

MINUTES OF MEETING – JUNE 6, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 6th day of June 2006, the Commissioners' Court convened the regular Voting Session at 9:18 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:06PM.

The Commissioners Court, meeting as the Travis County Cultural Education Facilities Finance Corporation convened at 1:38 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 5:26 PM.

The Commissioners Court reconvened the Voting Session at 6:09 PM.

The Commissioners Court adjourned the Voting Session at 6:17 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 20 AND 21, BLOCK D OF APACHE SHORES SECTION 5 – A SUBDIVISION IN TRAVIS COUNTY IN PRECINCT 3. (COMMISSIONER DAUGHERTY)
(ACTION ITEM #8) (9:19 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

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

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

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

- 2. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION (0.07 ACRES) OF THE CEDAR STREET RIGHT OF WAY IN THE HUGHES PARK LAKE SUBDIVISION #1 PRECINCT 3. (COMMISSIONER DAUGHERTY) (ACTION ITEM #9) (9:20 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 9 for a summary of the action item.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Sandra Williams, Travis County Resident; Steve Martin, Travis County Resident; David Greear, Traffic Manager, TNR; Stephen P. Buntrock, Travis County Resident; Tom Nuckols, Assistant County Attorney; and Jeremy Waldrop, Travis County Resident.

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

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

CITIZENS COMMUNICATION

Members of the Court heard from: Jennifer Gale, Travis County Resident; Harris P. Harrell, Travis County Resident; Greg Hamilton, Travis County Sheriff; Carolyn Mosley, Spokeswoman, Violence Awareness Campaign; Robert Howard, Travis County Resident; Ms. Phillip A. Dick, Travis County Resident; Lillian Simmons, Travis County Resident; Fancy Fairchild, Travis County Resident; Mary Anderson, Travis County Resident; and Jack Gullihorn, Greg Lane Neighborhood Association. (9:46 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C4, and Items 5, 6, 7, 8, 9, 10, 11, 12, 13, 20.A-C, 21, 22, 23, 26, 27, 29, 31, 32, 34, and A1. (10:37 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE SETTING A PUBLIC HEARING ON TUESDAY, JUNE 20, 2006, TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE SKOG ROAD IN PRECINCT ONE FOR CULVERT REPAIRS STARTING JUNE 21, 2006 AND CONTINUING THROUGH JULY 7, 2006 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAUGHERTY)
- C4. APPROVE SETTING A PUBLIC HEARING ON TUESDAY, JUNE 20, 2006, TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE OLYMPUS DRIVE IN PRECINCT THREE FOR THE PARADE OF HOMES STARTING ON JUNE 22, 2006 AND CONTINUING THROUGH JULY 9, 2006. (COMMISSIONER DAUGHERTY)

RESOLUTIONS & PROCLAMATIONS

3. APPROVE RESOLUTION RECOGNIZING THE 6TH ANNUAL FATHER'S DAY RALLY AND PARADE. (COMMISSIONER GÓMEZ) (10:26 AM) (10:40 AM)

Members of the Court heard from: Mona Gonzalez, River City Youth Foundation; and Alfonso Rincon, President, Fathers Active in Communities and Education (FACE).

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 3.

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

Clerk's Note: Item 3 was further discussed at 10:40 AM with a request by Commissioner Davis that the Commissioners' Court record reflect a Corrected Vote on Item 3. Judge Biscoe instructed that the record show Commissioner Davis voting in favor of the Motion on Item 3. The Commissioners' Court record does reflect the Corrected Vote.

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

PURCHASING OFFICE ITEMS

- 4. APPROVE AUTHORIZATION TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, C FAULKNER ENGINEERING, RFQ NO. Q060202JW, PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF REIMERS-PEACOCK ROAD IMPROVEMENTS. (TNR) (COMMISSIONER DAUGHERTY) (COMMISSIONER GÓMEZ) (11:41 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Item 4.

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

- 5. APPROVE ORDER EXEMPTING THE PURCHASE OF GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) CABLING REQUIREMENTS FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (ITS) (COMMISSIONER GÓMEZ) (10:37 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.

