

MINUTES OF MEETING – AUGUST 15, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 15th day of August 2006, the Commissioners' Court convened the regular Voting Session at 9:13 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 retired to Executive Session at 11:02 AM.

The Commissioners Court reconvened the Voting Session at 12:07 PM.

The Commissioners Court recessed the Voting Session at 12:07 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:46 PM and adjourned at 1:46 PM.

The Commissioners Court reconvened the Voting Session at 1:46 PM.

The Commissioners Court retired to Executive Session at 3:30 PM.

The Commissioners Court reconvened the Voting Session at 4:01 PM.

The Commissioners Court adjourned the Voting Session at 4:08 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Ms. Phillip A. Dick, Travis County Resident; John White, Environmental Quality Program Manager, Transportation and Natural Resources (TNR); and Adele Noel, Air Quality Project Manager, TNR. (9:15 AM)

Clerk's Note: Precinct Two Commissioner Karen Sonleitner presented an equivalency check to the Court representing the value of the work donated by volunteer Master Gardeners, and thanked them on behalf of the full Court for all their hard work.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION TO DISCUSS STRATEGY TO COMPLETE ACQUISITION OF LAND FOR BALCONES CANYONLANDS PRESERVE. (10:44 AM)

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; Kevin Connally, Travis County Natural Resources Environmental Specialist, TNR; and Willy Conrad, Manager, Wildlife Conservation Division, City of Austin.

Discussion only. No formal action taken.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON REALLOCATION OF UP TO \$1,370,150 OF SURPLUS 1997 BOND FUNDS AND 2001 BOND PROJECT SAVINGS FOR THE ANDERSON MILL ROAD SPICEWOOD/RM620 PROJECT. (9:25 AM)

Clerk's Note: Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM AT&T TO BUY AN EXCLUSIVE EQUIPMENT EASEMENT FROM TRAVIS COUNTY LOCATED NORTH OF U.S. HIGHWAY 290 WEST IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:25 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 A FINAL PLAT, CYPRESS CREEK RANCH IN PRECINCT THREE: ONE LOT, 1550.40 ACRES – HAMILTON POOL ROAD – NO FISCAL IS REQUIRED WITH THE FINAL PLAT – SEWAGE SERVICE TO BE PROVIDED BY AN ON-SITE PRIVATE SEWAGE FACILITY. (COMMISSIONER DAUGHERTY) (10:17 AM) (3:30 PM) (4:01 PM)

Clerk's Note: Judge Biscoe announced that Item 5 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Anna Bowlin, Program Manager, Planning and Engineering, TNR; and Chuck Carroll, Project Manager, Cunningham Allen Engineers and Surveyors, Inc.

Discussion only. No formal action taken.

Item 5 to be reposted on August 22, 2006.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT, THE LODGE AT HAMMETT'S CROSSING IN PRECINCT THREE: ONE LOT, 35.46 ACRES – HAMILTON POOL ROAD – NO FISCAL IS REQUIRED WITH THE FINAL PLAT – SEWAGE SERVICE TO BE PROVIDED BY AN ON-SITE PRIVATE SEWAGE FACILITY. (COMMISSIONER DAUGHERTY) (9:26 AM)

Item 6 pulled from the Agenda.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE LETTER OF AGREEMENT CONCERNING COSTS OF CREATION AND ISSUANCE OF DEBT FOR PROPOSED TRAVIS COUNTY/BEE CAVE ROAD DISTRICT #1. (9:35 AM) (3:03 PM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

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

Motion carried:

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

PLANNING AND BUDGET DEPT. ITEMS

10. RECEIVE PRESENTATION OF FY '07 BUDGET AGENDA WORKSHEET.
(10:19 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Susan Spataro, Travis County Auditor.

Discussion only. No formal action taken.

11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REPORT ON STATUS OF COUNTY CENTRAL COLLECTIONS. (9:39 AM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; Diana Ramirez, Budget Analyst, PBO; and Dusty Knight, Chief Operating Officer, Tax Assessor Collector's Office.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve Staff's recommendation with the timeline specified.

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

12. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:25 AM)

A. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN UNDERAGE DRINKING PROGRAM IN THE COUNTY ATTORNEY'S OFFICE TO CONTINUE THE EXISTING PROGRAM FOR FY '07.

Clerk's Note: Item 12.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:25 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.

ADMINISTRATIVE OPERATIONS ITEMS

14. 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 \$486,398.49 FOR THE PERIOD OF JULY 28 TO AUGUST 3, 2006. (9:25 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:25 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. CONSIDER AND TAKE APPROPRIATE ACTION TO IMPLEMENT A PROGRAM IN WHICH THE TRAVIS COUNTY LAW LIBRARY COLLABORATES WITH THE DISPUTE RESOLUTION CENTER AND TEXAS RIO GRANDE LEGAL AID TO PROVIDE WORK SPACE FOR LEGAL AID AND MEDIATION SERVICES IN THE COURTHOUSE AND GRANGER BUILDING LAW LIBRARIES. (10:40 AM)

Members of the Court heard from: Steven Broberg, Director, Records Management and Communication Resources; and The Honorable Lora Livingston, Judge, 261st District Court.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 16.

Motion carried:

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

PURCHASING OFFICE ITEMS

- 17. APPROVE CONTRACT AWARD FOR JANITORIAL SERVICES, TNR SATELLITES, IFB NO. B060269-LD, TO THE LOW BIDDER, KB CONTRACT CLEANING. (TNR) (COMMISSIONER GÓMEZ) (9:25 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 MODIFICATION NO. 10 TO CONTRACT NO. PS970029JW, AUSTIN CHILD GUIDANCE CENTER, FOR PROVISION OF INTENSIVE MULTI-FAMILY COUNSELING SERVICES FOR JUVENILE OFFENDERS UNDER THE SUPERVISION OF THE JUVENILE PROBATION DEPARTMENT. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:25 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 ISSUANCE OF JOB ORDER NO. 30, MINOR CONSTRUCTION AND RENOVATION SERVICES CONTRACT NO. 04K0203ARV, WILLIAMS AND THOMAS, INC. D.B.A. JAMAIL CONSTRUCTION. (FM) (COMMISSIONER GÓMEZ) (9:25 AM)

Clerk's Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 03T002880J, APPRISS, INC., FOR THE TEXAS VINE SERVICES AGREEMENT. (SHERIFF'S OFFICE, ITS) (COMMISSIONER GÓMEZ) (9:25 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. APPROVE INTERLOCAL WITH PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR OUT-OF-SCHOOL PROGRAMS. (HHS & VS) (COMMISSIONER GÓMEZ) (9:49 AM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Item 21 was postponed until August 22, 2006.

22. APPROVE CONTRACT AWARD FOR FIRE ALARM REPLACEMENT IFB NO. B060275-DG, TO THE SOLE BIDDER, HONEYWELL INTERNATIONAL, INC. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:25 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. APPROVE CONTRACT AWARD FOR ASPHALT REJUVENATION PROGRAM, IFB NO. B060260-JW, TO THE SOLE BIDDER, PAVEMENT RESTORATION, INC. (TNR) (COMMISSIONER GÓMEZ) (9:25 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. APPROVE CONTRACT, CONTRACT MODIFICATION AND MAKING OF CONTRACT FOR THE TRAVIS COUNTY COURTHOUSE HVAC REPAIR PROJECT, IFB NO. B060230-RV, TO THE SOLE BIDDER, THERMAL MECHANICAL CONTRACTORS, INC. (FM) (COMMISSIONER GÓMEZ) (9:25 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.

OTHER ITEMS

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 AM)

Clerk's Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND PRESIDENTIAL GLEN MUNICIPAL UTILITY DISTRICT. (9:25 AM)

Clerk's Note: Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

REVISED LANGUAGE

28. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ELECTION PRECINCT REALIGNMENTS PURSUANT TO SECTION 42.031(b)(1) OF THE ELECTION CODE TO CONFORM TO CONGRESSIONAL REDISTRICTING PLAN 1438C. (9:50 AM) (10:06 AM) (1:46 PM)

Clerk’s Note: Item 28 is the action item for the public hearing on Agenda Item A4.

Members of the Court heard from: Delores Diaz Lopez, Director, Voter Registration, Tax Assessor Collector’s Office; Melinda Avey, Research Analyst, Voter Registration, Tax Assessor Collector’s Office; and Julie Joe, Assistant County Attorney.

Clerk’s Note: The Court discussed an order which would adopt County Election Precinct boundary alignments in accordance with the Congressional Redistricting Plan 1438C.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the order.

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

Clerk’s Note: The Court discussed an order which would readopt the August, 2006 County Commissioners Precincts.

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

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 28 CONTINUED

Clerk's Note: The court discussed an order adopting Precincts for the election of Justices of the Peace and Constables.

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner to approve the order.

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

Clerk's Note: The Court further discussed Item 28 at 1:46 PM.

A Restatement of the Motion was made by Judge Biscoe **and seconded by** Commissioner Davis to approve the order adopting Precincts for the election of Justices of the Peace and Constables.

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.

29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CITY OF AUSTIN PROPOSAL TO AMEND THE BALCONES CANYONLANDS CONSERVATION PLAN 10(A) PERMIT, ISSUED TO THE CITY OF AUSTIN AND TRAVIS COUNTY BY THE U.S. FISH AND WILDLIFE, CONCERNING THE RELOCATION OF WATER TREATMENT PLANT NO. 4. ^{1 AND 2} (11:02 AM) (1:47 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 and Gov't. Code Ann 551.072, Real Property.

Discussion only. No formal action taken.

Item 29 to be reposted on August 22, 2006.

31. RECEIVE STATUS REPORT AND TAKE APPROPRIATE ACTION ON RISK MANAGEMENT LIABILITY FUND. ¹ (11:02 AM) (3:04 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: Staff recommended the transfer of a surplus from the Risk Management Reserve into the General Fund over a period of four years.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Donna Parker Stirman, Risk Management, HRMD; Bill Patterson, Risk Management, HRMD; and Travis Gatlin, Budget Analyst, PBO.

Clerk's Note: Staff recommended the transfer of a surplus from the Risk Management Reserve into the General Fund over a period of four years.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the recommendation, including the annual review.

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

