

MINUTES OF MEETING – JULY 11, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 11th day of July 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 12:27 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:51 PM and adjourned at 1:52 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:52 PM and adjourned at 1:59 PM.

The Commissioners Court reconvened the Voting Session at 1:59 PM.

The Commissioners Court retired to Executive Session at 3:39 PM.

The Commissioners Court reconvened the Voting Session at 5:56 PM.

The Commissioners Court adjourned the Voting Session at 6:02 PM.

2. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT LOCATED ON LOT 11, BLOCK B, OF SEVEN OAKS SECTION 5, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #21) (9:21 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 21 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: Carol Joseph, Assistant Director, 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

3. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 1454 AND 1455 OF APACHE SHORES SECTION THREE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #22) (9:22 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 22 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: Carol Joseph, Assistant Director, 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

- 4. 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. (ACTION ITEM #23) (COMMISSIONER GÓMEZ) (9:23 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 23 for a summary of the action item.

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty 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: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty 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

- 5. RECEIVE INPUT FROM RESIDENTS OF TRAVIS COUNTY REGARDING THE PROPOSED CONSOLIDATED PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN AFFAIRS, OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT, THAT ARE REQUIRED TO BE USED IN UNINCORPORATED AREAS. (FIRST OF TWO PUBLIC HEARINGS) (9:24 AM)

Clerk's Note: This Item is a public hearing to receive comments.

Motion by Commissioner Sonleitner **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: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Meg Poag, Planner, Travis County Health and Human Services (TCHHS); Christy Moffett, Social Services Manager, TCHHS; and Linda Murphy, Public Health Nurse, University of Texas School of Children's Nursing, Dell Valle.

Motion by Commissioner Sonleitner **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

Clerk's Note: No speakers addressed the Court. (9:45 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 8.A, 10, 11, 12, 15, 18, 19.A&B, 20, 21, 22, 23, 28 and 30. (9:45 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 COMMISSIONERS COURT MINUTES FOR APRIL 11, JUNE 13, JUNE 20 AND JUNE 27, 2006 VOTING SESSIONS.
- C4. APPROVE SETTING A PUBLIC HEARING ON AUGUST 1, 2006 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 3 AND 4, BLOCK 15 OF AUSTIN LAKE ESTATES SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C5. APPOINT ERNEST GARCIA TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD #14, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2007. (COMMISSIONER DAUGHERTY)

PLANNING AND BUDGET DEPT. ITEMS

6. RECEIVE PRESENTATION OF FY '07 BUDGET PARAMETERS. (9:48 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Discussion only. No formal action taken.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO SETTING ELECTED OFFICIALS' SALARIES FOR FY '07:
(10:06 AM)

- A. RECOMMENDATIONS FROM THE CITIZENS ADVISORY COMMITTEE ON ELECTED OFFICIALS' SALARIES;
- B. ALL OTHER ELECTED OFFICIALS; AND
- C. SCHEDULE FOR ACTION.

Members of the Court heard from: Dr. Woodard Springstube, Travis County Citizens Advisory Committee on Elected Officials Salaries 2007 Membership; and Diana Ramirez, Budget Analyst, PBO.

Discussion only. No formal action taken.

8. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:45 AM)

- A. APPROVE GRANT CONTRACT AMENDMENT TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS TO INCREASE THE AWARD FOR THE FY '06 COMPREHENSIVE ENERGY ASSISTANCE PROGRAM (CEAP). THE CONTRACT AMENDMENT INCREASES THE FY '06 AWARD BY \$838,465 FOR A TOTAL AWARD OF \$1,552,497 FOR FY '06.

Clerk's Note: Item 8.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (3:38 PM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 9.

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO MERGE SPECIAL FUND 017 COUNSELING CENTER FUND WITH THE GENERAL FUND, EFFECTIVE OCTOBER 1, 2006. (9:45 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.

ADMINISTRATIVE OPERATIONS ITEMS

11. 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 \$553,517.89 FOR THE PERIOD OF JUNE 23 TO JUNE 29, 2006. (9:45 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:45 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.

AT 10:00 A.M.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EMPLOYEE BENEFIT RECOMMENDATIONS FOR THE ANNUAL FY '07 BENEFIT PLAN: (10:21 AM)

A. JULY 24 THROUGH AUGUST 23, 2006 AS FY '07 ANNUAL OPEN ENROLLMENT PERIOD;

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 13.A. That is that we set the annual enrollment period for this year to begin on July 24, 2006 and end on August 23, 2006.