- 6. APPROVE CONTRACT AWARD FOR ARCHITECTURE AND ENGINEERING SERVICES FOR 5555 AIRPORT BOULEVARD BUILDING TO ARCHITECTURE PLUS. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (10:37 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. APPROVE AUTHORIZATION TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, LAND DESIGN PARTNERS, RFQ NO. Q060187-LP, PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF SOUTHWEST METRO PARK. (TNR) (COMMISSIONER GÓMEZ) (10:37 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

8. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 20 AND 21, BLOCK D OF APACHE SHORES SECTION 5 – A SUBDIVISION IN TRAVIS COUNTY IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (10:37 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 A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION (0.07 ACRES) OF THE CEDAR STREET RIGHT OF WAY IN THE HUGHES PARK LAKE SUBDIVISION #1 PRECINCT 3. (COMMISSIONER DAUGHERTY) (10:37 AM)

Clerk's Note: The Court gave Staff directions to survey the road signage and return to Court with any recommendations for improvements if needed.

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 A CONSTRUCTION AGREEMENT AND A PLAT FOR RECORDING IN PRECINCT THREE: CYPRESS CANYON SUBDIVISION, SECTION 4 (LONG FORM PLAT – 31 LOTS – 13.535 ACRES – ZEPPELIN DRIVE – FISCAL POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTY WCID NO. 1D – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (10:37 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. CONSIDER AND TAKE APPROPRIATE ACTION ON ALTERNATIVE FISCAL AGREEMENTS FOR SHADOWGLEN PHASE 2 SECTION 15B, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:37 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONSTRUCTION AGREEMENT AND A FINAL PLAT IN PRECINCT ONE: SHADOWGLEN PHASE 2 SECTION 15A FINAL PLAT (56 LOTS – 12.227 ACRES – SHADOWGLEN TRACE – FISCAL POSTED WITH TRAVIS COUNTY - SEWAGE SERVICE TO BE PROVIDED BY THE TRAVIS COUNTY MUD NO. 2 AND WILBARGER CREEK MUD NO. 1 – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (10:37 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ALTERNATIVE FISCAL AGREEMENT FOR VILLAGES OF HIDDEN LAKE PHASE 5B, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (10:37 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. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON PUBLIC/PRIVATE PARTNERSHIP ROADWAY PROJECTS APPROVED BY VOTERS IN THE 2005 BOND ELECTION. (COMMISSIONER DAVIS) (2:25 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Steve Manilla, Public Works Director, TNR; Marie Ingram, Travis County Resident; Clay Roaming, Travis County Resident; and Vincent J. May, Travis County Resident.

Discussion only. No formal action taken.

Item 14 to be reposted on June 20, 2006.

AT 2:00 P.M.

15. A. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON THE STATE HIGHWAY "PASS-THRU TOLL" PROGRAM; AND

- B. RECEIVE LEGAL BRIEFING ON PASS THROUGH (TOLL AVOIDANCE) FUNDING. (THIS ITEM WILL BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:53 PM)

Members of the Court heard from: Mike Weaver, Prime Strategies, Inc.; John Langmore, Pate Engineering; Bill Burnett, Dannenbaum Engineering, inc.; Glenn Opel, Bond Counsel, Vinson and Elkins; Doran Smith, Texas Department of Transportation (TXDOT); Sal Castello, People for Efficient Transportation; Dick Kellerman, Sierra Club and Save Our Springs Alliance; Vincent J. May, Travis County Resident; and Mary Anderson, Travis County Resident.

Discussion only. No formal action taken.

16. CONSIDER AND TAKE APPROPRIATE ACTION ON AN APPLICATION BY WASTE MANAGEMENT, INC. FOR A BASIC DEVELOPMENT PERMIT FOR LOTS 1-3, BLOCK A, WASTE MANAGEMENT SUBDIVISION IN NORTHEAST TRAVIS COUNTY. (10:40 AM) (6:12 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; John Joseph, Attorney representing Waste Management, Inc.; Joyce Best, North East Austin Resident; Marie Ingram, Travis County Resident; Trek English, North East Action Group; Mark McAfee, Owner, Barr Mansion; and Melanie McAfee, Owner, Barr Mansion.

