

MINUTES OF MEETING – SEPTEMBER 19, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 19th day of September 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 12:06 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:39 PM and adjourned at 1:40 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; Travis County Health Facilities Development Corporation; and Capital Industrial Development Corporation convened at 1:40 PM and adjourned at 1:43 PM.

The Commissioners Court reconvened the Voting Session at 1:47 PM.

The Commissioners Court retired to Executive Session at 4:22 PM.

The Commissioners Court reconvened the Voting Session at 5:41 PM.

The Commissioners Court adjourned the Voting Session at 5:44 PM.

PUBLIC HEARINGS

- 1. RECEIVE PUBLIC COMMENTS ON THE FISCAL YEAR 2007 TAX RATE AND BUDGET. (9:14 AM)

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

Motion by Commissioner Sonleitner **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	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

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

Motion by Commissioner Sonleitner **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	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. RECEIVE COMMENTS ON A PETITION TO CREATE THE TRAVIS COUNTY BEE CAVE (GALLERIA) ROAD DISTRICT NO. 1. (ACTION ITEM #29) (9:16 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 29 for a summary of the action item.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner 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, Transportation and Natural Resources (TNR), David Armbrust, Armbrust and Brown, LLP, representing the Developer; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner 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 A PORTION OF A DRAINAGE EASEMENT LOCATED ON LOT 5, BLOCK A OF DECKER CREEK ESTATES SECTION 4, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (ACTION ITEM #30) (9:20 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 30 for a summary of the action item.

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

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

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

Motion by Commissioner Davis **and seconded by** Commissioner Sonleitner 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

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C5 and Items 9.A&B, 10, 11, 12.A, 13, 14, 18, 19, 20, 21, 22, 23, 26, 27, 28, 30, 33, 34.A-C, 35, 36, 37.A-C and 38. (9:55 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 VOTING SESSION OF AUGUST 22, 2006.
- C4. APPROVE PROCLAMATION RECOGNIZING THE 8TH CHURCH ANNIVERSARY OF GATES OF DOMINION WORD MINISTRY INTERNATIONAL.
- C5. REAPPOINT GENEVIEVE HEARON TO SERVE AS A PRECINCT THREE APPOINTEE TO THE BOARD OF TRUSTEES OF THE AUSTIN TRAVIS COUNTY MHMR, TERM EFFECTIVELY IMMEDIATELY THROUGH SEPTEMBER 2008. (COMMISSIONER DAUGHERTY)

SPECIAL ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY AND RELATED MATTERS. (9:53 AM)

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

Clerk's Note: The Court noted that by taking no action the prohibition on outdoor burning remains in place.

Discussion only. No formal action taken.

Item 5 to be reposted on September 26, 2006.

6. RECEIVE PRESENTATION FROM AMERICAN YOUTHWORKS REGARDING RECENT NATIONAL COUNCIL OF LA RAZA FAMILY STRENGTHENING AWARD. (9:41 AM)

Members of the Court heard from: Richard Halpin, Founder and Chief Executive Officer, Youthworks.

Discussion only. No formal action taken.

PLANNING AND BUDGET DEPT. ITEMS

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED FY '07 BUDGET RULES. (3:00 PM) (3:55 PM)

Clerk's Note: The Court discussed several changes to the Budget Rules regarding International travel, which Staff recommended.

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; John Hille, Assistant County Attorney; and Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the budget rules with the additions.

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: Item 7 was revisited at 3:55 PM.

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to reconsider the previous Motion.

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 7 CONTINUED

Clerk's Note: The Court discussed revised wording, which includes travel to Alaska and Hawaii.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve new provision with the wording changed and all the budget rules.

