

## **MINUTES OF MEETING – OCTOBER 24, 2006**

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

On Tuesday, the 24<sup>th</sup> day of October 2006, the Commissioners' Court convened the Voting Session at 9:16 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court record notes that Precinct One Commissioner Ron Davis was not present during this Voting Session.

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

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:37 PM and adjourned at 1:38 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:38 PM and adjourned at 1:51 PM.

The Commissioners Court reconvened the Voting Session at 1:51 PM.

The Commissioners Court retired to Executive Session at 1:51 PM.

The Commissioners Court reconvened the Voting Session at 2:42 PM.

The Commissioners Court retired to Executive Session at 3:51 PM.

The Commissioners Court reconvened the Voting Session at 5:04 PM.

The Commissioners Court adjourned the Voting Session at 5:09 PM.



**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Gus Peña, Travis County Resident; Gloria Souhami, Travis County Underage Drinking Prevention Program; Steven Broberg, Director, Records Management and Communication Resources; Ruth Bolin, Seniorcise with Ruth; Jan Barstow, Travis County Resident; and Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR). (10:15 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C8 and Items 2, 3, 5, 8.A-G, 9, 10, 11, 12.A-E, 16.A&B, 18, 20.A-C, 21, 22, 23, 24, 25 and 26. (9:18 AM)

<b>Motion carried:</b> 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

- 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 THE FOLLOWING:
  - A. BUDGET MARKUP VOTING SESSIONS OF SEPTEMBER 6 AND 7, 2006; AND
  - B. VOTING SESSIONS OF SEPTEMBER 19, SEPTEMBER 26, OCTOBER 3, AND OCTOBER 12, 2006, AND SPECIAL VOTING SESSIONS OF SEPTEMBER 29 AND OCTOBER 4, 2006.
- C4. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 14, 2006 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 4 AND 5, BLOCK 31, AUSTIN LAKE ESTATES SECTION THREE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**CONSENT ITEMS CONTINUED**

- C5. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 14, 2006 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 23 AND 24 OF APACHE SHORES FIRST INSTALLMENT, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C6. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 14, 2006 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 19 AND 20, BLOCK HH, VALLEY LAKE HILLS SECTION 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C7. APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 28, 2006 TO RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 8, 9, 14 AND 15, BLOCK A OF THE RANCHES AT HAMILTON POOL (4 EXISTING LOTS OF 182.53 ACRES TOTAL, PROPOSED TO BE DIVIDED INTO 9 LOTS OF 17.46 ACRES, 15.24 ACRES, 16.61 ACRES, 21.43 ACRES, 15.42 ACRES, 29.22 ACRES, 16.34 ACRES, 26.33 ACRES AND 24.48 ACRES – GRAND SUMMIT BOULEVARD OFF HAMILTON POOL ROAD – NO FISCAL IS REQUIRED – WASTEWATER WILL BE PROCESSED BY AN ON-SITE PRIVATE SEWAGE SYSTEM). (COMMISSIONER DAUGHERTY)
- C8. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 14, 2006 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT LOCATED ON LOT 10, BLOCK B, SEVEN OAKS SECTION 5, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**ADMINISTRATIVE OPERATIONS ITEMS**

2. 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 \$439,977.48 FOR THE PERIOD OF OCTOBER 6 TO OCTOBER 12, 2006. (9:18 AM)

**Clerk's Note:** Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:18 AM)

**Clerk’s Note:** Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS TO NAME THE COUNTY BUILDINGS AT 4011 MCKINNEY FALLS PARKWAY AND 5555 AIRPORT BOULEVARD. (10:15 AM)

**Clerk’s Note:** Item 4 is the action item for the public hearing on Agenda Item 1.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we send the names, comments, other relevant information to the Travis County Historical Commission for their action, and our request that they report back to us as soon thereafter as possible.

**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

- 5. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH THE TEXAS MORATORIUM NETWORK TO USE PARKING LOT AT 1010 LAVACA FOR A RALLY ON SATURDAY, OCTOBER 28, 2006. (9:18 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.

**JUSTICE & PUBLIC SAFETY ITEMS**

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT FOR CONSTRUCTION MANAGEMENT WITH THE TRAVIS COUNTY HOUSING FINANCE CORPORATION AND AUTHORIZE FACILITIES MANAGEMENT TO FINALIZE THE ARCHITECTURAL DESIGN FOR THE VISITATION CENTER AT THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER. (9:16 AM)

Item 6 postponed until October 31, 2006.