Clerk's Note: The Court directed Staff to draft a letter stating the Court's opposition to expansion of the Waste Management, Inc. site to be signed by the Commissioner's Court and an appropriate representative from Waste Management, Inc. The letter is to be delivered to the Texas Commission of Environmental Quality (TCEQ) with the approval of the development permit.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve the application for development permit to be accompanied by a simple letter setting forth the understanding signed by Travis County and Waste Management, Inc.

Clerk's Note: The Court did not take a Vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Commissioner Davis that we deny the site development permit for Waste Management, Inc. that's come before the Texas Commission on Environmental Quality (TCEQ), permit number 05-300.

Clerk's Note: The Substitute Motion died for lack of a second.

Clerk's Note: The Court took a Vote on the Standing Motion and Second at this time.

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

ITEM 16 CONTINUED

Clerk’s Note: The Court revisited Item 16 at 6:12 PM.

Clerk’s Note: The County Judge noted that the following sentence is to be added to the letter approved earlier: Both parties acknowledge that Travis County has voted to oppose Waste Management, Inc’s. application to expand its landfill facility in Northeast Travis County.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the letter to go with the Motion we approved with the second sentence added.

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

Clerk’s Note: The Court, without objection, authorized the County Judge to sign the letter on behalf of the Travis County Commissioners Court and, that if there is a problem it will need to be put back on the Agenda.

- 17. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON THE COUNTY’S POLICY POSITION RELATING TO TXDOT’S DESIGN OF U.S. 290 EAST AT SPRINGDALE ROAD. (11:42 AM) (1:44 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Vincent J. May, Travis County Resident; Marie Ingram, Travis County Resident; Trek English, North East Austin Resident; and Mark McAfee, Owner, Barr Mansion.

Clerk’s Note: The Court revisited Item 17 at 1:44 PM

Members of the Court heard from: Joyce Thorenson, President, Walnut Place Neighborhood Association; Kristina Kubeck, Travis County Resident; and John Hutchison, Walnut Place Neighborhood Association.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to approve Staff Recommendation.

Clerk’s Note: The Court did not take a Vote on the Standing Motion and Second at this time.

ITEM 17 CONTINUED

Members of the Court heard from: Trek English, Travis County Resident; David McKinnis, Colonial Place Resident; Mary Anderson, Travis County Resident; and Melanie McAfee, Owner, Barr Mansion.

Clerk’s Note: The Court took a Vote on the Standing Motion and Second at this time.

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

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE TRANSPORTATION DEPARTMENT’S REQUEST AND BUDGET AMENDMENT TO ADD A CIVIL ATTORNEY AND SUPPORT STAFF TO ASSIST IN THE IMPLEMENTATION OF THE 2005 BOND PROGRAM. (COMMISSIONER DAVIS) (4:35 PM)
(4:55 PM)

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

Clerk’s Note: The Court revisited Item 18 at 4:55 PM.

Members of the Court heard from: Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); John Hille, Assistant County Attorney; and Jessica Rio, Budget Analyst, PBO.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 18.

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PLANNING REQUIREMENTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (9:18 AM)
- A. STRATEGIC PLAN PRIORITY GOALS;
 - B. PROJECT SCORING MATRIX FOR POTENTIAL PROJECTS; AND
 - C. OTHER RELATED ISSUES.

Item 19 postponed until June 13, 2006.

PLANNING AND BUDGET DEPT. ITEMS

20. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:37 AM)
- A. GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL SERVICE FOR A RETIRED SENIORS VOLUNTEER PROGRAM GRANT IN HEALTH AND HUMAN SERVICES DEPARTMENT. GRANT CONTRACT AMENDS THE EXISTING PROGRAM BY ADDING AN ADDITIONAL \$832.00;
 - B. GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL FOR THE STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICE GRANT PROGRAM IN INFORMATION AND TECHNOLOGY SYSTEMS DEPARTMENT. GRANT CONTINUES THE EXISTING PROGRAM FOR FY '06; AND
 - C. GRANT APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR THE ACCESS AND VISITATION GRANT IN JUVENILE PROBATION. APPLICATION IS TO CONTINUE THE EXISTING PROGRAM FOR FY '07.