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

8. REVIEW AND TAKE APPROPRIATE ACTION ON CONTINUATION OF FY '07 BUDGET MARK-UP, INCLUDING: (10:57 AM) (1:47 PM)
 - A. FY '07 MARKUP AVAILABLE FUNDS SUMMARY;
 - B. FIFTH REVENUE ESTIMATE;
 - C. TECHNICAL CORRECTIONS TO THE FY '07 BUDGET;
 - D. TRAVIS COUNTY ROAD AND BRIDGE FUND;
 - E. BUDGETED RESERVES, INCLUDING OUT-OF-COUNTY INMATE RESERVE;
 - F. CHANGES TO THE FY '07 BUDGET PROPOSED BY COURT MEMBERS, INCLUDING "PARKING LOT" FROM BUDGET MARK-UP;
 - G. STATUS OF CAPITAL PROGRAM AND DEBT, INCLUDING USE OF EXISTING ALLOCATED RESERVES WITHIN EXISTING CERTIFICATES OF OBLIGATION, EXPECTED REVENUE FROM SALE OF FARMERS MARKET AND POTENTIAL OPPORTUNITIES FOR OTHER CHANGES TO CAPITAL FUNDING AS ALTERNATIVE TO USE OF REVENUE FROM FARMERS MARKET;
 - H. SHIFT DIFFERENTIAL OPTION FOR SHERIFF'S OFFICE;
 - I. FUNDING OF COMPUTER OR TECHNOLOGY INITIATIVES WITH RISK MANAGEMENT FUND AND/OR HEALTH BENEFIT FUND RESOURCES;
 - J. BALANCING THE PROPOSED FY '07 BUDGET AGAINST ALLOCATED RESERVES TO BE REPORTED TO THE COURT ON SEPTEMBER 26, 2006; AND
 - K. ANY OTHER BUDGET ITEMS RELATED TO FY '07 BUDGET MARK-UP.

Clerk's Note: Items 8.A-K are associated with one another and were called for concurrent discussion.

ITEM 8 CONTINUED

Members of the Court heard from: Christian Smith, Executive Manager, PBO; Blain Keith, Chief Assistant County Auditor, Travis County Auditor’s Office; Leroy Nellis, Budget Manager, PBO; Jessica Rio, Budget Analyst, PBO; Bill Derryberry, Senior Budget Analyst, PBO; Mike Hemby, Senior Planner, Travis County Sheriff’s Office (TCSO); Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Mike Joyce, Fleet Manager, TNR; Captain Richard Whitehead, Law Enforcement, TCSO; Alicia Perez, Executive Manager, Administrative Operations; Danny Hobby, Emergency Services Coordinator, Emergency Services; Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Kimberly Pierce, Interim Planning Manager, Criminal Justice Planning (CJP); Brad Beauchamp, Acting Travis County Fire Marshal; Kristin Nilsen, Human Resources Specialist, Human Resources Management Department (HRMD); Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); Barbara Wilson, Assistant County Attorney; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor’s Office.

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Item 8.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

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 8.G.

A Clarification of the Previous Motion was made by Judge Biscoe to approve PBO’s recommendation as laid out in the September 13, 2006 memo from Jessica Rio, Budget Analyst, PBO, entitled “Using Existing Certificates of Obligation for FY’07 Capital Items.”

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 Portion of Item 8.G regarding short term debt reduction was discussion only.

ITEM 8 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 8.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

Clerk’s Note: The Court noted that the approval of 8.D includes the Road and Bridge Fund changes outlined by the Planning and Budget Office in Court.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to increase the Allocated Reserve by \$500,000.00.

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

Clerk’s Note: The following Motions are related to Item 8.F.

Motion by Judge Biscoe and seconded by Commissioner Davis that we put \$100,000.00 in a Senior and Disabled Financial Assistance Reserve and, that as soon as possible after the beginning of the Fiscal Year, we bring this matter up and discuss appropriate policy changes and move on that.

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 8 CONTINUED

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to add another \$50,000.00 to the Summer Youth Council Program.

Clerk’s Note: Withdrawal of the Second of the previous Motion was made by Commissioner Daugherty.

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

Clerk’s Note: The Court discussed the need for a new bus and a disabled van for transportation of inmates.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to put \$150,000 in the CAR reserve, in addition, to cover these two needs specifically.

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 the extension of a lease for Justice and Public Safety, Emergency Services and the Travis County Fire Marshall while their new offices at 5555 Airport Boulevard are completed.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to add \$72,256.00 back to the Facilities Management budget to deal with this lease.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Court recommended that HRMD place an employee, who has been brought to the Court’s attention, on the Personnel Amendments next week.

ITEM 8 CONTINUED

Clerk’s Note: The Court discussed Item 8.I, a budget request for a Human Resources Performance Management System.

Motion by Judge Biscoe and seconded by Commissioner Gómez to leave the Human Resources Performance Management System in the parking lot.

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 had previously placed monies in the Parking Lot for a Performance Management System.

Clerk’s Note: The Court discussed a budget request from ITS for Security Network Access Control - \$110,500 for Network Access Control and \$98,274.00 for Consulting Services for installation of the software.

Motion by Judge Biscoe and seconded by Commissioner Davis to fund the \$110,000.00 out of the Healthcare Reserve and the other out of the balance that we have of one-time money; so one-time money covering the consultant up to one year and the \$110,000.00 out of the Benefits Reserve based on the legal opinion.

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: Item 8.G was revisited at 2:52 PM.

Motion by Judge Biscoe and seconded by Commissioner Sonleitner to take \$700,000.00, bring the Certificates of Obligation (CO) down to \$13,000,000.00, and then put the other \$500,000.00 in the Allocated Reserve.

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 8 CONTINUED

Clerk’s Note: The Commissioners Court directed PBO to reduce the FY 07 CO issuance to under \$13,000,000 by cutting \$1,200,000 (previously allocated for the Frate Barker Road project) from the CO budget, resulting in an FY 07 CO budget for planning purposes of \$12,512,819. The FY 07 portion of the Frate Barker road project would be funded with \$700,000.00 of one time General Fund dollars, to be placed in Capital Acquisition Resources (CAR) accounts. The remaining funds available in the General Fund would be balanced by increasing the General Fund Allocated Reserve account. This amount would be \$501,096.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 8.J.

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

Motion by Commissioner Daugherty and seconded by Commissioner Gómez to pull the CO part of Frate Barker and fund it out of CAR.

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: Items 8.A, B&H were discussion only. No formal action taken.

9. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:55 AM)
 - A. PERMISSION TO CONTINUE THE OPERATIONS SAFE STREETS GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE PROGRAM IN THE CONSTABLE PRECINCT THREE OFFICE FROM SEPTEMBER 1, 2006 UNTIL OCTOBER 31, 2006; AND
 - B. PERMISSION TO CONTINUE CRIMINAL JUSTICE DIVISION GUARDIAN AD LITEM GRANT FROM OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE PROGRAM IN JUVENILE PROBATION FROM SEPTEMBER 1, 2006 UNTIL OCTOBER 31, 2006.

Clerk's Note: Items 9.A&B 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:55 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 \$405,023.27 FOR THE PERIOD OF AUGUST 31 TO SEPTEMBER 7, 2006. (9:55 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. (9:55 AM)

A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND

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.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:08 AM)

B. NON-ROUTINE PERSONNEL ACTIONS – SHERIFF’S OFFICE – CAREER LADDER/PROMOTIONS AND YEARS OF SERVICE – PEACE OFFICER PAY SCALE (POPS) - TRAVIS COUNTY CODE SECTION 10.0295(e)(2) AND (d)(1).

Members of the Court heard from: Luane Schull, Compensation Manager, HRMD; and Debbie Rich, Human Resources Coordinator, TCSO.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 12.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	yes

13. CONSIDER AND TAKE APPROPRIATE ACTION ON HOLIDAY SCHEDULE EFFECTIVE OCTOBER 1, 2006 THROUGH DECEMBER 31, 2007 IN ACCORDANCE WITH THE TRAVIS COUNTY CODE, SECTIONS 10.043 HOLIDAYS AND 10.044 PERSONAL HOLIDAYS. (9:55 AM)

Clerk’s Note: Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

14. **REVISED:** CONSIDER AND TAKE APPROPRIATE ACTION ON ASSIGNMENT OF CONTRACT WITH CENTRAL PARKING SYSTEM OF TEXAS TO TEXAS OIL & GAS ASSOCIATION, OWNER OF THE PROPERTY. (9:55 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.

Clerk’s Note: The County Judge noted that the property will be managed by the old owner.

15. DISCUSS AND TAKE APPROPRIATE ACTION ON A PILOT PROJECT FOR BARIATRIC SURGERY. (3:03 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk and Benefits Manager, HRMD; Cindy Purinton, Benefit Administrator, HRMD; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe and seconded by Commissioner Gómez to

- 1) Approve the pilot program with the stated conditions, which would include employees only; a limit to 15 annually after one year due diligence.
- 2) Authorize Staff to come up with a plan description that sets forth all of the specific details, which would be approved before it’s in place.
- 3) Incorporate the Biscoe grounds for termination:
 - a) Failure to achieve the expected public benefit;
 - b) Unavailability of funds;
 - c) Lack of employee interest; or
 - d) Failure to meet expected or desired employee health results.

A Friendly Amendment to the previous Motion was offered by Commissioner Gómez to do as much as possible to make sure that people understand the risks and responsibilities that they have, to not have complications, and to follow the Doctor’s orders.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ISSUE CALL FOR RECOMMENDATIONS TO NAME THE COUNTY-OWNED BUILDING AT 5555 AIRPORT BOULEVARD. (COMMISSIONERS SONLEITNER AND GÓMEZ) (4:11 PM)

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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to implement the Travis County policy and having a naming opportunity on 5555 Airport Boulevard.

Motion carried: County Judge Samuel T. Biscoe no
 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

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that for both Items 16 and 17 an extension for deadlines is Friday, October 13, 2006 with the intention of a Public Hearing on both Items 16's and 17's buildings for Tuesday, October 24, 2006 with us getting information on to the Historical Commission for their early November, 2006 meeting.

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: Items 16 and 17 are associated with one another and were called for concurrent discussion.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS RECEIVED TO NAME THE PRECINCT FOUR BUILDING AT 4011 MCKINNEY FALLS PARKWAY. (4:15 PM)

Clerk's Note: Items 16 and 17 are associated with one another and were called for concurrent discussion. Please refer to Item 16 for a summary of the action taken by the Court.

JUSTICE & PUBLIC SAFETY ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN AGREEMENT WITH THE CAPITAL AREA PLANNING COUNCIL OF GOVERNMENTS FOR USE OF THE REGIONAL EMERGENCY NOTIFICATION SYSTEM. (9:55 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.

PURCHASING OFFICE ITEMS

19. APPROVE EXEMPTION ORDER FOR A CONTRACT TO REPAIR THE DEL VALLE JAIL MAIN KITCHEN FIRE SUPPRESSION SYSTEM FROM THE COMPETITIVE BIDDING REQUIREMENTS OF THE COUNTY PURCHASING ACT (V.T.C.A. LOCAL GOVERNMENT CODE 262.023). (SHERIFFS OFFICE) (COMMISSIONER GÓMEZ) (9:55 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 MODIFICATION NO. 5 TO CONTRACT NO. PS010144JW, PROVIDENCE SERVICES CORPORATION OF TEXAS, FOR INTENSIVE IN-HOME SERVICES. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:55 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 MODIFICATION NO. 4 TO CONTRACT NO. PS010064JW, CHOOSING HOW I LIVE LIFE, FOR SUBSTANCE ABUSE TREATMENT AND COUNSELING SERVICES. (JUVENILE PROBATION) (COMMISSIONER GÓMEZ) (9:55 AM)

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. APPROVE ISSUANCE OF JOB ORDER NO. 42, MINOR CONSTRUCTION AND RENOVATION SERVICES CONTRACT 04K0203BRV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (FM) (COMMISSIONER DAVIS) (9:55 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 ISSUANCE OF JOB ORDER NO. 43, MINOR CONSTRUCTION AND RENOVATION SERVICES CONTRACT 04K0203BRV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (FM) (COMMISSIONER DAVIS) (9:55 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 MODIFICATION NO. 5, AN ASSIGNMENT OF CONTRACT NO. 04T00174JT FROM SCALE FREE COMPANY TO BJA SCALE FREE, INC. DBA SCALE FREE COMPANY. (FAC MGMT) (COMMISSIONER GÓMEZ) (9:55 AM)

Item 24 postponed until September 26, 2006.

- 25. APPROVE MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT NO. IL020019EF, AUSTIN/TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION, FOR COMMUNITY ACTION NETWORK COORDINATOR SERVICES. (HHS & VS) (COMMISSIONER GÓMEZ) (10:57 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 25.

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

- 26. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO INTERLOCAL AGREEMENT NO. IL060040RE, WITH AUSTIN COMMUNITY COLLEGE, FOR EARLY CHILDHOOD MENTORING (TEACHER TRAC). (HHS) (9:55 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.

- 27. APPROVE CONTRACT AWARD FOR PROTECTIVE FOOTWEAR, IFB NO. B060307-LD, TO THE LOW BIDDER, IRON AGE CORPORATION. (TNR) (COMMISSIONER GÓMEZ) (9:55 AM)

Clerk’s Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 28. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. 01T0008-OJ, CERIDIAN BENEFITS SERVICES, INC., FOR THE ADMINISTRATION OF THE FLEXIBLE SPENDING ACCOUNT FOR TRAVIS COUNTY EMPLOYEES. (HRMD) (COMMISSIONER GÓMEZ) (9:55 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON PETITION TO CREATE TRAVIS COUNTY BEE CAVE (GALLERIA) ROAD DISTRICT NO. 1. (9:58 AM)

Clerk’s Note: Item 29 is the action item for the public hearing on Agenda Item 2.

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 29.

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

- 30. 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 5, BLOCK A OF DECKER CREEK ESTATES SECTION 4, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:55 AM)

Clerk's Note: Item 30 is the action item for the public hearing on Agenda Item 3.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE GRANTING OF AN EXCLUSIVE EASEMENT SUBMITTED BY AT&T, TO PLACE AN EQUIPMENT CABINET ON THE PREMISES OF THE TRAVIS COUNTY WINDMILL RUN PARK IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:27 AM)

Clerk's Note: Item 31 is the action item for the public hearing on Agenda Item 4.

Item 31 postponed until September 26, 2006.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO BOB DAIGH, TEXAS DEPARTMENT OF TRANSPORTATION REGIONAL DIRECTOR, FOR A RAMP OFF SH 45 SOUTHEAST TO A COUNTY ROAD. (9:59 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Item 32.

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 ON A PRELIMINARY PLAN IN PRECINCT ONE: BOHL'S TRACT SUBDIVISION, 1692 TOTAL LOTS, 426 ACRES – INTERSECTION OF FM 973 AND NEW SWEDEN GIN (BRITA OLSEN ROAD) – NO FISCAL IS REQUIRED – WATER TO BE PROVIDED BY AQUA WATER SUPPLY CORPORATION – SEWAGE SERVICE TO BE PROVIDED BY THE 973 WASTEWATER COMPANY – NEW SWEDEN MUD #2 – NO MUNICIPAL ETJ. (COMMISSIONER DAVIS) (9:55 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.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:55 AM)
- A. LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND THE TC TWIN CREEKS COMMUNITY, INC. FOR IMPROVEMENTS IN THE RIGHT OF WAY OF TWIN CREEKS CLUB DRIVE FROM ANDERSON MILL ROAD TO NORTH WEST CORNER OF RESERVE AT TWIN CREEKS SECTION 13;
 - B. ACCEPTANCE OF DEDICATION OF ABBOTSBURY DRIVE FROM ANDERSON MILL ROAD TO GRAND OAKS LOOP IN THE RESERVE AT TWIN CREEKS SECTION 17; AND
 - C. LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND TWIN CREEKS COUNTRY CLUB. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 34.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON THE USE OF ALTERNATIVE FISCAL FOR WOODS OF GREENSHORES SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
(9:55 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT AMENDMENT WITH THE CLEAN AIR FORCE OF CENTRAL TEXAS TO FUND AND PAY FY '06 CLEAN AIR FORCE INVOICE (\$10,000) FOR AIR QUALITY PUBLIC EDUCATION AND OUTREACH PROGRAMS. (9:55 AM)

Clerk's Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:55 AM)
- A. A PLAT FOR RECORDING IN PRECINCT TWO: THE COMMONS AT ROWE LANE, PHASE 1, FINAL PLAT (LONG FORM PLAT – 189 TOTAL LOTS, 180 RESIDENTIAL LOTS, 8 OPEN SPACE, HIKE AND BIKE, PRIVATE PARK, DETENTION POND, GREENBELT, DRAINAGE LOTS AND 1 AMENITY LOT – 966.364 ACRES – ROWE LANE – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY MANVILLE WSC – PFLUGERVILLE ETJ);
 - B. CONSTRUCTION AGREEMENT FOR THE COMMONS AT ROWE LANE, PHASE 1 – FINAL PLAT; AND
 - C. CASH SECURITY AGREEMENT FOR ADDITIONAL FISCAL TO RECORD PLAT. (COMMISSIONER SONLEITNER)

Clerk's Note: Items 37.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

38. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:55 AM)

Clerk's Note: Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

40. CONSIDER AND TAKE APPROPRIATE ACTION ON SHERIFF'S OFFICE REQUEST FOR TWO (2) TEXAS COMMISSION ON JAIL STANDARDS APPLICATIONS FOR VARIANCES. (SHERIFF'S OFFICE) (10:15 AM)

Members of the Court heard from: Major David Balagia, Corrections Division; TCSO; Bill Derryberry, Senior Budget Analyst, PBO; and Kimberly Pierce, Interim Planning Manager, CJP.

Clerk's Note: The Court discussed a variance to rule 271.1 (a)(4) Classification and Separation of Inmates.

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

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 a variance to 217.05.02.008 Segregation; 217.05.02.044 Single Cells; 217.05.02.045 Multiple Occupancy Cells; 217.05.05.046/217.05.04.040/217.05.06.017 Dormitories; 217.05.02.047/217.05.041/217.05.06.018 Dayrooms; 217.05.02.052/217.05.04.45/217.05.06.021 Furnishings.

The above variance requests: 217.05.02.008, 217.05.02.044, 217.05.05.046/217.05.04.040/217.05.06.017, 217.05.02.047, 217.05.041, 217.05.06.018, 217.05.02.052, 217.05.04.45, and 217.05.06.021 for Item 40 were discussion only. No formal action taken.

The above variance requests: 217.05.02.008, 217.05.02.044, 217.05.05.046/217.05.04.040/217.05.06.017, 217.05.02.047, 217.05.041, 217.05.06.018, 217.05.02.052, 217.05.04.45, and 217.05.06.021 for Item 40 to be reposted on October 3, 2006.

- 41. CONSIDER AND TAKE APPROPRIATE ACTION ON TRANSFER OF FUNDING IN THE PRELIMINARY BUDGET FROM THE PHARMACY RESERVE TO THE TRAVIS COUNTY SHERIFF'S OFFICE BUDGET FOR AN INTERNAL PHARMACY. (SHERIFF'S OFFICE) (10:45 AM)

Members of the Court heard from: Bill Campbell, Finance Director, TCSO; and Major David Balagia, Corrections Division; TCSO.

Discussion only. No formal action taken.

Item 41 to be reposted October 3, 2006.

- 42. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 7, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (3:56 PM)

Clerk's Note: The Court discussed changes in certain mobile, early voting, and Election Day polling places.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the changes.

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.

43. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON GENERAL LIABILITY CLAIM FILED BY OPHELIA MALICIA FOR WATER DAMAGE TO HER RESIDENCE AT 1405 CANTERBURY, AUSTIN, TEXAS OCCURRING ON MAY 4, 2006. ¹ (4:22 PM) (5:41 PM)

Clerk's Note: Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 43 to be reposted September 26, 2006.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:44 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