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

ITEM 13 CONTINUED

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EMPLOYEE BENEFIT RECOMMENDATIONS FOR THE ANNUAL FY '07 BENEFIT PLAN: (10:21 AM)

B. FY '07 ANNUAL PROPOSED EMPLOYEE AND COUNTY INSURANCE PREMIUMS:

1. ANNUAL FY '07 PREMIUMS FOR ACTIVE EMPLOYEES;
2. ANNUAL FY '07 PREMIUMS FOR RETIREES UNDER 65 YEARS OF AGE
3. ANNUAL FY '07 PREMIUMS FOR RETIREES OVER 65 YEARS OF AGE;

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Cindy Purinton, Benefit Administrator, Human Resources Management Department (HRMD); Dan Mansour, Risk and Benefits Manager, HRMD; and Norman McRee, Financial Analyst, Lead, HRMD.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve the recommendations in Items 13.B.1-3.

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

ITEM 13 CONTINUED

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EMPLOYEE BENEFIT RECOMMENDATIONS FOR THE ANNUAL FY '07 BENEFIT PLAN: (10:41 AM)

C. EPO PLAN CHANGE FOR AN INCREASE OF \$5 FOR OFFICE VISIT CO-PAY FOR PRIMARY CARE AND SPECIALISTS, EFFECTIVE OCTOBER 1, 2006;

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 13.C.

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

ITEM 13 CONTINUED

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EMPLOYEE BENEFIT RECOMMENDATIONS FOR THE ANNUAL FY '07 BENEFIT PLAN: (10:42 AM)

D. CO-INSURED EPO AS THE DEFAULT OPTION IF AN EMPLOYEE FAILS TO COMPLETE FY '07 ANNUAL OPEN ENROLLMENT PROCESS IN A TIMELY MANNER;

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Cindy Purinton, Benefit Administrator, HRMD; and Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 13.D.

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

ITEM 13 CONTINUED

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EMPLOYEE BENEFIT RECOMMENDATIONS FOR THE ANNUAL FY '07 BENEFIT PLAN: (10:46 AM)

- E. PLAN AMENDMENT TO COVER DOCTOR PRESCRIBED WEIGHT LOSS SURGERY EFFECTIVE OCTOBER 1, 2006 FOR ELIGIBLE EMPLOYEES;

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; Barbara Wilson, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 13.E, that is with the \$1,000.00 demonstration after the twelve month due diligence period.

Withdrawal of the Previous Motion was made by Judge Biscoe **and Seconded by** Commissioner Gómez.

Discussion only. No formal action taken.

Item 13.E to be reposted on July 25, 2006.

ITEM 13 CONTINUED

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EMPLOYEE BENEFIT RECOMMENDATIONS FOR THE ANNUAL FY '07 BENEFIT PLAN: (11:01 AM)

F. WELLNESS/HEALTH CLINIC ITEMS:

- 1. IMMEDIATE HIRING OF ONE ADDITIONAL FULL TIME PHYSICIAN AND ONE LVN TO START IMMEDIATELY FOR THE EMPLOYEE WELLNESS AND HEALTH CLINIC;
- 2. FY '07 BUDGET TO INCLUDE FUNDING FOR A MOBILE HEALTH AND WELLNESS UNIT; AND

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; Susan Spataro, Travis County Auditor; and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to bring in the Doctor and the LVN Nurse and let them operate at current County facilities and take a year to see how that works, and if we think the mobile unit is necessary, then address it next year.

A Clarification of the previous Motion was made by Commissioner Sonleitner that we are talking about bringing on a female doctor. It's a big deal in terms of women's health in terms of open access.

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 13.F.2. No formal action taken.

Item 13.F.2 to be reposted July 25, 2006.

ITEM 13 CONTINUED

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EMPLOYEE BENEFIT RECOMMENDATIONS FOR THE ANNUAL FY '07 BENEFIT PLAN: (11:07 AM)

- G. DISCONTINUATION OF THE EPO PLAN IN YEAR FY '08.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we indicate our intention to discontinue the Exclusive Provider Organization (EPO) plan next year and between now and then we educate our employees on the many, many benefits of the Preferred Provider Organization (PPO).

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

- 14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROPOSED CRITERIA FOR THE DESIGN-BUILD PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX INCLUDING THE FOLLOWING: (2:31 PM)

- A. PROJECT SPECIFICATIONS AND COST ESTIMATES; AND

- B. APPROVE AND AUTHORIZE ISSUANCE OF RFP NO. P060273-MB AND ASSOCIATED EXHIBITS AND APPENDICES.

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Marvin Brice, Construction Procurement Management, Purchasing; Ken Gaede, Project Manager, Facilities Management; Ed Spooner, Vice-President, Hellmuth, Obata, and Kassabaum (HOK); and Tenley Aldredge, Assistant County Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to approve Items 14.A&B.

