

MINUTES OF MEETING – JUNE 13, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13th 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 12:17 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:39 PM and adjourned at 2:02 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation, the Capital Health Facilities Development Corporation, and the Travis County Health Facilities Development Corporation convened at 2:02 PM and adjourned at 2:02 PM.

The Commissioners Court, meeting as the Travis County Development Authority, and the Travis County Cultural Education Facilities Finance Corporation convened at 2:02 PM and adjourned at 2:03 PM.

The Commissioners Court reconvened the Voting Session at 2:03 PM.

The Commissioners Court retired to Executive Session at 2:27 PM.

The Commissioners Court reconvened the Voting Session at 5:39 PM.

The Commissioners Court adjourned the Voting Session at 6:20 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 1076 AND 1077 AND TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 1078 AND 1079 OF APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (ACTION ITEM #12) (9:18 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 12 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, 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

CITIZENS COMMUNICATION

Members of the Court heard from: Ms. Phillip A. Dick, Travis County Resident; Brenda King, Travis County Resident; John Kuhl, Natural Resources Program Manager, TNR; and John A. White, Environmental Quality Program Manager, TNR. (9:20 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C3 and Items 4, 5, 7.A&B, 8.A-C, 9, 12, 13, 16.A, 18, 20, and 23. (9:28 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 27, 2006 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE MAHA LOOP ROAD JUST SOUTH OF FM 812 IN PRECINCT FOUR FOR CULVERT REPAIRS STARTING JUNE 28, 2006 AND CONTINUING FOR TWO WEEKS, OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER GÓMEZ)

RESOLUTIONS & PROCLAMATIONS

2. APPROVE PROCLAMATION RECOGNIZING THE 17TH ANNUAL “JUNETEENTH – EMANCIPATION DAY” CELEBRATION TO BE HELD ON FRIDAY, JUNE 16, 2006. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:54 AM)

Members of the Court heard from: Cheryl Brown, Executive Assistant, Travis County Judge’s Office; Felicitas Chavez-Burleson, Executive Assistant, Travis County Commissioner Precinct One Office; Chris Fanuel, Executive Assistant, Travis County Commissioner Precinct One Office; and Sue Spears, Executive Assistant, Travis County Commissioner Precinct One Office.

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

SPECIAL ITEMS

- 3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF THE SALE OR USE OF RESTRICTED FIREWORKS IN THE UNINCORPORATED AREA OF TRAVIS COUNTY. (10:01 AM)

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

Clerk's Note: The Court noted the Staff recommendation, which is to prohibit the sale of the following two restricted fireworks: Missiles with fins and stick rockets,

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez 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

ADMINISTRATIVE OPERATIONS ITEMS

- 4. 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 \$470,876.21 FOR THE PERIOD OF MAY 26 TO JUNE 2, 2006. (9:28 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 ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS REGARDING THE IMPLEMENTATION OF THE ELECTRONIC CITATIONS (E-CITATIONS) PROJECT FOR TRAVIS COUNTY INCLUDING: (10:03 AM)
 - A. FUNDING OF \$247,658 FOR PHASE ONE OF THE RECOMMENDED E-CITATION PROJECT;
 - B. ACCEPTANCE OF A \$80,060 GRANT FROM THE GOVERNOR'S OFFICE OF CRIMINAL JUSTICE PLANNING; AND
 - C. AUTHORIZATION FOR PURCHASING AGENT TO PROCEED WITH PROCUREMENTS.

Clerk's Note: Items 6.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); Bill Blewett, Program Manager, ITS; Barbara Cilley, Planning Manager, Travis County Sheriffs Office (TCSO); Greg Hamilton, Travis County Sheriff; and Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

Clerk's Note: The Court noted that Information and Telecommunications Systems (ITS) has identified \$35,000.00 in savings that would be available to use on server costs for the e-citation project.

Clerk's Note: The County Judge directed Staff to prepare budget proposals for the project and bring them back to the Court for action.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 6.B and the \$35,000.00 from Information and Telecommunications Systems (ITS).

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

Discussion only on Items 6.A&C. No formal action taken.

Items 6.A&C to be reposted on June 20, 2006.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON ANNUAL EMPLOYEE PUBLIC HEARING: (9:28 AM)
 - A. APPROVE SETTING ANNUAL EMPLOYEE PUBLIC HEARING REGARDING COMPENSATION AND BENEFITS ON WEDNESDAY, JUNE 21, 2006 AT 6:00 PM; AND
 - B. APPROVE DISTRIBUTION OF NOTICE OF PUBLIC HEARING TO EMPLOYEES WITH JUNE 15, 2006 PAYCHECK.

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

PURCHASING OFFICE ITEMS

8. APPROVE CONTRACT AWARDS FOR AUTOMOTIVE OEM PARTS AND MAINTENANCE LABOR, IFB NO. B060250-LD, TO THE LOWEST RESPONSIVE BIDDERS: (9:28 AM)
 - A. COVERT CHEVROLET, LINE ITEMS 1, 4 AND 9;
 - B. RIATA FORD, LINE ITEMS 2 AND 10; AND
 - C. SOUTH POINT DODGE, LINE ITEMS 3, 5, 6 AND 7. (TNR)
(COMMISSIONER GÓMEZ)

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

9. APPROVE CONTRACT AWARD FOR CONCRETE AND GROUT MIX, IFB NO. B060214-RG, TO THE SOLE BIDDER, CENTEX MATERIALS. (TNR)
(COMMISSIONER GÓMEZ) (9:28 AM)

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

10. APPROVE TERMINATION OF CONTRACT NO. PS960359KW, RX MANAGEMENT CONSULTANTS, INC, FOR PHARMACY MANAGEMENT SERVICES. (SHERIFF'S OFFICE, GARDNER BETTS) (COMMISSIONER GÓMEZ) (9:31 AM) (2:27 PM) (5:39 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Diane Clayton, Registered Certified Pharmacy Technician, Rx Management Consultants; Bill Campbell, Finance Director, TCSO; Greg Hamilton, Travis County Sheriff; Barbara Wilson, Assistant County Attorney; and John Wade, Owner, Rx Management Consultants.

Motion by Commissioner Davis to approve Item 10, for the Travis County Sheriff to use his discretionary authority as far as giving three-day notice to terminate the contract with Rx Management Consultants, and I would like to do that based on what I'm hearing, what Staff has exhausted, and the rights and authority that the Travis County Sheriff has under this particular contract.

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

Clerk's Note: Judge Biscoe announced that Item 10 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve Item 10.

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

- 11. APPROVE INTERLOCAL AGREEMENT WITH THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON FOR PHARMACY SERVICES. (SHERIFF'S OFFICE, GARDNER BETTS) (COMMISSIONER GÓMEZ) (2:27 PM) (5:40 PM)

Clerk's Note: Judge Biscoe announced that Item 11 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The County Judge noted that the contract is through September 30th, 2006.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis to approve Item 11.

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 12. CONSIDER AND TAKE APPROPRIATE ACTION 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 1076 AND 1077 AND TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 1078 AND 1079 OF APACHE SHORES SECTION 2, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:28 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 ALTERNATIVE FISCAL AGREEMENT FOR SHADOWGLEN PHASE 1 SECTION 10, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION ON WALNUT CREEK EROSION AND FLOOD CONTROL STUDY RECOMMENDATIONS:
(10:20 AM)
 - A. USE OF SUPPLEMENTAL ENVIRONMENTAL PROGRAM (SEP) FUNDS TO CONSTRUCT STRUCTURAL CONTROLS IN WALNUT CREEK;
 - B. CONDUCT VOLUNTARY BUY-OUT OF UP TO 10 HOMES IN THE WALNUT CREEK WATERSHED; AND
 - C. MODIFY CONTRACT WITH ALAN PLUMMER & ASSOCIATES, INC. TO DESIGN STRUCTURAL CONTROLS IN PROJECT REACH.

Clerk's Note: Items 14.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Steve Coonan, Principal, Allan Plummer & Associates, Inc.; John Kuhl, Natural Resources Program Manager, TNR; and Stacey Scheffel, Flood Plain Manager, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Transportation and Natural Resources (TNR) and also Purchasing to negotiate with Allan Plummer & Associates, Inc. to look at the scope of work on the toe protection and also the grade control. Under the grade control, we want to keep the range of \$20,000 and \$25,000, and under the toe protection we want to keep that in the range of \$150,000.00 to \$220,000.00, and also pursue and submit the action plan to the Texas Commission on Environmental Quality (TCEQ) that has to be in no later than June 30th, 2006, on our particular recommendation as far as how we're going to use the Supplemental Environmental Program (SEP) money that has been designated here, \$111,210.00, and also to come back with a modification as far as looking for the necessary bond funding, to offset the additional costs that it will take to do this particular further work as far as the grade control and also toe protection in this area. Also in that Motion, I would like to authorize TNR to contact the Federal Emergency Management Agency (FEMA) to see what these homes that are in the Chimney Hill area, to see if they will be eligible for the FEMA buyout program.

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

Members of the Court heard from: Moses Rios, Travis County Resident; Cindy Magner, Travis County Resident; David Thoreson, Travis County Resident; Kristina Kubeck, Travis County Resident; Melinda Mallia, Environmental Project Manager, TNR; and Marie Ingram, Travis County Resident.

ITEM 14 CONTINUED

A Restatement of the previous Motion was made by Judge Biscoe to approve 14.A. - which is the SEP program by presenting the toe protection strategy to TCEQ, supplementing that recommendation with the County money, and the request is that we try to identify funds from other projects, surpluses, without using the '05 grant funds and; 14.C – that we modify the contract with Alan Plummer and Associates, Inc., to design structural controls in the Project Reach.

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

Discussion only on Item 14.B. No formal action taken.

Item 14.B to be reposted on June 27, 2006.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

15. 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): (11:27 AM) (5:49 PM)
 - A. PRIORITY NEEDS TABLE;
 - B. POTENTIAL PROJECTS, ACTIVITIES AND ACTIVITY CATEGORIES; AND
 - C. OTHER RELATED ITEMS.

Clerk's Note: Items 15.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Meg Poag, Planner, Travis County Health, Human and Services (TCHHS); Christy Moffet, Social Services Manager, TCHHS; and Dan Smith, Executive Assistant, County Judge's Office.

Clerk's Note: Items 15.A-C were revisited at 5:49 PM.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; and Susan Spataro, Travis County Auditor.

Discussion only. No formal action taken.

Items 15.A-C to be reposted on June 20, 2006.

PLANNING AND BUDGET DEPT. ITEMS

16. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:28 AM)

- A. GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH FOR JUVENILE PROBATION TO PARTICIPATE IN THE NATIONAL SCHOOL LUNCH PROGRAM/SCHOOL BREAKFAST PROGRAM. THIS APPLICATION IS TO CONTINUE THE EXISTING PROGRAM FOR FY '07.

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

17. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:18 AM)

No action necessary on Item 17.

OTHER ITEMS

18. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION ON WHETHER TO CHARGE MUNICIPALITIES FEES FOR SHERIFF’S OFFICE DISPATCH AND RELATED SERVICES. (2:09 PM)

Members of the Court heard from: Greg Hamilton, Travis County Sheriff; Chris Wallace, Dispatch Supervisor, TSCO; and Rick Whitehead, Captain, TCSO.

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 19.

A Restatement of the previous Motion was made by Judge Biscoe for the County to start charging Municipalities for the dispatch services, that the Sheriff meet with the appropriate law enforcement representatives from the affected entities and report back to the Court at the appropriate time. We are aiming for this year’s budget process and that this will start in Fiscal year 2007.

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DENNIS WRIGHT TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD #5, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2007. (COMMISSIONER DAUGHERTY) (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF FIVE (5) MEMBERS TO A COMMITTEE TO NEGOTIATE THE PROVISION OF SERVICES OF THE PEACE LANE/ROSS ROAD MUNICIPAL ANNEXATION PLAN AREA WITH THE CITY OF AUSTIN AS REQUIRED BY THE LOCAL GOVERNMENT CODE SECTION 43.0562. THOSE MEMBERS BEING: PHIL WILLIAMS, DIANNA FLOYD, HENRY FLOYD, PAUL FIDDLER AND MARGARET ZIEGLER. (COMMISSIONER GÓMEZ) (2:26 PM)

Discussion only. No formal action taken.

Item 21 to be reposted on June 20, 2006.

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE CONTRACT FOR TRAVIS COUNTY TO PERFORM ADMINISTRATIVE, ACCOUNTING AND CLERICAL SERVICES FOR THE TRAVIS COUNTY CORPORATIONS FROM OCTOBER 1, 2006 TO SEPTEMBER 30, 2008. (2:03 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve Item 22.

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

- 23. APPOINT THE FOLLOWING PERSONS TO SERVE ON THE BOARD OF COMMISSIONERS FOR TRAVIS COUNTY EMERGENCY SERVICES DISTRICT #13 FROM JUNE 13, 2006 UNTIL JANUARY 1, 2007: MARILYN SAMUELSON, GARY JOHNSON, CLIFF KESSLER, JARREL LARSON AND DAVID ERICKSON. (COMMISSIONER DAVIS) (9:28 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 STRATEGY TO FILL EXECUTIVE MANAGER FOR CRIMINAL JUSTICE PLANNING AND EXECUTIVE MANAGER FOR EMERGENCY SERVICES POSITIONS AND RELATED ISSUES. (2:04 PM)

Discussion only. No formal action taken.

Item 24 to be reposted on June 27, 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.

- 25. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CLYDE DOYAL, TRUSTEE (MARK V. SACCO RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:40 PM)

Clerk's Note: Judge Biscoe announced that Item 25 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 that we approve the proposed tax resale deed to Mark V. Sacco, who has paid Travis County the sum of \$7,850.00.00 in cash.

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

26. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. EDWIN M. KING AND ROBERT D. DENTINO (MARK V. SACCO RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:41 PM)

Clerk's Note: Judge Biscoe announced that Item 26 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 that we authorize the County Judge to execute a second resale deed to Mark V. Sacco, who has paid Travis County the sum of \$7,650.00.

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

27. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. JOSEPH FIGUEROA (DAPHNE GILBERT RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:41 PM)

Clerk's Note: Judge Biscoe announced that Item 27 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 that we authorize the County Judge to sign the proposed tax resale deed to Daphne Gilbert, who has paid Travis County the sum of \$25,200.00 in cash.

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

28. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. DELORES JEAN ROBBERSON (SHARON DECET RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:41 PM)

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 Judge Biscoe and seconded by Commissioner Davis that we authorize the County Judge to execute the proposed tax resale deed to Sharon Decet, who has paid Travis County the sum of \$7,000.00 in cash.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

29. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. CHARLES PINK EVANS (LEE AND ESTHER MONTOYA RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:43 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize the County Judge to sign the tax resale deed to Lee and Esther Montoya, who have paid Travis County \$7,100.00.

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

30. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. THE HOLLOW, INC. (ALLWAYZ INVESTMENTS, LLC. RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:43 PM)

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize the County Judge to execute the proposed tax resale deed to Allwayz Investments, LLC., who has paid Travis County two sums, Lot 39 - \$4,781.16. and Lot 38 - \$4,806.31.

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

31. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. WILLIE N. WALKER (CASAS ROJAS, LLC. RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:44 PM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize the County Judge to sign the deed to Casas Rojas, LLC., which has paid Travis County the sum of \$12,174.05.

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

32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. WILLARD C. AND PATRICIA POLSTON (ALLSTATE INVESTMENTS, LLC. RESALE DEED) AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:44 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize the County Judge to sign the proposed tax deed to Allstate Investments, LLC., which has paid Travis County \$59,000.00 in cash.

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON OFFERS FROM HOMETOWN BUILDERS, INC. FOR TAX RESALE DEEDS IN THE FOLLOWING TAX FORECLOSURE SALE PROPERTIES: (2:27 PM) (5:45 PM)

A. TRAVIS COUNTY, ET AL V. KOONCE ELVIA GRABLE; AND

B. TRAVIS COUNTY, ET AL V. ROBERT R. AND H. ALICE BROWNING. ¹

Clerk's Note: Judge Biscoe announced that Items 33.A&B 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 that we authorize the County Judge to sign the proposed tax resale deed to Hometown Builders, Incorporated. This covers two tracts of land. For the first one they paid us \$8,276.28, that is for number 62216, and the company has also paid us \$7,128.03 for Tract number 61886.

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

34. 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
(2:27 PM) (5:46 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.

Discussion only. No formal action taken.

No action necessary on Item 34.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JENNIFER MCPHAIL, ET AL. VS. DANA DEBEAUVOIR. ¹
(2:27 PM) (5:46 PM)

Clerk's Note: Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The County Judge noted that the County Attorney had been given directions to talk with Jennifer McPhail's attorneys regarding attorney's fees.

Discussion only. No formal action taken.

Item 35 to be reposted on June 20, 2006.

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING RECRUITMENT OF CHIEF MEDICAL EXAMINER AND DEPUTY MEDICAL EXAMINERS AND RELATED MATTERS. ³ (2:27 PM) (5:46 PM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 36 to be reposted on June 20, 2006.

- 37. 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 (2:27 PM) (5:46 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.

Discussion only. No formal action taken.

- 38. CONSIDER AND TAKE APPROPRIATE ACTION ON STATUS REPORT ON ADMINISTRATIVE REVIEW OF ISSUES RELATED TO MANAGEMENT OF FIRE MARSHAL'S OFFICE. ^{1 AND 3} (2:27 PM) (5:47 PM)

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 38 to be reposted on June 20, 2006.

Clerk's Note: The County Judge noted that the Fire Marshall be given time to appear if he deems appropriate.

- 39. CONSIDER AND TAKE APPROPRIATE ACTION ON EXTENDING PAID ADMINISTRATIVE LEAVE FOR SLOT NUMBER 22 IN THE FIRE MARSHAL'S OFFICE. ^{1 AND 3} (2:27 PM) (5:47 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 and Gov't. Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we approve additional administrative leave with pay for the employee in slot number 22 in the Marshall's Office for one additional week.

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

- 40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION AND DISCUSS MEDIATION AND ASSIGNMENT OF A MEDIATOR REGARDING SUBROGATION CLAIM OF TRAVIS COUNTY IN TRAVIS COUNTY V. F&M BLANK LIMITED PARTNERSHIP AND TAKE APPROPRIATE ACTION. ¹ (2:27 PM) (5:47 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.

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize, after requesting Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD), politely requesting that he represent this Court in the matter of the Mediation.

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

- 41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT, SLOT 142. ^{1 AND 3} (2:27 PM) (5:48 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.

Item 41 postponed until June 20, 2006.

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING ISSUES POTENTIALLY AFFECTING TRAVIS COUNTY IN GUARDIANS OF LICK CREEK, ET AL, V. CYPRESS DEVELOPMENT, LTD., ET AL. ¹ (2:27 PM) (5:48 PM)

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.

Discussion only. No formal action taken.

Item 42 to be reposted on June 20, 2006.

THE FOLLOWING IS AN ADDED ITEM:

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND DISCUSS SETTLEMENT PROPOSALS REGARDING THE PENDING EMINENT DOMAIN PROCEEDINGS IN TRAVIS COUNTY, CONDEMNOR VS. THOMAS D. SHAFFER AND DEBRA V. SHAFFER, ET AL, CONDEMNNEES, CAUSE NUMBER C-1-03-CV-002487, INVOLVING PARCEL #3 OF THE GRAND AVENUE PARKWAY PROJECT, AND TAKE APPROPRIATE ACTION. ^{1 AND 2}
(2:27 PM) (5:48 PM)

Clerk’s Note: Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann 551.072, Real Property.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Davis that we authorize acceptance of the settlement offer from Thomas D. and Debra V. Shaffer. It is in the total amount of \$70,000.00, which is made up of the \$35,000.00 that is already in the deposited account related to this Condemnation case and adds another \$35,000.00 to it; and that we get the appropriate County staff to work up the appropriate legal documents for signature to end this matter.

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

ADJOURNMENT

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to adjourn the Voting Session. (6:20 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

Date of Approval

Samuel T. Biscoe, Travis County Judge