIREMENTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FROM HUD: (10:18 AM)

A. CITIZENS PARTICIPATION PLAN; AND

B. OTHER RELATED ISSUES.

Clerk's Note: Items 16.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Christy Moffett, Social Services Manager, TCHHS; and Meg Poag, Planner, TCHHS.

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Items 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

Discussion only. No formal action taken on Item 16.B.

PLANNING AND BUDGET DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:14 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. RECEIVE BRIEFING AND PROVIDE DIRECTION ON GRANT APPLICATION TO THE INDIGENT DEFENSE TASK FORCE TO ESTABLISH A MENTAL HEALTH PUBLIC DEFENDER OFFICE TO IMPROVE THE QUALITY OF REPRESENTATION TO INDIGENT DEFENDANTS WITH A SERIOUS MENTAL ILLNESS OR MENTAL RETARDATION. (2:07 PM)

Members of the Court heard from: Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); Kimberly Pierce, Interim Planning Manager, Criminal Justice Planning (CJP); Nancy Hohengarten, Judge, County Court at Law Number Five; David Crane, Judge, County Court at Law Number Three; Joe James Sawyer, Criminal Attorney; Debra Hale, Court Management Director; and Eve Schatelowitz, Criminal Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we give directions to finalize the application and submit it to the State by the deadline; that we submit the Oversight Committee and the categories that are represented and that between now and whatever other deadline there is, that we have specific individuals named. If there are specific recommendations as to additional things that you all believe this Committee should do, then if you give them to us up front, that would be good too.

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

Clerk's Note: The Court directed that a list of three to four Criminal Attorneys, with an attached resume from each applicant, be presented to the Court for places on the Oversight Committee in two weeks.

ADMINISTRATIVE OPERATIONS ITEMS

19. 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 \$319,985.94 FOR THE PERIOD OF MARCH 24 TO MARCH 30, 2006. (10:14 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
- B. NON-ROUTINE PERSONNEL ACTIONS – MEDICAL JOB TITLES, PAY GRADES, FLSA, MARKET DIFFERENTIAL PAY GRADE AND CLASSIFICATION CHANGES FOR AFFECTED SLOTS IN HEALTH/WEALTH CLINIC, HUMAN RESOURCES DEPARTMENT.
(10:14 AM)

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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON THE RETIREMENT STORE CONSULTANT'S ANALYSIS AND EVALUATION REPORT REGARDING THE COUNTY'S DEFERRED COMPENSATION 457B PLAN.
(3:10 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Al DiCristofaro, President, The Retirement Store; Mary Mayes, Investment Manager, Cash/Investment Management; Barbara Wilson, Assistant County Attorney; and Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to direct Staff to negotiate with Nationwide the various points that the consultant has recommended that we negotiate or issue an RFP for; that we try to negotiate satisfactory terms for the County; and that Staff report back to the Court; for Staff to negotiate with exclusivity, do the best deal they can, bring it back to the Court, and at that point we determine whether an RFP would be appropriate, or whether the terms are as good as we can get. We would have the consultant working and assisting the committee and Nationwide to the extent that we need to amend our contract to get that done; take the consultant's report, go from top to bottom, item by item, and get with Nationwide try to negotiate the recommendations, then report back to the Court about success, failure or somewhere in between. The Court will decide the appropriate action to take at that point.

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

JUSTICE AND PUBLIC SAFETY ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING FOR FY '06 BETWEEN THE TRAVIS COUNTY JUVENILE BOARD AND COUNSELING AND EDUCATION SERVICES FOR THE LAW RELATED EDUCATION PROGRAM FOR JUVENILE OFFENDERS. (10:14 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. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FOR THE REVISION OF THE CENTRAL BOOKING INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY. (4:03 PM)

Members of the Court heard from: Caryl Colburn, Interim Criminal Justice Planning Coordinator, Criminal Justice Planning (CJP); Michael Trimble, MTG Management Consultants; Lieutenant David Parkinson, Austin Police Department; Evelyn McKee, Presiding Judge, Austin Municipal Court; and Major David Balagia, Travis County Sheriff's Office (TCSO).

Discussion only. No formal action taken.

