

MINUTES OF MEETING – AUGUST 1, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 1st day of August 2006, the Commissioners' Court convened the regular Voting Session at 9:14 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 11:51 AM

The Commissioners Court reconvened the Voting Session at 1:41 PM.

The Commissioners Court retired to Executive Session at 4:10 PM.

The Commissioners Court reconvened the Voting Session at 5:18 PM.

The Commissioners Court adjourned the Voting Session at 5:22 PM.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON FY '07 ELECTED OFFICIALS SALARIES. (1:59 AM)

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO; Susan Spataro, Travis County Auditor; and John Hille, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner that we advertise Elected Officials' salaries at a 5% increase, indicate to our Elected Officials that our intention is to put them in the same place as rank and file, and that if any Elected Official wishes to write a letter refusing, it needs to be sent to the County Auditor.

A Friendly Amendment to the previous Motion was offered by Commissioner Sonleitner that the salary for Precinct 3 Commissioner needs to be set at exactly what the salary is for the other Commissioners.

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

A Substitute motion was made by Commissioner Davis that Elected officials get a 5.5% adjustment, knowing that this is a maximum and can always be brought down.

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

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

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

Clerk's Note: The Court gave Staff directions to use the long version of the advertisement making sure all salaries of Elected Officials are noted.

7. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:38 AM)

- A. GRANT APPLICATION TO THE TEXAS DEPARTMENT ON AGING FOR FUNDING FOR THE RETIRED SENIOR VOLUNTEER PROGRAM (RVSP) IN THE HEALTH AND HUMAN SERVICES DEPARTMENT. THE GRANT APPLICATION IS TO CONTINUE THE PROGRAM FOR FY '07.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:38 AM)

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

ADMINISTRATIVE OPERATIONS ITEMS

9. 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 \$313,538.83 FOR THE PERIOD OF JULY 14 TO JULY 20, 2006. (9:38 AM)

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:38 AM)

- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND

- B. NON-ROUTINE PERSONNEL ACTION – SHERIFF'S OFFICE – VOLUNTARY JOB CHANGE – TRAVIS COUNTY CODE SECTION 10.03009.

Clerk's Note: Items 10.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON RENEWAL OF LICENSE AGREEMENT WITH THE TRAVIS COUNTY CREDIT UNION FOR THE AUTOMATED TELLER MACHINE IN THE BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER LOBBY. (9:38 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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON EMPLOYEE REFUNDS UNDER TUITION REIMBURSEMENT POLICY 10.021; AND
B. AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE EMPLOYEES AS LISTED. (9:38 AM)

Clerk's Note: Items 12.A&B 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

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE RE-APPOINTMENT OF CURTIS CLINE AND WILLIAM WISKO TO THE TRAVIS COUNTY BOARD OF REVIEW PURSUANT TO CHAPTER 71, FIRE CODE. (9:38 AM)

Item 13 postponed until August 8, 2006.

PURCHASING OFFICE ITEMS

14. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. MA000042, UNISYS CORPORATION, FOR SYSTEM HARDWARE AND SOFTWARE MAINTENANCE/SUPPORT SERVICES. (ITS) (COMMISSIONER GÓMEZ) (9:38 AM)

Clerk's Note: Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. APPROVE CONTRACT AWARD TO PROVIDE RE-ROOFING OF THE 5555 AIRPORT BLVD. BUILDING, IFB NO. B060241-RV, TO THE LOW BIDDER, RAIN SEAL MASTER ROOFING & SHEET METAL, INC. (FM)
(COMMISSIONER GÓMEZ) (9:38 AM)

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

16. APPROVE ISSUANCE OF JOB ORDER NO. 29, MINOR CONSTRUCTION AND RENOVATION SERVICES CONTRACT NO. 04K0203ARV, WILLIAMS AND THOMAS, INC. D.B.A. JAMAIL CONSTRUCTION. (FM)
(COMMISSIONER GÓMEZ) (9:38 AM)

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

17. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES, SOUTHWEST METRO PARK PROJECT, RFQ NO. Q060187-LP, TO THE HIGHEST QUALIFIED RESPONDENT, LAND DESIGN PARTNERS. (TNR) (COMMISSIONERS DAUGHERTY AND GÓMEZ) (9:38 AM)