**PURCHASING OFFICE ITEMS**

7. APPROVE MODIFICATION NO. 6 AND INTERIM SETTLEMENT AGREEMENT TO CONTRACT NO. 04K00147JJ, SCOFIELD RIDGE PARKWAY STREET AND DRAINAGE IMPROVEMENTS IN PRECINCT ONE, WITH RGM CONSTRUCTORS, LP. (TNR) (COMMISSIONER DAVIS) (9:16 AM)

Item 7 postponed until October 31, 2006.

8. APPROVE ORDERS EXEMPTING PURCHASE OF PARTS AND SERVICES FOR THE TWO AMERICAN EUROCOPTER EC145'S FROM THE LISTED VENDORS, FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(2) OF THE COUNTY PURCHASING ACT: (9:18 AM)
  - A. AMERICAN EUROCOPTER - FOR PARTS AND REPAIR SERVICES, INCLUDING THE HELICOPTER DRIVE TRAIN, ROTOR BLADES AND AIRFRAME REPLACEMENT PARTS;
  - B. TURBOMECA ENGINE CORPORATION - FOR ENGINE PARTS AND ENGINE REPAIR SERVICES, INCLUDING OVERHAUL OF THESE ENGINES, ENGINE PARTS, AND EXCHANGE COMPONENTS;
  - C. GOODRICH CORPORATION - FOR RESCUE HOISTS; AND
  - D. METRO AVIATION, INC. - FOR PARTS AND REPAIR SERVICES FOR CUSTOM BUILT INTERIOR AIRFRAME. (STAR FLIGHT) (COMMISSIONER GÓMEZ)

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

9. APPROVE TERMINATION OF CONTRACT NO. PS050079RE, ST. EDWARD'S UNIVERSITY, INC., FOR COMMUNITY MENTOR PROGRAM. (HHS & VS) (COMMISSIONER GÓMEZ) (9:18 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. APPROVE CONTRACT AWARD TO REPAIR TRAVIS COUNTY DEL VALLE JAIL MAIN KITCHEN FIRE SUPPRESSION SYSTEM, TO THERMAL MECHANICAL CONTRACTORS INC. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:18 AM)

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

11. APPROVE CONTRACT AWARD FOR JURY IMPANELMENT SESSIONS, CONTRACT NO. LA060359ML, NORRIS CONFERENCE CENTER. (DISTRICT CLERK) (COMMISSIONER GÓMEZ) (9:18 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. APPROVE CONTRACT AWARDS FOR DRUG AND ALCOHOL TESTING SERVICES, RFS NO. S060252-ML, TO THE FOLLOWING CONTRACTORS: (9:18 AM)

- A. PINNACLE MEDICAL MANAGEMENT CORP.;
- B. SOURCE 1 SOLUTIONS;
- C. PRO MED MEDICAL CARE CENTER;
- D. CONCENTRA HEALTH SERVICES; AND
- E. SANDAD, INC. (COUNTYWIDE) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 12.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES, NORTHRIDGE ACRES WATER SYSTEM, CONTRACT NO. 07AE0021JW, TO ALAN PLUMMER ASSOCIATES, INC. (COMMISSIONER GÓMEZ) (9:16 AM)

Item 13 postponed until further notice.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

**AT 10:30 A.M.**

14. CONSIDER PRESENTATION FROM TEXAS CITIES FOR CLEAN AIR COALITION REGARDING THE FOLLOWING: (10:46 AM)
- A. MISSION AND PURPOSE OF COALITION;
  - B. INVITATION FOR MEMBERSHIP;
  - C. REQUEST FOR PAYMENT OF ANNUAL MEMBERSHIP FEE;
  - D. ADOPTION OF RESOLUTION;
  - E. ADOPTION OF PARTICIPATION AGREEMENT AND BY-LAWS; AND
  - F. OTHER RELATED ISSUES.

**Members of the Court heard from:** Laura Miller, Mayor of Dallas; Laura Fiffick, Director; Environmental Office, City of Dallas; Curt Seidlits, TXU; Tom Smith, Director, Public Citizens; and Bill Gill, Director, Environmental Programs, Capital Area Council of Governments (CAPCOG).

Discussion only. No formal action taken.

Item 14 to be reposted October 31, 2006.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED FINANCIAL INCENTIVES, KEY POLICY ISSUES, AND OTHER RELATED MATTERS REGARDING THE PROPOSED CONSERVATION DEVELOPMENT ORDINANCE. (2:54 PM)

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

Discussion only. No formal action taken.