Motion carried:

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

15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TEMPORARY MOVE OF FIRE MARSHAL, CRIMINAL JUSTICE PLANNING AND EMERGENCY SERVICES TO 2201 POST ROAD. (9:45 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.

JUSTICE & PUBLIC SAFETY ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON THE INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR OPERATION OF THE TRAVIS COUNTY CENTRAL BOOKING FACILITY. (1:59 PM)

Members of the Court heard from: Caryl Colburn, Interim Criminal Justice Planning Coordinator, Criminal Justice Planning (CJP); Michael Trimble, MTG Management Consultants; Bill Derryberry, Senior Budget Analyst, PBO; and Jim Connolly, Assistant County Attorney.

Discussion only. No formal action taken.

PURCHASING OFFICE ITEMS

17. APPROVE MODIFICATION NO. 11 TO INTERLOCAL AGREEMENT NO. IL980092RE, AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, FOR EVALUATION AND ASSESSMENT SERVICES. (HHS&VS) (COMMISSIONER GÓMEZ) (9:48 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 17.

Motion carried: County Judge Samuel T. Biscoe	abstain
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. APPROVE CONTRACT AWARD FOR TACTICAL UNIT ENTRY BODY ARMOR, IFB NO. B060276-LD, TO THE SOLE BIDDER, GT DISTRIBUTORS. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:45 AM)

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

19. APPROVE CONTRACT AWARD FOR, IFB NO. B060203-DR, ASPHALTIC ROAD MATERIALS, DELIVERED OR FOB PLANT TO THE FOLLOWING BIDDERS: (9:45 AM)
- A. HOT MIX, TYPE A, C, AND D -WEST ZONE AND FOB HOT MIX, TYPE A, C AND D-EAST ZONE -VULCAN CONSTRUCTION MATERIALS; AND
- B. HOT MIX, TYPE A-WEST/EAST ZONES-RTI HOT MIX. (TNR)
(COMMISSIONER GÓMEZ)

Clerk's Note: Items 19.A&B 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

20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 3 AND 4, BLOCK E, OF SIESTA SHORES SECTION 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:45 AM)

Clerk's Note: Item 20 is the action item for the public hearing on Agenda Item 1.

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 REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT LOCATED ON LOT 11, BLOCK B, OF SEVEN OAKS SECTION 5, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:45 AM)

Clerk's Note: Item 21 is the action item for the public hearing on Agenda Item 2.

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

22. 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 EITHER SIDE OF THE COMMON LOT LINE OF LOTS 1454 AND 1455 OF APACHE SHORES SECTION THREE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:45 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 3.

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 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) (9:45 AM)

Clerk's Note: Item 23 is the action item for the public hearing on Agenda Item 4.

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 WALNUT CREEK EROSION AND FLOOD CONTROL STUDY RECOMMENDATIONS:
(11:29 AM)
- A. VOLUNTARY BUY-OUT OF HOMES ON QUIETTE DRIVE USING APPROVED BOND FUNDS; AND
 - B. NEGOTIATE MODIFICATION TO CONTRACT WITH ALAN PLUMMER & ASSOCIATES, INC. FOR SCOPE OF WORK AND DESIGN OF STRUCTURAL CONTROLS IN PROJECT REACH FOR APPROPRIATE REMEDIATION. (COMMISSIONER DAVIS)

Clerk's Note: The Court discussed buy-out costs for the houses on Quietie Drive classifying them as Tier One – Conveyance/Flood/ Active Erosion; Tier Two – High Risk Erosion; Tier Three – Substantial Risk Erosion; and Tier Four – Other Properties at Risk.

Members of the Court heard from: Carol Joseph, Assistant Director, TNR; John Kuhl, Natural Resources Program Manager, TNR, Jerry R. Ingram, Walnut Place Resident; Nell Rios, Walnut Place Resident; Trek English, Walnut Place Resident; Kristina Kubeck, Walnut Place Resident; Cynthia C. Lancaster, P.E, Project Manager, Alan Plummer Associates, Inc.; Cynthia Kelley; Walnut Place Resident; and Bart Kelley, Jr., Walnut Place Resident.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 24.A to let the process begin and take into consideration all the things that we have heard from the residents, and on Item 24.B, to look at Tier Three and Tier Four houses, the scope of work that Alan Plummer Associates, Inc. is dealing with as far as the structural controls are concerned, and move forward with that. Maybe they can indicate that in that, as far as some of the structural aspects, as far as design, and looking at the work on that and what it would actually be according to what they're doing, have not done, and they can include this in that process.