PURCHASING OFFICE ITEMS

24. REJECT ALL BIDS RECEIVED FOR IFB NO. B0601020-MB GARDNER BETTS JUVENILE JUSTICE CENTER, DETENTION SHELL BUILD OUT-PACKAGE B. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (3:33 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Roger El Khoury, Director, Facilities Management (FM); Kenneth Thomas, Electrical Contractor, KST Electric; Tommy Schwartz, Plumbing Contractor; Marciela Rodriguez-Barr, President, The Barr Company; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Sonleitner and **seconded by** Commissioner Davis to reject all bids.

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

25. APPROVE CONTRACT AWARD FOR TRAVIS COUNTY CORRECTIONAL COMPLEX BUILDING 3 (160) ROOF REPLACEMENT, IFB NO. B060138-JW, TO THE LOW BIDDER, L.D. TEBBEN CO., INC. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (10:14 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. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (10:14 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. APPROVE CONTRACT AWARD FOR THE PURCHASE OF A CONTROL PANEL UPGRADE FOR TRAVIS COUNTY CORRECTIONAL COMPLEX BUILDING 2 AND 3 TO DSSI CORPORATION. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (10:14 AM)

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. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENVIRONMENTAL SERVICES, MILTON REIMERS (SW METRO) PARK AND POGUE SPRINGS PRESERVE PROJECT, RFS NO. S060148-LP, TO THE HIGHEST QUALIFIED RESPONDENT, SWCA ENVIRONMENTAL CONSULTANTS. (TNR) (COMMISSIONER GÓMEZ) (10:14 AM)

Item 28 postponed until April 18, 2006.

29. APPROVE MODIFICATION NO. 24 TO CONTRACT NO. MA980095, AGREEMENT FOR EXTENDED SERVICES, WITH COMPUDYNE - PUBLIC SAFETY & JUSTICE, INC. (ITS) (COMMISSIONER GÓMEZ) (10:14 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 MODIFICATION NO. 2 TO CONTRACT NO. 05AE0140JJ, MCKINNEY FALLS PARKWAY PROJECT IN PRECINCT 4, WITH HALFF ASSOCIATES, INC. (TNR) (COMMISSIONER GÓMEZ) (10:27 AM)

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

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

Motion carried:

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

31. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 04K00147JJ, HOWARD LANE AND SCOFIELD RIDGE PARKWAY PROJECT IN PRECINCT 1, WITH RGM CONSTRUCTORS, LP. (TNR) (COMMISSIONER DAVIS) (COMMISSIONER GÓMEZ) (10:14 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 CONTRACT AWARD FOR FENCE CONSTRUCTION AND REMOVAL, IFB NO. B060149-LD, TO THE SOLE BIDDER, H AND H FENCE. (TNR) (COMMISSIONER GÓMEZ) (10:14 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. (10:14 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.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON RENEWAL AND AMENDMENT OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR ON-SITE PROGRAM ELIGIBILITY/ENROLLMENT SERVICES AND CLINIC LEASE PAYMENTS. (10:14 AM)

Clerk's Note: The Court stated the effective date for the renewal and amendment would be October 1, 2005.

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

35. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ELECTIONS SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND COUPLAND ISD. (COUNTY CLERK) (10:14 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON STEPS TO CONSIDER AND IMPLEMENT TRAVIS COUNTY REORGANIZATION STRATEGY, INCLUDING STRATEGIC PLAN FOR EXECUTIVE MANAGER OF EMERGENCY SERVICES AND/OR CRIMINAL JUSTICE PLANNING, PERFORMANCE EVALUATIONS FOR CURRENT EXECUTIVE MANAGERS AND RELATED MATTERS. (4:30 PM) (4:43 PM) (4:44 PM) (6:39 PM)

Clerk's Note: The Court directed a schedule be set up for self-evaluations for the Executive Managers; that they will have two weeks to do so. The Commissioners Court will have until May 5th, 2006. The evaluation will then take place on May 9, 2006, in Court Session, and May 11, 2006, in the work session.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the schedule.

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: 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 authorize the County Judge to get with Mike Trimble, MTG Management Consultants and to put together an appropriate contract modification for consideration by the Court at a later time, preferably 45-60 days, using pretty much the same language that's been in the original contract.

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 APPROVE JOB DESCRIPTION AND POSTING OF TRAVIS COUNTY CHIEF MEDICAL EXAMINER POSITION. (4:30 PM) (4:35 PM)

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

Clerk's Note: The Court recommended the following changes to the job description: To add two recommended changes under the Knowledge, Skills and Abilities section:
1) Under Knowledge add - National Association of Medical Examiners (NAME) Accreditation Standards and other best practices for large forensic centers.
2) Under Ability add - Lead staff in meeting NAME accreditation standards and achieving accreditation.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the 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	yes

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.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON INITIATIVE TO EDUCATE TRAVIS COUNTY VOTERS AND CONDUCT NON-BINDING ELECTION ON THE TOLLING OF NEW LANES ADDED TO EXISTING STATE ROADS IN TRAVIS COUNTY. ¹ (4:44 PM) (6:39 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.

Clerk's Note: A decision was made to take no action at this time. Continued public education was stressed and any ideas would be welcomed.

Discussion only. No formal action taken.

39. CONSIDER AND TAKE APPROPRIATE ACTION FARMERS MARKET LEASE AGREEMENT WITH MOSAIC WORKS, L.L.C. DBA AUSTIN FURNITURE CONSIGNMENT AND TAKE APPROPRIATE ACTION. (COMMISSIONER SONLEITNER) ^{1 AND 2} (4:44 PM) (6:40 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 and Gov't Code Ann 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to reject the lease at this time, but in doing so that we also send a message to the manager of the Market that the Court is very favorably inclined to approve this lease as soon as we are current on all required paperwork and any money owed to Travis County, and we will take care of this as quickly as the manager acts.

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 directed John Hille, Assistant County Attorney, to deliver this message.

40. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING EFFORTS TO MARKET PROPERTY AT 6701 BURNET ROAD. ² (4:44 PM) (6:40 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't Code Ann 551.072, Real Property.

Clerk's Note: The Court gave Staff directions during Executive Session.

Item 41 to be reposted on April 25, 2006.

41. 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 (4:44 PM) (6:41 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to indicate the County's acceptance of the counter-offer to settle the matter for \$70,000.00. The Court would like to authorize the County Attorney to prepare and obtain agreement on all final settlement documents and present them to the 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

42. CONSIDER AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER IN SARAH CARPENTER-PINEDA V. MARGO FRASIER, ET AL, (CARPENTER-PINEDA; FRASIER; CIVIL RIGHTS). ¹ (4:44 PM)

Item 42 was pulled from the Agenda.

43. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING BFI LANDFILL EXPANSION. ¹ (4:44 PM) (6:42 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.

Clerk's Note: The Court directed Staff to prepare appropriate information to share with the Capitol Area Council Of Governments (CAPCOG) Solid Waste Committee, to be presented to the Court next week.

Item 43 to be reposted on April 18, 2006.

44. CONSIDER AND TAKE APPROPRIATE ACTION ON UPDATE REGARDING PERSONNEL INTERVIEWS OF APPLICANTS FOR MEDICAL EXAMINER POSITIONS. ³ (4:44 PM) (6:42 PM)

Clerk's Note: Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't Code Ann 551.074, Personnel Matters.

Clerk's Note: The Court notes that four candidates have been interviewed and two more will be interviewed this week. There may be a recommendation from the eight-person interview panel as soon as next week.

Item 44 to be reposted on April 25, 2006.

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING APPEAL TO COMMISSIONERS COURT FROM MARCH 8, 2006 DECISION OF GRIEVANCE PANEL REGARDING GRIEVANCE FILED BY FORMER TNR EMPLOYEE, SLOT NO. 109. ^{1 AND 3} (4:44 PM) (6:45 PM)

Clerk's Note: Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner that we authorize Staff to go ahead and initiate the grievance process that ends up in a hearing before the Commissioners Court, and we understand that if we move expeditiously that it could be anywhere from 55 to 65 days.

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 Gómez to adjourn the Voting Session. (6:43 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