Clerk's Note: Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. APPROVE CONTRACT AWARD FOR PROFESSIONAL ARCHITECTURAL/ENGINEERING SERVICES, CUNNINGHAM-ALLEN, INC., CONTRACT NO. 06AE0303LP, SOUTHEAST METRO PARK. (TNR)
(COMMISSIONER GÓMEZ) (9:38 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 MODIFICATION NO.1 TO THE FOLLOWING CONTRACTS FOR MISCELLANEOUS GROCERIES AND BREAD PRODUCTS: (9:38 AM)
- A. FOODSVC032, LABATT FOOD SERVICE;
 - B. FOODSVC055, SHAVER FOODS;
 - C. FOODSVC095, PREMIER FOOD SERVICE;
 - D. FOODSVC068, MORRISON FROZEN FOODS; AND
 - E. FOODSVC081, FLOWERS BAKING COMPANY. (SHERIFF'S OFFICE)
(COMMISSIONER GÓMEZ)

Clerk's Note: Items 19.A-E 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 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) (9:38 AM)

Clerk's Note: Item 20 is the action item for the public hearing on Agenda Item 2.

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 PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO BE KNOWN AS "THUNDER TRAIL" OFF STEWART ROAD NEAR LAKEWAY, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:38 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 PROPOSED STREET NAME CHANGE FOR TWO PORTIONS OF ROLLING MEADOWS DRIVE NEAR PFLUGERVILLE TO BE KNOWN AS "PURPLE THISTLE DRIVE" AND "TEXAS MEADOWS DRIVE," IN PRECINCT TWO. (COMMISSIONER SONLEITNER) (9:38 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 2.

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 THE FOLLOWING ISSUES INVOLVING THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY: (3:34 PM)
- A. RECEIVE RESIGNATION OF CURRENT BOARD MEMBER JOHANNA ZMUD FROM THE BOARD OF DIRECTORS;
 - B. DESIGNATE TERMS OF DIRECTORS; AND
 - C. APPROVE APPOINTMENT PROCESS FOR NEW BOARD MEMBER.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 23.A.

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

Items 23.B&C to be reposted on August 8, 2006.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON DRAFT CONSERVATION DEVELOPMENT ORDINANCE AND SET FOR PUBLIC HEARING ON SEPTEMBER 5, 2006. (2:22 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Joe Lessard, Consultant; John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to that we set the Public Hearing on September 5, 2006 to be held in the Commissioners Court room.

Motion carried:

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TRAVIS COUNTY MENTAL HEALTH STAKEHOLDERS GROUP FOR TRAVIS COUNTY TO FUND A MOBILE CRISIS OUTREACH TEAM, AND RELATED ISSUES. (10:25 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Trish Young, Chief Operating Officer, Travis County Healthcare District.

Discussion only. No formal action taken.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING MATTERS RELATED TO THE TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS: (11:31 AM)
 - A. REPORT FROM COMMISSIONERS COURT SUBCOMMITTEE ON THE PROCESS TO FILL VACANCY LEFT BY ENDING TERM OF MANAGER TOM YOUNG;
 - B. SUBCOMMITTEE RECOMMENDATIONS OF SHORT-LISTED CANDIDATES FOR INTERVIEW;
 - C. INTERVIEW QUESTIONS FOR CANDIDATES;
 - D. SCHEDULE FOR INTERVIEWS WITH COMMISSIONERS COURT; AND
 - E. OTHER RELATED ISSUES.

Clerk’s Note: Items 26.A-E are associated with one another and were called for concurrent discussion.

Clerk’s Note: The Court received the subcommittee recommendations of the following three candidates for interview for the Healthcare District Board of Managers from Sherri Fleming, Executive Manager, TCHHS&VS: Eduardo J Sanchez, MD; Kathy T. Rider; and Jason Earle.

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; and Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to approve these three and that we interview them.

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

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENTS WITH TRAVIS COUNTY JUVENILE BOARD FOR THE TRAVIS COUNTY JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAM AS FOLLOWS: (9:38 AM)
 - A. INTERLOCAL AGREEMENT WITH COMANCHE INDEPENDENT SCHOOL DISTRICT;
 - B. INTERLOCAL AGREEMENT WITH GONZALES INDEPENDENT SCHOOL DISTRICT;
 - C. INTERLOCAL AGREEMENT WITH LOCKHART INDEPENDENT SCHOOL DISTRICT; AND
 - D. INTERLOCAL AGREEMENT WITH LULING INDEPENDENT SCHOOL DISTRICT.