Item 15 to be reposted on November 21, 2006.

- 16. A. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO USE ALTERNATIVE FISCAL FOR ROCKY CREEK PHASE A, SECTION 1; AND
- B. APPROVE AMENDMENT TO PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, KD ROCKY CREEK L.P., JAMES KERBY, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:18 AM)

**Clerk’s Note:** Items 16.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 17. CONSIDER AND TAKE APPROPRIATE ACTION ON COMMENTS TO THE LOWER COLORADO RIVER AUTHORITY ON THE HARBOR VENTURE’S INC. MARINA APPLICATION (CROSS WATER YACHT CLUB, #M00480), IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (1:51 PM) (2:42 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 17 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 Staff to add a concluding paragraph that’s a bit more general than the draft comments that we saw, put those in final shape for the Judge’s signature ASAP, and for submission to LCRA, without the Judges signature if that will get it done, and authorize Joe Gieselman, Executive Manager, TNR to sign the comments.

**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

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE EXTENSION OF DEADLINE FOR APPLICATIONS TO FILL VACANCY ON BOARD OF CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (9:18 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.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON SUBSTANTIAL AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2006-2010 CONSOLIDATED PLAN AND PROGRAM YEAR 2006 ACTION PLAN: (10:38 AM)

- A. DISCUSS REASONS FOR SIGNIFICANT REDUCTION IN AMOUNT OF CDBG ALLOCATION TO TRAVIS COUNTY WITH REPRESENTATIVES FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); John Maldonato, Director Community Planning and Development, U.S. Department of Housing and Urban Development, San Antonio; and Larry Wilkinson, U.S. Department of Housing and Urban Development, San Antonio.

Discussion only. No formal action taken.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON SUBSTANTIAL AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2006-2010 CONSOLIDATED PLAN AND PROGRAM YEAR 2006 ACTION PLAN: (2:44 PM)

- B. TIMELINE FOR AMENDING PLAN, THIRTY-DAY PUBLIC COMMENT PERIOD AND PUBLIC HEARING DATE;

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; and Christy Moffett, Social Services Manager, TCHHS.

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

**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

**ITEM 19 CONTINUED**

19. CONSIDER AND TAKE APPROPRIATE ACTION ON SUBSTANTIAL AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2006-2010 CONSOLIDATED PLAN AND PROGRAM YEAR 2006 ACTION PLAN: (2:49 PM)

C. ADVERTISEMENT FOR PUBLIC HEARING; AND

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 19.C.

**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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON SUBSTANTIAL AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2006-2010 CONSOLIDATED PLAN AND PROGRAM YEAR 2006 ACTION PLAN: (2:49 PM)

D. OTHER RELATED ISSUES.

Discussion only. No formal action taken.

Item 19.D to be reposted on October 31, 2006.

**PLANNING AND BUDGET DEPT. ITEMS**

20. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:18 AM)
- A. GRANT APPLICATION TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS FOR REIMBURSEMENT OF CASE MANAGEMENT EXPENSES RELATED TO THE HURRICANE KATRINA EVACUEES;
  - B. GRANT CONTRACT WITH THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE FOR AN IN-HOME FAMILY SERVICES GRANT IN THE JUVENILE PROBATION DEPARTMENT, WHICH CONTINUES THE GRANT FOR FY 2007; AND
  - C. GRANT CONTRACT WITH THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE FOR FUNDING OF A PROTECTIVE ORDER GUARDIAN AD LITEM II POSITION IN THE FAMILY COURT SERVICES UNIT OF THE JUVENILE PROBATION DEPARTMENT'S DOMESTIC RELATIONS OFFICE, WHICH CONTINUES THE POSITION FOR FY 2007.

**Clerk's Note:** Items 20.A-C 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:18 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.

**OTHER ITEMS**

22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:18 AM)

**Clerk's Note:** Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. APPROVE ACCEPTANCE OF A DONATION OF \$10,000 FROM THE DOWNTOWN AUSTIN ALLIANCE FOR THE DISTRICT ATTORNEY'S OFFICE. (DISTRICT ATTORNEY) (9:18 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.

**Clerk's Note:** The Court expressed thanks to the Downtown Austin Alliance for the donation.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13. (9:18 AM)

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND LAKESIDE MUNICIPAL UTILITY DISTRICT NO.3. (9:18 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 APPOINT BOB BROOKS, DOUG ENGLISH, GEORGE SALEMIE, JIM VONWOLSKE AND BARB VESCI TO SERVE ON THE NEGOTIATION TEAM FOR THE PROPOSED PENINSULA MUNICIPAL ANNEXATION PLAN AREA BY THE CITY OF AUSTIN. (COMMISSIONER DAUGHERTY) (9:18 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 ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 7, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:16 AM)

No action necessary on Item 27.

28. DISCUSS FEASIBILITY OF POSITION TO PERFORM PUBLIC INFORMATION, INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE DUTIES FOR TRAVIS COUNTY. (JUDGE BISCOE) (9:17 AM)

Item 28 postponed until further notice.

### 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. **REVISED LANGUAGE:** RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CASE NUMBER 1:06-CV-01384-PLF, IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA, NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE VS. ALBERTO GONZALES, ATTORNEY GENERAL OF THE UNITED STATES CONCERNING PRECLEARANCE APPLICABILITY AND CONSTITUTIONALITY OF SECTION 5 OF THE VOTING RIGHTS ACT, 42 U.S.C. SECTION 1973C. <sup>1</sup> (1:51 PM) (2:44 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.

**Members of the Court heard from:** John Hille, Assistant County Attorney; and David Escamilla, Travis County Attorney.

Discussion only. No formal action taken.

Item 29 to be reposted on October 31, 2006.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. E.H. PERRY (ALLWAYS INVESTMENTS, LLC. RESALE DEED). <sup>1</sup> (3:51 PM) (5:04 PM)

**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.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to approve the proposed tax resale deed to Allways Investments, LLC., which has paid Travis County the sum of \$6,200.00 in cash.

**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

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. THE HOLLOW, INC. (DUC NGUYEN RESALE DEED). <sup>1</sup> (3:51 PM) (5:04 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.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to that we authorize the County Judge to sign the prepared tax resale deed that covers four tracts of land, each of which has been purchased for \$4,802.91 in cash, and the deed to Duc Nguyen.

**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

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. WW CARRON & ASSOCIATES, INC. (CHENG JIAO RESALE DEED). <sup>1</sup> (3:51 PM) (5:05 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 authorize the County Judge to sign the prepared tax resale deed to Cheng Jiao, who has paid Travis County the sum of \$4,100.00 in cash.

**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

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. BETHLEHAM BAPTIST CHURCH (FERMIN DEL RIO RESALE DEED). <sup>1</sup> (3:51 PM) (5:06 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.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to authorize the County Judge to sign the prepared tax resale deed to Fermin Del Rio, who has paid Travis County the sum of \$4,170.00 in cash.

**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



36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. BETHLEHAM BAPTIST CHURCH (MARIO ESTRADA RESALE DEED). <sup>1</sup> (3:51 PM) (5:08 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 Gómez** to approve a tax resale deed to Mario Estrada, who has paid Travis County \$1,922.00 in cash.

**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

37. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL AND/OR LEASE LAKE TRAVIS AREA PROPERTY TO TRAVIS COUNTY THAT IS CURRENTLY OWNED BY BARSTOW'S LIMITED PARTNERSHIP, IN PRECINCT THREE. <sup>1 AND 2</sup> (3:51 PM) (5:08 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.

Discussion only. No formal action taken.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON SELLER'S TEMPORARY RESIDENTIAL LEASE AGREEMENT WITH SANDRA MCELROY MIRTSCHING. <sup>1 AND 2</sup> (3:51 PM) (5:08 PM)

**Clerk's Note:** Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we approve the proposed temporary residential lease agreement with Sandra McElroy Mirtsching for two days.

**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

**ADDED ITEMS:**

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING INVOICE RECEIVED FROM W/M INVESTMENTS NO. SIX – 10401 BURNET ROAD LTD. FOR THE PURCHASE OF THE PRECINCT TWO J.P./CONSTABLE/CSCD BUILDING. (THIS ITEM MAY 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) (3:51 PM) (5:08 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 551.072, Real Property.

No action necessary on Item A1.

- A2. APPROVE AGREEMENT FOR LEGAL SERVICES REGARDING LAWSUIT STYLED NORTHWEST AUSTIN MUD NO. ONE VS. ALBERTO GONZALES, ATTORNEY GENERAL OF THE UNITED STATES, CASE NO. 1:06-CV-01384-PLF, IN THE U. S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA. (1:51 PM) (2:43 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to authorize the County Attorney to present a contract to Renea Hicks, attorney, along the same terms and conditions that we discussed and were offered by Mr. Hicks, and that we request an update next Tuesday, October 31, 2006 on this matter.

**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

Item A2 to be reposted on October 31, 2006.

