

## **MINUTES OF MEETING – MAY 2, 2006**

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

On Tuesday, the 2<sup>nd</sup> day of May 2006, the Commissioners' Court convened the regular Voting Session at 9:13 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 retired to Executive Session at 11:35 AM.

The Commissioners Court reconvened the Voting Session at 11:56 AM.

The Commissioners Court recessed the Voting Session at 11:57 AM.

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 Housing Finance Corporation; convened at 1:38 PM and adjourned at 1:38 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; Capital Health Facilities Development Corporation; Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation convened at 1:38 PM and adjourned at 1:39 PM.

The Commissioners Court reconvened the Voting Session at 1:39 PM.

The Commissioners Court adjourned the Voting Session at 5:16 PM.







**RESOLUTIONS & PROCLAMATIONS**

- 3. A. DECLARE TUESDAY, MAY 2, 2006 AS "TRAVIS COUNTY EMPLOYEE RECOGNITION DAY"; AND
- B. PRESENT CERTIFICATES OF RECOGNITION TO EMPLOYEES COMPLETING 20, 25 AND 30 YEARS OF SERVICE. (9:55 AM)

**Members of the Court heard from:** Errol Hardin, Staffing Training & Employee Relations Manager, Human Resources Management Department (HRMD); and Karen Steitle, Human Resources Specialist Senior, HRMD.

Discussion only. No formal action taken.

**Clerk's Note:** The Court handed out Certificates of Recognition and pins to employees completing 20, 25 and 30 years of service.

- 4. APPROVE PROCLAMATION NAMING MAY 3, 2006 AS "LAW DAY" IN TRAVIS COUNTY. (9:44 AM)

**Members of the Court heard from:** W. Stephen Benesh, Managing Partner, Bracewell and Giuliani LLP.

**Motion by** Judge Biscoe **and seconded by** Commissioner Sonleitner to approve the Proclamation in 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



**ADMINISTRATIVE OPERATIONS ITEMS**

8. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR PARTICIPANTS IN THE TRAVIS COUNTY EMPLOYEE HEALTH CARE FUND FOR PAYMENT OF \$520,951.50 FOR THE PERIOD OF APRIL 14 TO APRIL 20, 2006. (9:40 AM)

**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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:40 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. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSIGNMENT OF CONTRACT WITH AUS-TEX CONCESSIONS TO G&M CATERING. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:40 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.

**JUSTICE & PUBLIC SAFETY ITEMS**

11. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT WITH DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN AND PEDIATRIX MEDICAL SERVICES INC. FOR NEONATAL INTENSIVE CARE UNIT TRANSPORT HELICOPTER SERVICES. (10:08 AM)

**Members of the Court heard from:** Casey Ping, Program Manager, STAR Flight; and John Lloyd, Medical Director, Daughters of Charity Neonatal Transport Team.

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

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



## PURCHASING OFFICE ITEMS

**AT 9:45 A.M.**

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM SELECTION COMMITTEE REGARDING NEXT STEPS TO SELECT FIRMS IN RESPONSE TO RFQ NO. Q060056-MB, TCCC DESIGN BUILD PROJECT. (COMMISSIONER GÓMEZ) (10:12 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Tenley Aldredge, Assistant County Attorney; Susan Spataro, Travis County Auditor; Terry Scarborough, Attorney, Hance, Scarborough, Wright, Woodward, & Weisbart LLP; Mark Stefanov, Engineer, Travis County Sheriffs Office (TCSO); Ken Gaede, Project Manager, Facilities Management; Tim Garbutt, Marketing and Communications Manager, FaulknerUSA; Roger El Khoury, Director, Facilities Management; and Marvin Brice, Construction Procurement Manager, Purchasing.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to move this thing forward with FaulknerUSA staying in this thing and carrying this score forward. There's no movement of these scores. You've got a 908, 966 and a 694. That's what moves into the second phase. So it is Hensel Phelps/KMD, Gilbane/HKS and FaulknerUSA. These were the three scores set forth in the memo dated May 2nd, 2006 from Purchasing.

**A Clarification of the previous Motion** was made by **Judge Biscoe** that these are carrying the same scores that were dictated in the RFQ process.

**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. 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) (9:40 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 CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES, EAST METRO PARK RAW WATER LINE, CONTRACT NO. PS060218LP, TO FREESE AND NICHOLS. (TNR) (COMMISSIONER DAVIS AND COMMISSIONER GÓMEZ) (9:40 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. APPROVE CONTRACT AWARD FOR FY '06 TYPE F HOT MIX OVERLAY PROGRAM - CITY OF LAKEWAY, IFB NO. B060106-LP, TO THE LOW BIDDER, J.D. RAMING PAVING COMPANY. (TNR) (COMMISSIONER DAUGHERTY AND COMMISSIONER GÓMEZ) (9:40 AM)

**Clerk's Note:** Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. APPROVE CONTRACT AWARD FOR HVAC REPAIR PROJECT PHASE 2, AT 1010 LAVACA, (ALTERNATE NO. 1 ONLY), IFB NO. B060142-DG, TO THE SOLE BIDDER, THERMAL MECHANICAL CONTRACTORS, INC. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:40 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. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. 99C0018-JP, HART INTERCIVIC, FOR PUBLIC RECORDS DEED INDEXING SYSTEM. (COUNTY CLERK) (COMMISSIONER GÓMEZ) (9:40 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. AUTHORIZE PAYMENT OF INVOICE FOR ACCEPTANCE OF THE SECOND AIRCRAFT PURCHASED ON CONTRACT NO. 05C00297BF TO AMERICAN EUROCOPTER, LLC. (EMERGENCY SERVICES/STAR FLIGHT) (COMMISSIONER GÓMEZ) (9:40 AM)

**Clerk's Note:** Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. APPROVE CONTRACT AWARD FOR SURFACE AGGREGATES GRADES 4 AND 5, IFB NO. B060185-DR, TO THE SOLE BIDDER, VULCAN CONSTRUCTION MATERIALS. (TNR) (COMMISSIONER GÓMEZ) (9:40 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. APPROVE CONTRACT AWARD TO PROVIDE HOLT BUILDING ROOF RESTORATION, IFB NO. B060141-RV, TO THE LOW BIDDER, Q A CONSTRUCTION SERVICES, INC. (FM) (COMMISSIONER GÓMEZ) (9:40 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 PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FROM ARCHITECTURE PLUS FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A)(4) OF THE COUNTY PURCHASING ACT. (COMMISSIONER GÓMEZ) (11:11 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Roger El Khoury, Director, Facilities Management.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 21.

**Motion carried:**

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

**Clerk’s Note:** Item 21 was further discussed at 11:56 AM with a request by Commissioner Sonleitner that the Commissioners Court record reflect a Corrected Vote on Item 21. Judge Biscoe instructed that the record show Commissioner Sonleitner voting in favor of the Motion on Item 21. The Commissioners Court record does reflect the Corrected Vote.

**Motion carried:**

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

- 22. APPROVE TERMINATION OF CONTRACT NO. 04T00038LD WITH HERRERA AND SONS JANITORIAL SERVICES FOR JANITORIAL SERVICES AT NORTH RURAL COMMUNITY CENTER/CLINIC. (FM) (COMMISSIONER GÓMEZ) (9:40 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 SERVICE AGREEMENT AWARD FOR UTILITY RELOCATION, PFLUGERVILLE EAST ROADWAY PROJECT, TO TXU ELECTRIC. (TNR) (COMMISSIONER GÓMEZ) (9:40 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.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS****AT 1:45 P.M.**

24. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS TO ADDRESS TRAFFIC ISSUES ON BRODIE LANE. (COMMISSIONER DAUGHERTY) (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (1:39 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Don Nyland, Area Engineer for South Travis County and Hays County, Texas Department Of Transportation (TXDOT); Jim Powers, Hays County Judge; Will Conley, Hays County Commissioner; John Trube, Mayor of Buda; Susie Carter, Hays County Commissioner; Richard McCain, Constable Precinct 3; Patrick Rose; State Representative, District 45; Jerry Lozano, President, Elliott Ranch Subdivision HOA, Hays County; Craig Wojtowicz, Vice President of Support, Marbridge Community; Debbie Peterson, Member, Shady Hollow HOA; Tom Bryant, President, Wyldwood and Kellywood HOA; Dalton Wall, Meadowood Subdivision; Brian Mastervich, Travis County Resident; Bill Aleshire, Shady Hollow Resident; Warren Hassinger, Commissioner and Acting President EMS #5; Jim Mean, Shady Hollow Resident; Cindy Nettles, Shady Hollow Resident; Elaine Walker, Shady Hollow Resident; David Williams, President, Shady Hollow HOA; Jim Camp, Hays County Resident; Matthew Wayne, Barker Ranch Resident; Kate Manis, representing parents of Menchaca Elementary; Sandy McMin, Shady Hollow Resident and representing St. John's Presbyterian Church; Laurie Bush, Plum Creek Resident; Susan Palmer, Shady Hollow Resident; Ostler McCarthy, Apache Forest Resident; Ken Bresnan, Hays County Resident; Suzanne Pike, Travis County Resident; Jane DeWayne, Barker Ranch Resident; Dolph Scott, Hays County Resident; John Dormer, Hays County Resident; Robin Laten, Travis County Resident; John McGraw, Estates of Shady Hollow Resident; Anna Phillips, Travis County Resident; Brenda Whiteaker, Travis County Resident; Ron Brown, Leisurewood Resident; Kevin Cooper, Barker Ranch Resident; and Angela Streeter, Hays County Resident.

Discussion only. No formal action taken.

Item 24 to be reposted May 16, 2006.

**Clerk's Note:** The Court gave Staff directions regarding recommendations and a time schedule for action on Item 24.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 44, BLOCK D, WERKENTHIN SECTION FIVE (SHORT FORM PLAT – 2 LOTS – 1.517 ACRES – OESTRICK LANE – NO FISCAL REQUIRED – ON-SITE SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:40 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 AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN TO REIMBURSE THE CITY FOR A NOT-TO-EXCEED AMOUNT OF \$50,000.00 FOR THE RELOCATION OF FIRE HYDRANTS INSIDE MOYA HIKE AND BIKE TRAIL ON BURLESON ROAD. (9:40 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 THE CALL DOWN OF FISCAL POSTINGS FOR PLAZA VOLENTE, SIX TWENTY HILL COUNTRY, WHITNEY OAKS AND STONEY RIDGE PHASE A SECTION VI TO USE FUNDS ON COUNTY ROAD CAPITAL IMPROVEMENT PROJECTS. (9:40 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 REQUEST FOR AN EXEMPTION FROM PLATTING REQUIREMENTS FOR THE RESERVE AT WEST CREEK - 600 DETACHED UNITS - CONDOMINIUM DEVELOPMENT. (COMMISSIONER SONLEITNER) (9:40 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 THE FOLLOWING:  
(9:40 AM)
- A. A VARIANCE TO SECTION 30-2-151 OF TITLE 30 (AUSTIN-TRAVIS COUNTY SUBDIVISION REGULATIONS) FOR ALIGNING STREETS IN NEW SUBDIVISIONS; AND
  - B. A FINAL PLAT IN PRECINCT THREE: VAUGHT RANCH SECTION 2 SUBDIVISION (SHORT FORM PLAT – 5 LOTS – 97.36 ACRES – VAUGHT RANCH ROAD & R.M. 2222 – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – CITY OF AUSTIN 2-MILE ETJ). (COMMISSIONER DAUGHERTY)

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A FINAL PLAT IN PRECINCT THREE: NOACK HILL (LONG FORM PLAT – 8 LOTS – 10 ACRES – NOACK HILL ROAD – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:40 AM)

**Clerk's Note:** Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO USE ALTERNATIVE FISCAL FOR WATERFORD ON LAKE TRAVIS SECTION 3C, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:40 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.



**PLANNING AND BUDGET DEPT. ITEMS**

32. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:40 AM)

- A. GRANT CONTRACT WITH FEMA/GOVERNOR'S OFFICE OF EMERGENCY MANAGEMENT FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT. GRANT CONTRACT CONTINUES THE EXISTING PROGRAM FOR FY '06.

**Clerk's Note:** Item 32.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:14 AM)

No action required on Item 33.

**OTHER ITEMS**

34. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:40 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.

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE ORDER OF APPOINTMENT OF PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE AND OTHER PERSONNEL OF THE CENTRAL COUNTING STATION, PRESIDING JUDGES OF THE RECEIVING SUBSTATIONS AND PRESIDING JUDGE AND ALTERNATE PRESIDING JUDGE OF THE EARLY VOTING BALLOT BOARD FOR THE MAY 13, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:40 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 REGARDING AN ORDER TO FILL VACANCIES OF UNEXPIRED TERM OF ELECTION JUDGES AND ALTERNATE ELECTION JUDGES AND TO APPOINT ELECTION JUDGES AND ALTERNATE ELECTION JUDGES FOR CONSOLIDATED PRECINCTS FOR THE MAY 13, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:40 AM)

**Clerk's Note:** Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST BY EMERGENCY SERVICES DISTRICT #4 FOR A STRATEGY TO RELOCATE FROM 10220 IH-35 NORTH TO ANOTHER COUNTY SITE. (11:15 AM)

**Members of the Court heard from:** Kevin McDonald, President, Emergency Services District No. 4.

Discussion only. No formal action taken.

Item 37 to be reposted May 16, 2006.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING TRAVIS COUNTY REORGANIZATION INITIATIVES: (11:35 AM)
- A. APPOINTMENT OF EXECUTIVE MANAGER OR COORDINATOR FOR CRIMINAL JUSTICE PLANNING;
  - B. APPOINTMENT OF EXECUTIVE MANAGER OR COORDINATOR FOR EMERGENCY SERVICES;
  - C. APPOINTMENT OF EXECUTIVE MANAGER OF BOTH CRIMINAL JUSTICE PLANNING AND EMERGENCY SERVICES COORDINATOR;
  - D. ANY OTHER OPTIONS REGARDING THE MANAGEMENT OF CRIMINAL JUSTICE PLANNING AND EMERGENCY SERVICES; AND
  - E. OTHER RELATED EMERGENCY PERSONNEL MATTERS. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.074, PERSONNEL MATTERS)

Items 38.A-E postponed until May 9, 2006.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR RESOLUTION REGARDING APPRAISAL AND REVENUE CAPS. (11:31 AM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; and Bruce Elfant, Constable Precinct 5.

**Clerk's Note:** The Court discussed the following changes to the Resolution in the final paragraph: To add "and homeowners" after "County budgets"; to add in parentheses the name of the author and the number of the Bill; plus that it is both a Senate Bill (SB17) and a Senate Joint Resolution (SJR9).

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis approve the Resolution. We would make those particular changes and get it back for everybody to sign and then get it sent over Senator Barrientos and others for appropriate distribution.

**Motion carried:**

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

40. CONSIDER AND TAKE APPROPRIATE ACTION RELATED TO THE COUNTY'S ECONOMIC DEVELOPMENT POLICY AS FOLLOWS: (9:40 AM)
- A. AMEND THE ECONOMIC DEVELOPMENT POLICY TO INCLUDE ADDITIONAL LANGUAGE TO PROVIDE FOR TAX ABATEMENT UNDER THE TEXAS TAX CODE, CHAPTER 312.
- B. SET A PUBLIC HEARING DATE OF MAY 16, 2006 TO CONSIDER DESIGNATION OF A REINVESTMENT ZONE TO INCLUDE THE FOLLOWING PROPERTY: LOTS 4 AND 5, BLOCK "A" OF WELLS BRANCH PHASE "A," SECTION 5, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, AND LOT 2 OF WELLS BRANCH PHASE "A," SECTION 5A, A SUBDIVISION IN TRAVIS COUNTY, TEXAS.

**Clerk's Note:** Items 40.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**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. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING CLOSE OUT OF ICE BATS CONTRACT WITH TRAVIS COUNTY. <sup>1 AND 2</sup> (11:35 AM) (11:56 AM)

**Clerk's Note:** Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't Code Ann 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to authorize the letter to be sent by Roger El Khoury, Director, Facilities Management indicating the County's agreement to accept \$29,500.00, and some change, to close out the Ice Bats' lease at the Expo Center.

**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 REGARDING EFFORTS TO MARKET PROPERTY AT 6701 BURNET ROAD. <sup>1 AND 2</sup> (11:35 AM) (11:56 AM)

**Clerk's Note:** Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't Code Ann 551.072, Real Property.

Item 42 to be reposted on May 9, 2006.

**Clerk's Note:** The County Judge indicated to the broker that Item 42 was not discussed due to other pressing business.

- 43. 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. <sup>1</sup> (11:35 AM) (11:57 AM)

**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.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the counter-offer to settle for the amount of \$75,000.00; that we expedite this payment in exchange for an appropriate settlement agreement; that we authorize the County Judge to sign that on behalf of the Commissioners Court if he finds it satisfactory. If not, put it on the Court’s Agenda.

**Motion carried:**

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

- 44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN VICTOR MUNIZ, ET. AL. V. WILLIAM JONES, ET. AL. <sup>1</sup> (11:35 AM) (11:57 AM)

**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.

No action needed on item 44.

**Clerk’s Note:** The County Judge informed the Court that Item 44 has been settled.

- 45. 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. <sup>1</sup> (11:35 AM)

**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.

Item 45 postponed until May 9, 2006.

### ADJOURNMENT

**Motion by** Commissioner Davis **seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:16 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

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**Date of Approval**

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