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

- 31. RECEIVE PETITION FOR CREATION OF BASTROP-TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 1 FILED WITH COUNTY CLERK AND SET HEARING TO CONSIDER THE PETITION. (COMMISSIONER DAVIS) (1:41 PM)

Members of the Court heard from: Dan Smith, Executive Assistant, County Judge's Office; John J. Carlton, Attorney, Armbrust and Brown LLP; Larry Foehner, Fire Chief, Elgin Fire Department; and Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to set the Public Hearing for August 29, 2006 at 9:00 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

32. 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. (11:51 AM) (3:37 PM)

Discussion only. No formal action taken.

33. APPROVE BOND FOR CHARLES WEBB TO SERVE AS VISITING TRAVIS COUNTY JUSTICE OF THE PEACE. (9:38 AM)

Clerk's Note: Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

34. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING WHETHER THE CITY OF AUSTIN'S SELECTION OF THE SITE FOR WATER TREATMENT PLANT NO. 4 WOULD IMPACT DEADLINES FOR BALCONES CANYONLAND PRESERVE LAND PURCHASES. ^{1 AND 2} (4:10 PM) (5:18 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 and Gov't. Code Ann 551.072, Real Property.

Discussion only. No formal action taken.

Item 34 to be reposted on August 15, 2006.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR TRAVIS COUNTY FIRE MARSHAL, SLOT 22. ^{1 AND 3} (4:10 PM) (5:18 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 Gómez to authorize an additional 37 days with pay starting June 8, 2006 and ending on July 31, 2006, and that we accept the resignation submitted.

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

- 36. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION TO CLARIFY COUNTY POSITION ON BFI EXPANSION APPLICATION PENDING BEFORE THE CAPCOG SOLID WASTE ADVISORY COMMITTEE. ¹ (3:39 PM) (4:10 PM) (5:19 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.

Members of the Court heard from: Melanie McAfee, Owner, Barr Mansion; Trek English, North East Action Group; John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; Mark McAfee, Owner, Barr Mansion; and Paul Gosselink, Attorney representing BFI.

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we direct Staff to change the letter that we approved last week, to add the following language to the letter as well as a six-page response to the CAPCOG check list:

- 6) Therefore Travis County opposes any landfill application by BFI/Sunset Farms for a permit to operate as a waste disposal site and/or a transfer station after November 1, 2015;
- 7) Travis County continues to strongly encourage BFI to locate, acquire and permit a green field site in another location, and relocate from its current site in northeast Travis County as soon as possible thereafter;
- 8) Travis County strongly encourages BFI to commit to take the same quantity of waste that it has taken in during recent years, including factoring in annual increases and;
- 9) Travis County strongly encourages BFI to bring no waste into its Travis County landfill facility from out of Texas, “out of Texas” being the key words.

Motion carried:

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

EXECUTIVE SESSION ANNOUNCEMENT – AUGUST 2, 2006

(AND RECONVENED) AUGUST 3, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Thursday, the 2nd day of August, 2006, the Travis County Commissioners' Court convened the Work Session at 1:20 PM 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 following Members of the Court were present:

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

The Commissioners' Court retired to Executive Session at 4:19 PM and recessed the Executive Session at 5:09 PM on August 2, 2006.

The Commissioners Court reconvened the recessed Executive Session of August 2, 2006 at 2:41 PM on August 3, 2006 and returned from Executive Session at 3:27 PM.

The Commissioners Court adjourned the Budget Sessions of August 2 and 3, 2006 at 3:27 PM on August 3, 2006.

DISCUSS REVENUE AND BUDGET ISSUES WITH COUNTY DEPARTMENTS
TO DEVELOP THE FY'07 TRAVIS COUNTY BUDGET:
SECURITY ISSUES. (4:19 PM)

Clerk's Note: Judge Biscoe announced that the Commissioners' Court would meet in Executive Session pursuant to Gov't. Code Ann. 551.076, Security.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to recess the discussion of security issues until tomorrow, August 3, 2006. (5:09 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