ITEM 24 CONTINUED

A Clarification of the Previous Motion was made by Commissioner Davis to say that the approval of Item 24.A was intended to include Tier One and Tier Two houses.

A Clarification of the Previous Motion was made by Judge Biscoe to look at some stabilization initiative for Tiers Three and Four and, if we can, put a figure on it, determine feasibility, whether it really would be permanent remediation, in addition to whatever we had in mind.

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

Item 24.A&B to be reposted until July 25, 2006.

THIS ITEM POSTPONED UNTIL JULY 25, 2006

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS TO ADDRESS TRAFFIC ISSUES ON BRODIE LANE. (COMMISSIONER DAUGHERTY)

26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO SITE PLAN VARIANCE REQUEST FOR ARCHITECTURAL GRANITE AND MARBLE COMPANY: (11:09 AM)
- A. VARIANCES FROM CHAPTER 82, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS IN TRAVIS COUNTY:
1. SECTION 82.209(c)(3)(E), REQUIREMENT THAT DEVELOPMENT IN A WATERWAY BUFFER ZONE IS PROHIBITED EXCEPT TO CERTAIN USES AND IN CERTAIN CIRCUMSTANCES;
 2. SECTION 82.209(c)(3)(B), REQUIREMENT ESTABLISHES THE BUFFERS FOR EACH CLASSIFICATION OF WATERWAY; AND
 3. SECTION 82.209(d), REQUIREMENT THAT STIPULATES ALL CUT AND FILL LAND BALANCING SHALL BE LIMITED TO A MAXIMUM OF 8 FEET. (COMMISSIONER DAUGHERTY)

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR; David Smith, P.E., Consulting Engineer; Jack Lieberknecht, Vice President, Architectural Granite & Marble; and Tom Nuckols, Assistant County Attorney.

Discussion only. No formal action taken.

Items 26.A.1, 2, & 3 to be reposted on July 18, 2006.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING MATTERS RELATED TO THE TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS: (3:29 PM)
- A. SCHEDULE OF CANDIDATE INTERVIEWS;
 - B. QUESTIONS FOR INTERVIEWS WITH CANDIDATES; AND
 - C. OTHER RELATED ISSUES. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.071)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; and Stacy Wilson, Assistant County Attorney.

Discussion only. No formal action taken.

OTHER ITEMS

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:45 AM)

Clerk's Note: Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON STRATEGY TO FILL EXECUTIVE MANAGER FOR CRIMINAL JUSTICE PLANNING AND EXECUTIVE MANAGER FOR EMERGENCY SERVICES POSITIONS AND RELATED ISSUES. (3:35 PM)

Discussion only. No formal action taken.

Item 29 to be reposted on July 18, 2006.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT MODIFICATION AND EXTENSION OF CONTRACT *696-PD-0-1-L-L0306 M-006 TRAVIS COUNTY* BETWEEN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND TRAVIS COUNTY FOR THE HOUSING OF RELEASEES FOR THE 2006-2007 CONTRACT TERM. (SHERIFF'S OFFICE) (9:45 AM)

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

- 31. TAKE ALL NECESSARY ACTIONS TO IMPLEMENT PAYMENT OF SALARY SUPPLEMENT FOR JUSTICES, COURT OF APPEALS, THIRD DISTRICT OF TEXAS: (3:36 PM)
 - A. APPROVE INTERGOVERNMENTAL CONTRACT BETWEEN TRAVIS COUNTY AND COURT OF APPEALS, THIRD DISTRICT OF TEXAS
 - B. APPROVE JOB TITLE OF "JUSTICE COURT OF APPEALS 3RD DIST.";
 - C. APPROVE CREATION OF 6 NEW SLOTS, ONE FOR EACH JUSTICE IN CIVIL COURTS LEGALLY MANDATED FEES DEPARTMENT;
 - D. APPROVE BUDGET FOR REVENUE FROM INTERGOVERNMENTAL CONTRACT BETWEEN TRAVIS COUNTY AND COURT OF APPEALS, THIRD DISTRICT OF TEXAS; AND
 - E. APPROVE PERSONNEL ACTION FORMS FOR JUSTICES.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve all of these items plus the Commissioners Court agreement do this, conditioned upon these Judges meeting the applicable standards that Travis County uses for Travis County employees to get, not only supplemental payments, but their regular paychecks. Unfortunately there are a few steps that must be complied with in order to get this done and, so we would expect these judges to do that, and if one or more fail to do that, then I would simply call that to the attention of the Chief Justice.

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

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.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON MEDICAL EXAMINER'S OFFICE AND EXECUTIVE MANAGER OVERSIGHT ROLE. ^{1 AND 3} (3:39 PM) (5:56 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez to extend that role and the same level of compensation through the end of this fiscal year, midnight, September 30, 2006.

