

## **MINUTES OF MEETING – JUNE 27, 2006**

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

On Tuesday, the 27<sup>th</sup> day of June 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 10:57 AM.

The Commissioners Court reconvened the Voting Session at 12:40 PM.

The Commissioners Court adjourned the Voting Session at 12:47 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 12:47 PM and adjourned at 12:47 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 12:47 PM and adjourned at 12:50 PM.

**PUBLIC HEARINGS**

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 16, 17 AND 18, THE RANCH SECTION ONE SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 3.3 ACRES – SAILBOAT PASS (MEADOW LINK) – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (ACTION ITEM #12) (9:15 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 Davis to open the public hearing.

**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	absent

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

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

**Motion carried:**

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

2. 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) (ACTION ITEM #13) (9:16 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 13 for a summary of the action item.

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

**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	absent

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

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

**Motion carried:**

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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Gus Peña, Travis County Resident. (9:17 AM)

**Clerk's Note:** Commissioner Davis noted that a groundbreaking ceremony took place on Colony Loop for a new Elementary school, which will be named after Velma Overton for her work in the community.

**CONSENT ITEMS**

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C4, and Items 5, 6, 9, 10.A&B, 11, 12, 13, 14, 15, 16.A&B, 21.A, 22, and 24. (9:23 AM)

**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	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR THE VOTING SESSION OF JUNE 6, 2006.
- C4. APPROVE SETTING A PUBLIC HEARING ON TUESDAY JULY 11, 2006 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE OLD LOCKHART HIGHWAY BETWEEN CARL ROAD AND HUNTERS RIDGE ROAD IN PRECINCT FOUR FOR CULVERT REPAIRS STARTING JULY 12, 2006 AND CONTINUING FOR ONE WEEK OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER GÓMEZ)

**RESOLUTIONS & PROCLAMATIONS**

- 3. APPROVE RESOLUTION RECOGNIZING PETE KATZ ON HIS RETIREMENT FROM THE TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES DEPARTMENT. (9:25 AM)

**Members of the Court heard from:** Caryl Colburn, Interim Criminal Justice Planning Coordinator, Criminal Justice Planning (CJP), Pete Katz, Clinical Manager, Travis County Counseling and Education Services (TCCES); and Larry Torres, Social Services Coordinator, TCCES.

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

**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	absent

**SPECIAL ITEMS**

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO LIFT THE ORDER RESTRICTING CERTAIN FIREWORKS DUE TO DROUGHT CONDITIONS. (9:36 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Simon Broussard, Travis County Fire Marshal.

**Clerk’s Note:** The Court noted that the Texas Forest Service has stated that Travis County is no longer under drought conditions, which automatically lifts the ban on the sale of restricted fireworks.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to formally lift the Order.

**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	absent

**ADMINISTRATIVE OPERATIONS ITEMS**

- 5. 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 \$533,385.78 FOR THE PERIOD OF JUNE 9 TO JUNE 15, 2006. (9:23 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:23 AM)

**Clerk’s Note:** Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS:  
(9:40 AM)

A. EMS UNIT 2616 – SETTLE

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD).

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 7.A.

**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	absent

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

B. TCSO UNIT 2125 – SETTLE

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 7.B.

**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	absent

**ITEM 7 CONTINUED**

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS:  
(9:42 AM)

C. JEFF MARTINEZ – SETTLE; AND

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 7.C.

<b>Motion carried:</b> 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	absent



**ITEM 7 CONTINUED**

- 7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS: (9:44 AM)

D. BRIEN WATER WELLS – SETTLE.

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; and Joe Gieselman, Executive Manager, TNR.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 7.D.

**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	absent

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve immediate release of the check to cover Item 7.D

**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	absent

**JUSTICE & PUBLIC SAFETY ITEMS**

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR OPERATION OF THE TRAVIS COUNTY CENTRAL BOOKING FACILITY. (10:50 AM)

Item 8 postponed until July 11, 2006.

**PURCHASING OFFICE ITEMS**

9. APPROVE AWARD OF CONTRACT NO. PS060246ML TO GREGORY PAUL, M.D. FOR PROFESSIONAL PSYCHOLOGICAL/PSYCHIATRIC SERVICES. (CRIMINAL COURTS) (COMMISSIONER GÓMEZ) (9:23 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 CONTRACT AWARD FOR COMMERCIAL MOVING AND STORAGE, IFB NO. B060189-NB, TO THE FOLLOWING LOW BIDDERS: (9:23 AM)

- A. ALL POINTS MOVING & STORAGE CO. - PRIMARY CONTRACTOR; AND
- B. MINOR MOVING COMPANY - SECONDARY CONTRACTOR. (FM)  
(COMMISSIONER GÓMEZ)

**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. APPROVE CONTRACT AWARD FOR BOAT, BOAT MOTOR AND MARINE COMPONENT MAINTENANCE REPAIRS - TIME AND MATERIALS, IFB NO. B060190-NB, TO THE SOLE RESPONSIVE BIDDER, LAKE LBJ MARINELAND. (SHERIFF) (COMMISSIONER GÓMEZ) (9:23 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.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 16, 17 AND 18, THE RANCH SECTION ONE SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 3.3 ACRES – SAILBOAT PASS (MEADOW LINK) – SEWAGE SERVICE TO BE PROVIDED BY LCRA – NO MUNICIPAL ETJ). (COMMISSIONER DAUGHERTY) (9:23 AM)

**Clerk's Note:** Item 12 is the action item for the public hearing on Agenda Item 1.

**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 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) (9:23 AM)

**Clerk's Note:** Item 13 is the action item for the public hearing on Agenda Item 2.

**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. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE JOINT USE DRIVEWAY FOR THE OVERLOOK AT FLINTROCK FALLS, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:23 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. CONSIDER AND TAKE APPROPRIATE ACTION ON CASH SECURITY AGREEMENT FOR PARK AT BLACKHAWK II SECTION 1, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:23 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. A. CONSIDER AND TAKE APPROPRIATE ACTION TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS FOR THE VILLAS AT STEINER RANCH CONDOMINIUM PROJECT – 13 DETACHED UNITS (13 UNITS – 10.88 ACRES LOCATED AT 3314 N. QUINLAN PARK ROAD – WATER AND SEWAGE SERVICE TO BE PROVIDED BY WCID #17 – CITY OF AUSTIN 2-MILE ETJ); AND
- B. APPROVE CONSTRUCTION AGREEMENT FOR THE VILLAS AT STEINER RANCH CONDOMINIUM PROJECT. (COMMISSIONER DAUGHERTY) (9:23 AM)

**Clerk’s Note:** Items 16.A&B 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 RECOMMENDATIONS TO ADDRESS TRAFFIC ISSUES ON BRODIE LANE WITHOUT CLOSURE. (COMMISSIONER DAUGHERTY) (9:14 AM)

Item 17 was postponed until July 11, 2006.

- 18. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE PROPOSED CONSERVATION DEVELOPMENT ORDINANCE AND SET FOR PUBLIC HEARING ON JULY 25, 2006. (9:14 AM)

Item 18 was pulled from the Agenda.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AMENDMENTS TO TRAVIS COUNTY CODE, CHAPTER 92 - COUNTY PARK RULES. (9:57 AM)

**Members of the Court heard from:** Roy Turley, Parks Division Manager, TNR; and Charles Bergh, Parks Division Director, Travis County Parks and Natural Resources, TNR.

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

**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	absent

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PLANNING REQUIREMENTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:52 AM)
  - A. POST TRAVIS COUNTY’S CONSOLIDATED PLAN AND THE FY 2007 ACTION PLAN FOR PUBLIC COMMENT BEGINNING JUNE 28, 2006 AND ENDING JULY 27, 2006; AND
  - B. ANNOUNCE PUBLIC HEARINGS AT TRAVIS COUNTY COMMISSIONERS COURT ON JULY 11, 2006, AND JULY 18, 2006.

**Clerk’s Note:** Items 20.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, Travis County Health, Human and Services (TCHHS); and Meg Poag, Planner, TCHHS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Items 20.A&B.

**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	absent

**PLANNING AND BUDGET DEPT. ITEMS**

21. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:23 AM)

- A. GRANT CONTRACT WITH THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION TO CONTINUE THE USDA SCHOOL COMMODITY PROGRAM FOR THE TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT.

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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:23 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 ASSUMPTIONS REGARDING THE FY '07 TAX RATE AND PARCEL RATE FEES. (TAX ASSESSOR COLLECTOR) (9:47 AM)

**Members of the Court heard from:** Dusty Knight, Chief Operating Officer, Tax Assessor Collector's Office.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 23.

**A Clarification of the previous Motion was made by** Judge Biscoe that the recommended parcel rate will be \$1.02, up from \$0.95 for the other jurisdictions, and to follow the Historical Commission's recommendation to have our Historical Exemption the same as the City of Austin as we have done historically; and that we leave in place the current other exemptions that Travis County has had in place which are: The maximum local option Homestead Exemption of 20% or \$5,000.00, which ever is greater, plus a \$65,000.00 exemption for those over 65 or disabled.

**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	absent

**OTHER ITEMS**

24. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 AM)

**Clerk's Note:** Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. RECEIVE AND DISCUSS AS NECESSARY THE SECOND REVENUE ESTIMATE FOR THE FY '07 BUDGET PROCESS. (COUNTY AUDITOR) (10:51 AM)

**Members of the Court heard from:** Blain Keith, Chief Assistant County Auditor, Travis County Auditor's Office.

Discussion only. No formal action taken.

26. 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. (10:55 AM)

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty to post the Executive Manager for Emergency Services job description.

**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	absent

Item 26 to be reposted July 11, 2006.

27. DISCUSS TRAVIS COUNTY HEALTHCARE DISTRICT BUDGET OVERVIEW FOR FISCAL YEAR 2007. (10:05 AM)

**Members of the Court heard from:** Patricia A. Young Brown, President and CEO, Travis County Healthcare District (TCHD).

Discussion only. No formal action taken.



### 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.

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JENNIFER MCPHAIL, ET AL. VS. DANA DEBEAUVOIR. <sup>1</sup>  
(10:57 AM) (12:40 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** to authorize settlement of this matter for the amounts of \$8,500.00 in attorney's fees and \$1,000.00 to American Disabled for American Programs Today (ADAPT).

<b>Motion carried:</b> 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	absent

29. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING RECRUITMENT OF CHIEF MEDICAL EXAMINER AND DEPUTY MEDICAL EXAMINERS AND RELATED MATTERS. <sup>3</sup> (10:57 AM) (12:40 PM)

**Clerk's Note:** Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't Code Ann 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to ask Staff to go ahead and schedule the next set of interviews for the week after next, and indicate the Court's intention to, shortly thereafter, have a special meeting regarding issues at the Medical Examiner's Office to so we can obtain closure on some of them.

**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	absent

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN NAACP OF AUSTIN, NELSON LINDER, SONIA SANTANA AND DAVID VAN OS V. TEXAS SECRETARY OF STATE AND TRAVIS COUNTY CLERK. <sup>1</sup> (10:50 AM)

**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.

Item 30 postponed until July 11, 2006.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST NOE VARGAS TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:57 AM) (12:41 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.

**Clerk's Note:** Items 31, 32, and 33 are associated with one another and were called for concurrent discussion.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to authorize the County Attorney to pursue the collection of damages in the situation of Mr. Vargas in Item 31, and in Item 32, Edward Garza, and in Item 33, Ramon Rodriguez, so it basically direction to pursue collection of whatever the County is owed.

<b>Motion carried:</b> 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	absent

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST EDWARD GARZA TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:57 AM) (12:41 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.

**Clerk's Note:** Items 31, 32, and 33 are associated with one another and were called for concurrent discussion. Please refer to Item 31 for a summary of the action taken by the Court.

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION CONCERNING WHETHER TO FILE SUIT AGAINST RAMON RODRIGUEZ TO RECOVER DAMAGES TO A COUNTY-OWNED GUARDRAIL AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:57 AM) (12:41 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.

**Clerk's Note:** Items 31, 32, and 33 are associated with one another and were called for concurrent discussion. Please refer to Item 31 for a summary of the action taken by the Court.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING ONLINE POSTING OF PUBLIC RECORDS BY THE COUNTY CLERK'S OFFICE. <sup>1</sup> (10:57 AM) (12:41 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.

No action taken on Item 34.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED TRANSITION PLAN AND CONDITIONS FOR TRAVIS COUNTY FIRE MARSHAL. <sup>1 AND 3</sup> (10:57 AM) (12:42 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 and Gov't Code Ann 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to authorize the County Judge to send the County Fire Marshal this afternoon, send or deliver a letter in which we indicate the Court's decision not to reappoint him to that position at the end of the current term that will end July 5, 2006 at midnight, and in that same letter, that we indicate the Court's decision to terminate his employment or sever his relationship with Travis County at the end of his current term. Another part of this Motion is to authorize Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services, the coordinator of this functional area, to assign duties as appropriate to the remaining Staff and to assume overall management of the office to handle whatever day to day matters come up and that that is effective this afternoon and/or at the time of delivery of the letter. In that letter we authorize the County Judge to indicate the Court's decision to put the Fire Marshal on leave with pay, through the end of the current term, so that he can use the time as he sees fit. The letter should contain any other matters that are consistent with those directions and our discussion in Commissioners Court today and the Commissioners Court's appreciation for the two years of service that the Fire Marshal provided.

**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	absent

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING INTERLOCAL COOPERATION AGREEMENT FOR MEDICAL EXAMINER SERVICES BETWEEN TRAVIS COUNTY AND SOME OF THE 45 CONTRACT COUNTIES. <sup>1</sup> (10:57 AM) (12:44 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.

**Clerk's Note:** The County Judge noted that Item 36 will be taken up in a special session the week of July 11, 2006.

Discussion only. No formal action taken.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN FREDRICK PLUET, (DECEASED) V. MARGO FRASIER, ET. AL. (PLUET; FRASIER; CIVIL RIGHTS). <sup>1</sup> (10:57 AM) (12:44 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.

**Clerk's Note:** The County Judge directed Staff to remind the attorney on the other side of the action the Court took January 10, 2006, and to provide copies of the official Minutes of Court that contain the formal action that was taken.

Discussion only. No formal action taken.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER IN RAUL MEZA V. TRAVIS COUNTY, ET. AL. (CIVIL RIGHTS). <sup>1</sup> (9:14 AM)

**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.

Item 38 was pulled from the Agenda.

39. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET. AL. V. DONALD KITCHEN (TERRENCE M. TRAINOR RESALE DEED) AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:57 AM) (12:45 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to authorize the County Judge to sign the prepared tax resale deed to Terrence M. Trainor, who has paid Travis County the sum of \$3,300.00 in cash.

<b>Motion carried:</b> 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	absent

40. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET. AL. V. THOMAS E. AND MILDRED E. SAMS (RYAN TRAINOR RESALE DEED) AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:57 AM) (12:45 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** to authorize the County Judge to sign the prepared tax resale deed to Ryan Trainor, who has paid the sum of \$3,300.00 in cash to Travis County for this property.

**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	absent

41. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET. AL. V. THE HOLLOW, INC. (BRIAN WHEELER RESALE DEED) AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:57 AM) (12:45 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.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to authorize the County Judge to sign the prepared tax resale deed to Brian Wheeler, who has paid Travis County the sum of \$4,880.00.

**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	absent

42. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET. AL. V. THE HOLLOW, INC. (ROBERT STINE RESALE DEED) AND TAKE APPROPRIATE ACTION. <sup>1</sup> (10:57 AM) (12:46 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.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to authorize the County Judge to sign the prepared tax resale deed to Robert Stine, who has paid Travis County the sum of \$4,417.05.

**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	absent

**THE FOLLOWING ITEMS ARE ADDENDUM:**

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN APPOINTING A REPRESENTATIVE TO ATTEND MEDIATION FOR TRAVIS COUNTY HUMAN RESOURCES MANAGEMENT DEPARTMENT EMPLOYEE, SLOT 2. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY, AND 551.074, PERSONNEL MATTERS) (10:57 AM) (12:46 AM)

**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 551.074, Personnel Matters.

Item A1 postponed until July 11, 2006.