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. (10:37 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.

ADMINISTRATIVE OPERATIONS ITEMS

- 22. 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 \$420,863.24 FOR THE PERIOD OF MAY 19 TO MAY 25, 2006. (10:37 AM)

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

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:37 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 FOR APPROVAL OF THE SCHEMATIC DESIGN TO REMODEL THE 5555 AIRPORT BOULEVARD BUILDING. (5:07 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Jim Barr, Senior Project Manager, Facilities Management; and Mike Hemby, Travis County Sheriff's Office.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 24.

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

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSAL TO ACCOMPLISH ANY NECESSARY REDUCTION IN THE TRAVIS COUNTY AUTOPSY CASELOAD. (4:49 PM)

Clerk’s Note: The Court noted that Staff recommendation was: That in-County private autopsies should be done if space is available; that autopsies for Counties with whom there is no Interlocal agreement will be declined; and that all Counties be put on notice that as of July 1, 2006, they may need to make arrangements that if their cases are declined, they can send their cases elsewhere until the Medical Examiner’s Office is adequately covered.

Members of the Court heard from: Beth Devery; Chief Administrative Officer, Travis County Medical Examiner’s Office.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve the recommendation and that an appropriate letter be drafted to notify all of the contract Counties of this decision.

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

OTHER ITEMS

- 26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:37 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 REQUEST TO DISTRIBUTE FLIERS WITH THE JUNE 15TH PAYROLL CHECKS ANNOUNCING THE TRAVIS COUNTY/CITY OF AUSTIN EMANCIPATION DAY - JUNETEENTH CELEBRATION ON JUNE 16, 2006. (JUDGE BISCOE AND COMMISSIONER DAVIS) (10:37 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 THE CONTINUED PURCHASE AND USE OF TASERS BY TRAVIS COUNTY PEACE OFFICERS. (4:39 PM) (5:26 PM) (6:09 PM)

Members of the Court heard from: Major Darren Long, Travis County Sheriff's Office (TCSO); and Mike Hemby, TCSO.

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to approve Item 28.

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED BUDGET AMENDMENT OF THE TRAVIS COUNTY HEALTHCARE DISTRICT TO REFLECT THE RECEIPT OF GREATER-THAN-EXPECTED TOBACCO SETTLEMENT PROCEEDS AND PAYMENT TO SETON AND TRAVIS COUNTY. (10:37 AM)

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

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN ORDER APPROVING THE ISSUANCE OF BONDS BY THE ORCHARD HIGHER EDUCATION FINANCE CORPORATION TO FINANCE AND REFINANCE THE COST OF EDUCATIONAL FACILITIES FOR NYOS CHARTER SCHOOL, INC. AND A PUBLIC HEARING AND OTHER MATTERS RELATING THERETO. (1:43 PM)

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations; and Victoria Ozimek, Attorney, Vinson & Elkins, LLP.

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

Motion carried:

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

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AGREEMENT BETWEEN TRAVIS COUNTY AND AUSTIN COLONY RIVERCREEK HOME OWNERS ASSOCIATION FOR NEIGHBORHOOD RESOURCE CENTER TO BE LOCATED AT 14501 HARTSMITH DRIVE FOR USE BY TRAVIS COUNTY SHERIFF'S OFFICE DEPUTIES. (10:37 AM)

Clerk's Note: Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO WAIVE CERTAIN PERMITTING FEES FOR GIRL SCOUT CAMP FACILITY AT PACE BEND PARK. (COMMISSIONER DAUGHERTY) (10:37 AM)

Clerk's Note: Judge Biscoe noted that the funding (\$2,700.00) would be coming from the Travis County Housing Finance Corporation.