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

- 33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REAL ESTATE CONTRACTUAL OBLIGATIONS ON THE PRECINCT THREE OFFICE BUILDINGS PROPERTY. ² (3:39 PM) (5:57 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to:

- a) Notify Barron and Adler that the County will not be exercising its right to purchase the parcel under the Commercial Real Estate Contract forwarded to the County by the seller;
- b) The County reserves its right to purchase the remainder of the adjacent tract pursuant to the Contract between the County and its seller, Barron and Adler;
- c) The County requests that Barron and Adler reimburse payment of \$50,000.00 to Travis County at the time of closing pursuant to the Contract between Travis County and the seller 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

- 34. 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. ¹ (3:39 PM) (5:58 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.

Motion by Judge Biscoe and seconded by Commissioner Davis to authorize the hiring of an expert, and that we express appreciation and congratulations to our fine Legal Staff for representing us in this matter and doing such an outstanding job.

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

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN LIZBETH HERNANDEZ CASE; SUBROGATION. ¹ (3:39 PM) (5:58 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.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to accept the proposal by Ms. Hernandez in terms of the payment of this claim for the amount that she is proposing and the terms that she is proposing, according to the settlement.

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	no

- 36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING AD LITEM FEES IN SARAH CARPENTER-PINEDA V. MARGO FRASIER, ET. AL. (CARPENTER-PINEDA; FRASIER; CIVIL RIGHTS) (REQUESTED BY PLAINTIFF) ¹ (3:39 PM) (5:59 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize the County Auditor to pay \$1,387.50 in Ad Litem fees, and that is \$387.50 over the original \$1,000 allotted by the Commissioners Court, in accordance with the Court Order signed by Judge Naranjo in 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	yes

- 37. RATIFY APPOINTMENT OF ALICIA PEREZ, EXECUTIVE MANAGER, ADMINISTRATIVE OPERATIONS AS COUNTY REPRESENTATIVE FOR MEDIATION IN EEOC CHARGE NO. 36A-2006-00200, ERROL HARDIN V. TRAVIS COUNTY AND CONSIDER AND TAKE APPROPRIATE ACTION ON SETTLEMENT PROPOSAL. ^{1 AND 3} (3:39 PM) (6:00 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 and Gov’t. Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez

- 1) that we ratify the appointment of Alicia Perez, Executive Manager, Administrative Operations to represent Travis County in the mediation of the Equal Employment Opportunities Commission (EEOC) charge; and
- 2) that we authorize the County Judge to sign the proposed settlement agreement to resolve this matter, and that we comply with the numerous terms and conditions set forth in that agreement.

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

- 38. CONSIDER AND TAKE APPROPRIATE ACTION IN RESPONSE TO ORDER FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS (MARSHALL DIVISION) IN LEAGUE OF UNITED LATIN AMERICAN CITIZENS, ET. AL. V. RICK PERRY, GOVERNOR OF TEXAS, ET. AL., CIVIL NO. 2:03-CV-354 CONSOLIDATED. ¹ (3:39 PM) (6:01 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.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that the County, through its legal representative, submit remedial Congressional Redistricting Proposal to the U.S. District Court that achieves a Congressional District firmly anchored in Travis County consistent with historical treatment and affecting no more than six Districts with an election conducted similar to the 1996 Congressional Remedial Order by the Federal Courts.

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 no
 Precinct 4, Commissioner Margaret J. Gómez yes

THE FOLLOWING ARE ADDED ITEMS:

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT WITH TEXAS HEAT WAVE FOR CUSTOM CAR AND TRUCK SHOW AT THE EXPO CENTER JULY 21-23, 2006. (COMMISSIONER DAVIS) (3:38 PM)

Members of the Court heard from: John Hille, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item A1.

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

- A2. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION, INCLUDING DESIGNATING DEPOSITION REPRESENTATIVES IN GDF REALTY, LTD., ET. AL. V. UNITED STATES, CAUSE NO. 99-513 L. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.071) (3:39 PM) (6:02 PM)

Clerk's Note: Judge Biscoe announced that Item A2 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 that we appoint Transportation and Natural Resources (TNR) employees, Kevin Connally, Travis County Natural Resources Environmental Specialist, and Melinda Mallia, Environmental Project Manager, as Travis County representatives for the purpose of a Federal Rule 30(b)(6) deposition in GDF Realty, LTD ET AL Vs. United States, and to authorize the County Attorney to designate areas of testimony for Mr. Connally and Ms. Mallia as appropriate.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (6:02 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS’ COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge