

MINUTES OF MEETING – JANUARY 17, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 17th day of January, 2006, the Commissioners' Court convened the regular Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Commissioners Court retired to Executive Session at 11:26AM.

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

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

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

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

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

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

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

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

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

RESOLUTIONS & PROCLAMATIONS

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

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 3.

Motion carried:

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

SPECIAL ITEMS

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

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

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

Discussion Only. No formal action taken.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:19 AM)

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

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

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

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

Discussion Only. No formal action taken.

Item 8 to be reposted on January 31, 2006.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

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

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

Clerk's Note: Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

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

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

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

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

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

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

Motion carried:

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

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

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

16. A. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY DAMAGE TOTAL LOSS CLAIM RECOMMENDATIONS: (10:29AM)

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

Clerk’s Note: Staff noted Item 16.A.B should read “TCSO Unit 2383 – Settle;”.

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

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

Motion carried:

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

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

Motion carried:

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

PURCHASING OFFICE ITEMS

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

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

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

Motion carried:

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

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

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

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

20. APPROVE A TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT 05T00040DR, ASPEN AIR INC., FOR RESIDENTIAL HVAC SERVICES. (HHS) (COMMISSIONER GÓMEZ) (9:19 AM)

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

21. APPROVE ORDER EXEMPTING THE PURCHASE OF DETENTION EQUIPMENT AND SECURITY ELECTRONICS SYSTEMS MATERIALS FROM ISI DETENTION CONTRACTING GROUP, INC. AND SUBSIDIARY, METROPLEX CONTROL SYSTEMS, FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(7)(D) OF THE COUNTY PURCHASING ACT. (FM) (COMMISSIONER GÓMEZ) (9:19 AM)

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

22. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. 04K00263JJ, EAST METRO PARK (PHASE 1, PROJECT 1), C.C. CARLTON INDUSTRIES, LTD. CONTRACTOR. (TNR) (COMMISSIONER DAVIS) (M)

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

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

Item 23 not needed.

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

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

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

OTHER ITEMS

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:19 AM)

Clerk’s Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO CREATE A STATE HIGHWAY 130 CORRIDOR DEVELOPMENT PLANNING COMMITTEE. (11:06 AM)

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

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

Motion carried:

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

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

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

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

Item 32 to be postponed until January 24, 2006.

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

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

Discussion Only. No formal action taken.

Item 33 to be reposted on January 24, 2006.

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

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

Item 34 pulled from the Agenda.

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

Item 35 postponed until January 24, 2006

MINUTES OF MEETING – JANUARY 17, 2006

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 17th day of January, 2006, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:38 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Melissa Velasquez.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:38 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:38 PM)

Clerk's Note: Judge Biscoe announced there are investments but no claims.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the investment of Road District funds.

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. APPROVE N.W.T.C.R.D.#3 MINUTES FOR THE MEETING OF JANUARY 3, 2006. (1:38 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Minutes in Item 2.

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