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON STRATEGY TO FILL EXECUTIVE MANAGER FOR CRIMINAL JUSTICE PLANNING AND EXECUTIVE MANAGER FOR EMERGENCY SERVICES POSITIONS AND RELATED ISSUES. (5:21 PM)

Discussion only. No formal action taken.

Item 33 to be reposted on June 13, 2006.

34. APPROVE SOLE SOURCE EXEMPTION AND PURCHASE OF A 60 TON COMPRESSOR FROM TRANE PURSUANT TO SECTION 262.024(A)(7) (D) OF THE COUNTY PURCHASING ACT. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (10:37 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.

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

Note 4 Gov't Code Ann 551.087, Economic Development Negotiations

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.

- 35. CONSIDER AND TAKE APPROPRIATE ACTION ON PERFORMANCE PAY AS A FOLLOW-UP TO RECENT PERFORMANCE EVALUATIONS AND OTHER COMPENSATION ISSUES FOR THE FOUR EXECUTIVE MANAGERS AND THE TWO COORDINATORS. ³ (5:26 PM) (6:15 PM)

Clerk's Note: Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't Code Ann 551.074, Personnel Matters.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve, in accordance with us having completed our evaluations of the Executive Managers and the two Coordinators, the following pay for performance changes to their salaries: For Caryl Colburn, Interim Criminal Justice Planning Coordinator, Criminal Justice Planning (CJP), and Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services – that they each get a 5% performance pay increase; for Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services – that she gets a \$10,000 performance increase; and for Joe Gieselman, Executive Manager, TNR, Christian Smith, Executive Manager, PBO, and Alicia Perez, Executive Manager, Administrative Operations – that their new salaries be raised to \$120,000 each.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: Commissioner Sonleitner noted that the salary increases should be able to be covered from salary savings within each of the relevant departments. If not Allocated Reserve may need to be used.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING ENTERTAINMENT BY J & J INC., V. CELIA PEREZ, VERONICA PEREZ GOVEA AND LUKE MERCER, CONSTABLE PRECINCT ONE, ET AL. ¹ (5:26 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.

Item 36 was postponed until June 13, 2006.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JENNIFER MCPHAIL, ET AL. VS. DANA DEBEAUVOIR. ¹ (5:26 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.

Item 37 was postponed until June 13, 2006.

38. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING RECRUITMENT OF CHIEF MEDICAL EXAMINER AND DEPUTY MEDICAL EXAMINERS AND RELATED MATTERS. ³ (5:26 PM) (6:16 PM)

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't Code Ann 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 38 to be reposted on June 13, 2006.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON INITIATIVE TO EDUCATE TRAVIS COUNTY VOTERS AND CONDUCT NON-BINDING ELECTION ON THE TOLLING OF NEW LANES ADDED TO EXISTING STATE ROADS IN TRAVIS COUNTY. ¹ (5:26 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 39 postponed until June 13, 2006.

- 40. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING JAMES COLBY WEST. ^{1 AND 3} (5:26 PM) (6:11 PM)

Clerk’s Note: Judge Biscoe announced that Item 40 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** Judge Biscoe to give James Colby West two months of pay and two months of COBRA.

An Addition to the previous Motion was made by Judge Biscoe that this would be in exchange for full settlement of whatever claims he has against Travis County.

A Clarification of the previous Motion was made by Commissioner Daugherty that the COBRA would be for the employee only.

Motion failed:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Karen Sonleitner	no
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	no

THE FOLLOWING ITEM IS ADDENDUM

- A1. APPROVE AN OFFICIAL LETTER TO FEDERAL AVIATION ADMINISTRATION STATING THAT TRAVIS COUNTY THROUGH EMS IS DOING BUSINESS AS STAR FLIGHT TO COMPLY WITH FEDERAL AVIATION REGULATION SECTION 119.9. (10:37 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.

ADJOURNMENT

Motion by Judge Biscoe **seconded by** Commissioner Gómez to adjourn the Voting Session. (6:17 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge