

## **MINUTES OF MEETING – OCTOBER 31, 2006**

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

On Tuesday, the 31<sup>st</sup> day of October 2006, the Commissioners' Court convened the Voting Session at 9:18 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 Four Commissioner Margaret Gómez was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 11:58 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:47 PM and adjourned at 1:47 PM.

The Commissioners Court, meeting as the Travis County Bee Caves Road District #1 (Galleria); convened at 1:48 PM and adjourned at 1:49 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:49 PM and adjourned at 1:53 PM.

The Commissioners Court reconvened the Voting Session at 1:53 PM.

The Commissioners Court retired to Executive Session at 3:04 PM.

The Commissioners Court reconvened the Voting Session at 5:14 PM.

The Commissioners Court adjourned the Voting Session at 5:17 PM.

**PUBLIC HEARINGS**

- 1. RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT THREE: DODD'S SUBDIVISION (2 TOTAL LOTS OF 5.004 ACRES AND 4.971 ACRES – HONEYCOMB CIRCLE NEAR ROUNDMOUNTAIN ROAD – NO FISCAL IS REQUIRED WITH THE FINAL PLAT – WASTEWATER TO BE PROVIDED BY INDIVIDUAL ON SITE SEPTIC SYSTEMS). (COMMISSIONER DAUGHERTY) (ACTION ITEM #20) (9:22 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 20 for a summary of the action item.

**Motion by** Commissioner Daugherty **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	absent

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis 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	absent

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Jimmy Castro, Travis County Resident; Scott Johnson, Travis County Resident; Paul Reynolds, Chief, Travis County Emergency Services District 4; Joe Robinson, Houston Fire Department; Joshua Allen, Firefighter Cadet Class 7; Kristopher Asfura, Firefighter Cadet Class 7; Erick Azucena, Firefighter Cadet Class 7; Brenton Cooper, Firefighter Cadet Class 7; Brandon Cummins, Firefighter Cadet Class 7; Aaron Duvall, Firefighter Cadet Class 7; Veronica Eddie, Firefighter Cadet Class 7; Micah Fain, Firefighter Cadet Class 7; Alex Gatica, Firefighter Cadet Class 7; Bess Gershowitz, Firefighter Cadet Class 7; Justin Gwinn, Firefighter Cadet Class 7; Ehren Iverson, Firefighter Cadet Class 7; Jack Lee, Firefighter Cadet Class 7; Kendrick Lewis, Firefighter Cadet Class 7; Arturo Liscano, Firefighter Cadet Class 7; Brian Meyerdirk, Firefighter Cadet Class 7; Kristoffer Moffard, Firefighter Cadet Class 7; Jacob Natividad, Firefighter Cadet Class 7; Elmer Rodriguez, Firefighter Cadet Class 7; Gerardo Segura, Firefighter Cadet Class 7; William Swaim, Firefighter Cadet Class 7; Adam Tapia, Firefighter Cadet Class 7; Christian White, Firefighter Cadet Class 7; and William Brewer, Travis County Resident. (9:23 AM)

**Clerk’s Note:** The Judge updated the Court regarding the activities of Travis County employees for the Combined Charities Campaign.

**CONSENT ITEMS**

**Motion by Judge Biscoe and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C5 and Items 2, 3, 4, 5.A&B, 6, 7, 11.A&B, 12, 13, 16, 17, 19, 20, 23, 24, 25.A&B, 27, 28, 29.A-F, 33, 34, 38, 39 and A1. (9:41 AM)

**A Friendly Amendment to the previous Motion was offered by** Commissioner Sonleitner to request that on Item 5.A, the Court get an email to find out how the driver situation is being handled.

**Acceptance of the Friendly Amendment was made by** Judge Biscoe.

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

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

**CONSENT ITEMS CONTINUED**

- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF OCTOBER 17, 2006.
- C4. APPROVE SETTING A PUBLIC HEARING DATE OF NOVEMBER 28, 2006 TO RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT THREE: THE RESERVE AT TWIN CREEKS SECTION 16 AMENDED PLAT OF LOTS 1-2 AND 7-8 BLOCK "W" (AMENDED PLAT – 4 LOTS – 1.884 ACRES TOTAL – SHADOW CANYON DRIVE – NO FISCAL POSTED – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF CEDAR PARK – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY)
- C5. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 21, 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 3, BLOCK A, BEE CAVE WEST, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**PLANNING AND BUDGET DEPT. ITEMS**

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:41 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.

**ADMINISTRATIVE OPERATIONS ITEMS**

3. 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 \$617,200.03 FOR THE PERIOD OF OCTOBER 13 TO OCTOBER 19, 2006. (9:41 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:41 AM)

**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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS:  
(9:41 AM)

A. GLENDA RANGEL – SETTLE; AND

B. TRAVIS COUNTY SHERIFF'S OFFICE COMPUTER DOCKING STATION REPLACEMENT REQUEST.

**Clerk's Note:** Items 5.A&B 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:** Judge Biscoe noted that on 5.A, the supplemental claim is limited to up to \$1,000.00 without coming back to the Court for approval.

**JUSTICE & PUBLIC SAFETY ITEMS**

6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE RENEWAL OF AND AMENDMENT TWO TO AGREEMENT BETWEEN CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES. (9:41 AM)

**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 THE RENEWAL OF AND AMENDMENT TWO TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY FOR USE AND MANAGEMENT OF STAR FLIGHT. (9:41 AM)

**Clerk's Note:** Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REENTRY ROUNDTABLE WORK PLAN FOR FISCAL YEAR 2007. (9:18 AM)

Item 8 postponed until November 7, 2006.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE EX-OFFENDER WORKFORCE DEVELOPMENT WORK PLAN FOR FISCAL YEAR 2007 FROM CRIMINAL JUSTICE PLANNING AND HEALTH AND HUMAN SERVICES AND VETERANS SERVICES. (9:57 AM)

**Members of the Court heard from:** Caryl Colburn, Interim Criminal Justice Planning Coordinator, Criminal Justice Planning (CJP); Kimberly Pierce, Interim Planning Manager, CJP; Lawrence Lyman, Social Services Program Administrator for Workforce Development, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Sherri Fleming, Executive Manager, TCHHS&VS.

Discussion only. No formal action taken.

Item 9 to be reposted on November 7, 2006 for discussion of Criminal Justice Planning's Workforce Development Plan.

Item 9 to be reposted on November 14, 2006 for discussion of Health and Human Services' Workforce Development Plan.

10. 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. (9:19 AM)

Item 10 postponed until November 7, 2006.

### PURCHASING OFFICE ITEMS

11. APPROVE CONTRACTS FOR THE FACILITATION OF COURT ORDERED PARENTING CLASSES WITH THE FOLLOWING: (9:41 AM)
  - A. CONTRACT NO. PS060191JT WITH BRENDA FIERRO; AND
  - B. CONTRACT NO. PS070008JT WITH KINSLOE QUEEN. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ)

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

12. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 05AE0298RV, HARUTUNIAN ENGINEERING, INC. TO PROVIDE MECHANICAL, ELECTRICAL AND PLUMBING ENGINEERING SERVICES FOR THE HEMAN MARION SWEATT COURTHOUSE. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:41 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. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 05T00136OJ, FROST INSURANCE AGENCY, FOR EXCESS WORKERS' COMPENSATION INSURANCE. (HRMD) (COMMISSIONER GÓMEZ) (9:41 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. APPROVE INTERLOCAL AGREEMENT NO. IL070037RE WITH TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR YOUTH AND FAMILY ASSESSMENT CENTER. (HHS & VS) (COMMISSIONER GÓMEZ) (3:03 PM)

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve Item 14.

**Motion carried:**

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

- 15. APPROVE INTERLOCAL AGREEMENT NO. IL060341RE WITH TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR SUBSTANCE ABUSE SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (9:20 AM)

Item 15 was pulled from the Agenda.

- 16. DECLARE CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:41 AM)

**Clerk's Note:** Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 17. DECLARE INVESSEL COMPOSTER AS SURPLUS AND SELL AT ON-LINE AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (COMMISSIONER GÓMEZ) (9:41 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 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) (9:20 AM)

Item 18 postponed until November 7, 2006.

19. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES, NORTHRIDGE ACRES WATER SYSTEM, CONTRACT NO. 07AE0021JW, TO ALAN PLUMMER ASSOCIATES, INC. (COMMISSIONER GÓMEZ) (9:41 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.

### **TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

20. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: DODD'S SUBDIVISION (2 TOTAL LOTS OF 5.004 ACRES AND 4.971 ACRES – HONEYCOMB CIRCLE NEAR ROUNDMOUNTAIN ROAD – NO FISCAL IS REQUIRED WITH THE FINAL PLAT – WATERWATER TO BE PROVIDED BY INDIVIDUAL ON SITE SEPTIC SYSTEMS). (COMMISSIONER DAUGHERTY) (9:41 AM)

**Clerk's Note:** Item 20 is the action item for the public hearing on Agenda Item 1.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PARTICIPATION AGREEMENT WITH SR DEVELOPMENT, INC. FOR THE CONSTRUCTION OF ELROY ROAD IN SOUTHEAST TRAVIS COUNTY, PRECINCT FOUR. (COMMISSIONER GÓMEZ) (2:36 PM)

**Members of the Court heard from:** Steve Manilla, Director, Public Works, TNR.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve item 21.

**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	absent

- 22. DISCUSS AND TAKE APPROPRIATE ACTION ON POLICY REGARDING PROHIBITION OF METAL DETECTORS IN TRAVIS COUNTY PARKS. (11:31 AM) (3:04 PM) (5:14 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Roy Turley, Parks Division Manager, TNR; John Kuhl, Natural Resources Program Manager, TNR; Charles Bergh, Division Director, Parks and Natural Resources, TNR; and Tom Nuckols, Assistant County Attorney.

**Clerk’s Note:** Judge Biscoe announced that Item 22 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 22 to be reposted on November 14, 2006.

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON A LICENSE AGREEMENT WITH KANTON K. LABAJ PROVIDING ACCESS THROUGH FRITZ HUGHES PARK. (COMMISSIONER DAUGHERTY) (9:41 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. CONSIDER AND TAKE APPROPRIATE ACTION ON SENNA HILLS, REVISED PRELIMINARY PLAN #6 IN PRECINCT THREE (30 TOTAL LOTS; 28 RESIDENTIAL LOTS, 2 DRAINAGE AND PUBLIC UTILITY LOTS – 23.774 ACRES – SENNA HILLS DRIVE – FISCAL IS NOT REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY SENNA HILLS MUD – CITY OF AUSTIN 2-MILE ETJ). (COMMISSIONER DAUGHERTY) (9:41 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 THE FOLLOWING:  
(9:41 AM)
- A. A PLAT FOR RECORDING IN PRECINCT THREE, SENNA HILLS SECTION 11, FINAL PLAT (LONG FORM PLAT – 30 TOTAL LOTS; 28 RESIDENTIAL LOTS, 2 DRAINAGE AND PUBLIC UTILITY LOTS – 23.774 ACRES – SENNA HILLS DRIVE – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY SENNA HILLS MUD – CITY OF AUSTIN 2-MILE ETJ); AND
  - B. SUBDIVISION CONSTRUCTION AGREEMENT FOR SENNA HILLS SECTION 11, FINAL PLAT.

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

**REVISED LANGUAGE:**

26. A. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO AMEND GUIDELINES FOR COUNTY PARTICIPATION IN PUBLIC/PRIVATE PARTNERSHIPS FOR ARTERIAL ROADWAY CONSTRUCTION ADOPTED JULY 12, 2005, REV. JULY 25, 2006; AND

B. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE A PARTICIPATION AGREEMENT BETWEEN TRAVIS COUNTY AND A PRIVATE DEVELOPER FOR IMPROVEMENTS TO PARMER LANE IN PRECINCT ONE. (COMMISSIONER DAVIS) (2:42 PM)

**Clerk's Note:** Items 26.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Steve Manilla, Director, Public Works, TNR; Tom Nuckols, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 26.A.

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 26.B.

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

27. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: FINAL PLAT OF PARK AT BLACKHAWK SECTION 6 (8.38 ACRES TOTAL FROM 72.330 ACRES OUT OF THE A. BAILEY SURVEY NO. 34, PROPOSED TO BE DIVIDED INTO 42 SINGLE-FAMILY LOTS – SPEIDEL DRIVE IN THE PFLUGERVILLE ETJ – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – WASTEWATER WILL BE PROCESSED BY LAKESIDE WATER CONTROL IMPROVEMENT DISTRICT NUMBER 2B). (COMMISSIONER SONLEITNER) (9:41 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. CONSIDER AND TAKE APPROPRIATE ACTION ON CANDIDATE PROJECT FOR 2007 BUILD CENTRAL TEXAS PROGRAM FROM CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY. (COMMISSIONER SONLEITNER) (9:41 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 GILBERT LANE SUBDIVISION IN PRECINCT ONE AS FOLLOWS: (9:41 AM)
- A. PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND THE DEVELOPER, GILBERT LANE INVESTMENTS LP;
  - B. PRELIMINARY PLAN (651 TOTAL LOTS, 163.96 ACRES – GILBERT ROAD/FM 969 – NO FISCAL IS REQUIRED FOR THIS PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY THE HORNSBY BEND UTILITY COMPANY – CITY OF AUSTIN ETJ);
  - C. ALTERNATIVE FISCAL AGREEMENT;
  - D. CONSTRUCTION AGREEMENT FOR GILBERT LANE PHASE ONE SUBDIVISION;
  - E. INDEMNIFICATION AGREEMENT WITH GILBERT LANE INVESTMENTS LP TO FUND THE PERMANENT TRAFFIC IMPROVEMENTS, INCLUDING SHOULDERS AND A TURN LANE, ON FM 969 AT GILBERT ROAD; AND
  - F. 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 FM 969 AT GILBERT ROAD.

**Clerk's Note:** Items 29.A-F approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**AT 10:00 A.M.**

30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TEXAS CITIES FOR CLEAN AIR COALITION FOR THE FOLLOWING: (10:27 AM)

- A. TRAVIS COUNTY’S PARTICIPATION AS A MEMBER;
- B. PAYMENT OF ANNUAL MEMBERSHIP FEE;
- C. ADOPTION OF RESOLUTION;
- D. ADOPTION OF PARTICIPATION AGREEMENT AND BY-LAWS; AND
- E. OTHER RELATED ISSUES.

**Clerk’s Note:** Items 30.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Laura Fiffick, Director, Environmental Office, City of Dallas; Bill Gill, Director, Environmental Programs, Capital Area Council of Governments (CAPCOG); Curtis Seidlits, Senior Vice President; Governmental Affairs, TXU; John Kuhl, Natural Resources Program Manager, TNR; Karen Hadden, Director, Sustainable Energy and Economic Development Coalition; and Scott Johnson, Travis County Resident.

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

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







32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (1:53 PM)

- A. SELECTION AND APPROVAL OF PROJECTS AND ACTIVITIES;
- B. SELECTION AND APPROVAL OF SOURCE OF FUNDING FOR EXPENSES RELATED TO GRANT ADMINISTRATION; AND
- C. OTHER RELATED ITEMS.

**Clerk’s Note:** The Court discussed the suggested distribution of CDBG grant funds to the following projects:

- 1) Northridge Acres – Water/Wastewater improvements
- 2) Land Acquisition for production of owner occupied housing
- 3) Substandard Roads
- 4) Social Services Expansion
- 5) Expansion of YFAC Flex Funds

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; Meg Poag, Planner, Travis County Health and Human and Services (TCHHS); Christy Moffett, Social Services Manager, TCHHS; Joe Gieselman, Executive Manager, TNR; Steve Manilla, Director, Public Works, TNR; Christian Smith, Executive Manager, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; and Kimberly Walton, Travis County Auditor’s Office.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve Northridge Acres - \$200,000.00; Land Acquisition - \$250,000.00; Substandard Roads - \$300,000.00; \$115,000.00, - Social Services Expansion. We've exceeded the \$838,659.00, and then we've got \$10,000.00. If we need it we'll do it, and we have a commitment to monitor this situation and if we need to bring in additional staff to comply, the Court's commitment is to do it.

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

**Clerk’s Note:** The County Judge noted that all Administrative costs will be funded from the General Fund on an “as-needed” basis.

**OTHER ITEMS**

- 33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:41 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. APPROVE ACCEPTANCE OF A DONATION OF COLEMAN POWERMATE GENERATOR FROM RAMMING PAVING FOR USE BY THE TRAVIS COUNTY SHERIFF'S OFFICE K9 UNIT. (SHERIFF'S OFFICE) (9:41 AM)

**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.

**Clerk's Note:** The Court expressed thanks to Ramming Paving for the donation.

- 35. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO INCLUDE SHERIFF'S OFFICE COUNSELORS IN THE SHIFT DIFFERENTIAL SCHEDULE FOR FISCAL YEAR 2007. (SHERIFF'S OFFICE) (2:50 PM)

**Members of the Court heard from:** Major David Balagia, Corrections Division, Travis County Sheriff's Office (TCSO); and Debbie Rich, Human Resources Coordinator, TCSO.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 35.

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

- 36. CONSIDER AND TAKE APPROPRIATE ACTION ON VARIANCE REQUEST TO TEXAS COMMISSION ON JAIL STANDARDS TO CONVERT POST 1 AND 2 AND HALF OF THE SECOND FLOOR OF THE TRAVIS COUNTY JAIL INTO HOLDING CELLS FOR THE CENTRAL BOOKING FACILITY. (SHERIFF'S OFFICE) (2:54 PM)

**Members of the Court heard from:** Major David Balagia, Corrections Division, TCSO; and Bill Derryberry, Senior Budget Analyst, PBO.

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe to approve Item 36.

**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. DISCUSS FEASIBILITY OF POSITION TO PERFORM PUBLIC INFORMATION, INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE DUTIES FOR TRAVIS COUNTY. (JUDGE BISCOE) (3:02 PM)

Item 38 postponed until November 14, 2006.

- 38. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE ORDER OF APPOINTMENT OF PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE, MANAGERS, ASSISTANT MANAGER AND TABULATION SUPERVISOR OF THE CENTRAL COUNTING STATION, PRESIDING JUDGES OF RECEIVING SUBSTATIONS, AND PRESIDING JUDGE AND ALTERNATE PRESIDING JUDGE OF EARLY VOTING BALLOT BOARD FOR THE NOVEMBER 7, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:41 AM)

**Clerk's Note:** Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO FILL VACANCIES FOR UNEXPIRED TERM OF PRESIDING ELECTION JUDGES AND ALTERNATE PRESIDING ELECTION JUDGES FOR THE NOVEMBER 7, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:41 AM)

**Clerk's Note:** Item 39 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

40. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 7, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:22 AM)

Item 40 postponed until November 7, 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.

- 41. RECEIVE BRIEFING FROM COUNTY ATTORNEY, AUTHORIZE COUNTY ATTORNEY TO ACCEPT, REJECT OR COUNTER OFFER SETTLEMENT DEMAND AND TAKE APPROPRIATE ACTION REGARDING JAMES COLBY WEST. <sup>1 AND 3</sup> (3:04 PM) (5:15 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 551.074, Personnel Matters.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis that we accept the \$10,000.00 offer, along with the stipulation that everything is dropped and we move forward with this case, if we get full settlement papers.

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

**Clerk's Note:** The County Judge noted that this would be to resolve any and all claims in this matter.



- 44. 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> (3:04 PM) (5:16 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to intervene in this matter and authorize legal counsel to file the necessary paperwork.

**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	absent

- 45. 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. <sup>1 AND 2</sup> (3:04 PM) (5:17 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 551.072, Real Property.

Discussion only. No formal action taken.

Item 45 to be reposted on November 7, 2006.



**ADDED ITEMS:**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF FIVE RESIDENTS TO A COMMITTEE TO NEGOTIATE THE PROVISION OF SERVICES AFTER THE ANNEXATION OF THE NORTH ACRES, COLLINGWOOD WEST AND COLLINGWOOD WEST PUD SUBDIVISIONS WITH THE CITY OF AUSTIN AS REQUIRED BY THE LOCAL GOVERNMENT CODE SECTION 43.0562. (COMMISSIONER SONLEITNER) (9:41 AM)

**Clerk’s Note:** Item A1 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:** Precinct Two Commissioner Karen Sonleitner noted that the five appointees’ names are: Larry Shram; Beryl Bussey; D’Maris Allen-Mierl, Ph. D.; Barbara Mink, Ph. D.; and Gary Hallock.

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:17 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	absent

**MINUTES APPROVED BY THE COMMISSIONERS’ COURT**

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**Date of Approval**

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