

MINUTES OF MEETING – OCTOBER 17, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 17th day of October 2006, the Commissioners' Court convened the Voting Session at 9:17 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 record notes that Precinct One Commissioner Ron Davis and Precinct Three Commissioner Gerald Daugherty were not present during this Voting Session.

The Commissioners Court retired to Executive Session at 10:33 AM.

The Commissioners Court reconvened the Voting Session at 11:42 AM.

The Commissioners Court adjourned the Voting Session at 11:45 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 11:45 AM and adjourned at 12:01 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 12:01 PM and adjourned at 12:02 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD). (9:50 AM)

Clerk's Note: Judge Biscoe reminded Travis County employees that on Friday, October 27th, 2006, we have our annual Halloween festival whose aim is to raise money for the Combined Charities that provide Health and Human services to Travis County Residents.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve the following Consent Items: C1-C2 and Items 3, 4, 5, 6, 8.A&B, 9.A&B, 10, 13.A-H, 14, 15, 17.A-H, 19, 20, 21, A1, and A2. (9:54 AM)

Motion carried:

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

JUSTICE & PUBLIC SAFETY ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT FOR CONSTRUCTION MANAGEMENT WITH THE TRAVIS COUNTY HOUSING FINANCE CORPORATION AND AUTHORIZE FACILITIES MANAGEMENT TO FINALIZE THE ARCHITECTURAL DESIGN FOR THE VISITATION CENTER AT THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER. (9:59 AM)

Members of the Court heard from: Kimberly Pierce, Interim Planning Manager, Criminal Justice Planning (CJP); Roger El Khoury, Director, Facilities Management; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Item 2 to be reposted on October 24, 2006.

PURCHASING OFFICE ITEMS

3. APPROVE MODIFICATION NO. 27 TO CONTRACT NO. MA980095, AGREEMENT FOR EXTENDED SERVICES, WITH TIBURON, INC. (ITS) (COMMISSIONER GÓMEZ) (9:54 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. APPROVE ORDER EXEMPTING THE PURCHASE OF A PROFESSIONAL CLAIMS CONSULTANT FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (TNR) (COMMISSIONER DAVIS) (9:54 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. APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NORTHRIDGE ACRES WATER IMPROVEMENT PROJECT FROM ALAN PLUMMER ASSOCIATES, INC. FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A)(4) OF THE COUNTY PURCHASING ACT. (COMMISSIONER GÓMEZ) (9:54 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 6. APPROVE CONTRACT AWARD FOR THE TRAVIS COUNTY CORRECTIONAL COMPLEX VESDA FIRE ALARM SYSTEM NOZZLE REPLACEMENT, IFB NO. B060213-RV, TO THE SOLE BIDDER, DESIGN SYSTEMS GROUP (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (9:54 AM)

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY CLOSE ELROY ROAD BETWEEN FM 973 AND PROUD PANDA DRIVE FOR ROADWAY RECONSTRUCTION AND WIDENING STARTING OCTOBER 18, 2006 AND CONTINUING FOR ONE YEAR OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER GÓMEZ) (9:57 AM)

Clerk's Note: Item 7 is the action item for the public hearing on Agenda Item 1.

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

Motion carried:

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:54 AM)
- A. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR PARK AT BLACKHAWK SECTION 1, 2 AND 3, THREE SUBDIVISIONS IN PRECINCT TWO; AND
 - B. LICENSE AGREEMENT FOR PARK AT BLACKHAWK HOMEOWNERS ASSOCIATION, INC. (COMMISSIONER SONLEITNER)

Clerk's Note: Items 8.A&B 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 THE FOLLOWING:
(9:54 AM)
- A. PLAT FOR RECORDING IN PRECINCT ONE, SPEIDEL DRIVE SECTION 1, FINAL PLAT (LONG FORM PLAT – 2 TOTAL LOTS, 1 AMENITY AND 1 SCHOOL LOT – 21.39 ACRES, SPEIDEL DRIVE – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LAKESIDE WCID 2C, CITY OF PFLUGERVILLE ETJ); AND
 - B. SUBDIVISION CONSTRUCTION AGREEMENT FOR SPEIDEL DRIVE SECTION 1, FINAL PLAT. (COMMISSIONER SONLEITNER)

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.

Clerk's Note: The Court noted that the Plat in 9.A is in Precinct Two, not Precinct One.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO MODIFY A PARTICIPATION AGREEMENT BETWEEN TRAVIS COUNTY, THE CITY OF PFLUGERVILLE AND A PRIVATE DEVELOPER FOR IMPROVEMENTS TO PECAN STREET, IN PRECINCT TWO. (COMMISSIONER SONLEITNER)
(9:54 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.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON A PARTICIPATION AGREEMENT WITH SR DEVELOPMENT, INC. FOR THE CONSTRUCTION OF ELROY ROAD IN SOUTHEAST TRAVIS COUNTY, PRECINCT FOUR.
(COMMISSIONER GÓMEZ) (9:58 AM) (10:33 AM) (11:42 AM)

Clerk's Note: Judge Biscoe announced that Item 11 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 11.

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

Withdrawal of the Previous Motion was made by Commissioner Gómez **and seconded by** Commissioner Sonleitner.

Discussion only. No formal action taken.

Item 11 to be reposted on October 31, 2006.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

12. RECEIVE AND DISCUSS LETTER FROM U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ADVISING OF SIGNIFICANT REDUCTION IN AMOUNT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION TO TRAVIS COUNTY. (10:03 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Christy Moffett, Social Services Manager, Travis County Health, Human and Services (TCHHS); and Meg Poag, Planner, TCHHS.

Discussion only. No formal action taken.

Item 12 to be reposted on October 24, 2006.

PLANNING AND BUDGET DEPT. ITEMS

13. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:54 AM)
 - A. GRANT APPLICATION TO THE TASK FORCE ON INDIGENT DEFENSE FOR THE FY '07 INDIGENT DEFENSE FORMULA GRANT PROGRAM IN THE CRIMINAL COURTS, WHICH CONTINUES THE EXISTING PROGRAM FOR FY '07;
 - B. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR A DRUG COURT GRANT IN THE CRIMINAL COURTS, WHICH CONTINUES THE EXISTING PROGRAM FOR FY '07;
 - C. CONTRACT WITH SAFEPLACE TO USE CITY OF AUSTIN GRANT FUNDS FOR FAMILY PROTECTION TEAM STAFF IN THE DISTRICT ATTORNEYS' OFFICE AND COUNTY ATTORNEY'S OFFICE, WHICH CONTINUES THE CURRENT PROGRAM THROUGH SEPTEMBER 2008;
 - D. CONTRACT WITH SAFEPLACE TO USE CITY OF AUSTIN GRANT FUNDS FOR FAMILY PROTECTION TEAM STAFF IN THE SHERIFF'S OFFICE, WHICH CONTINUES THE CURRENT PROGRAM THROUGH SEPTEMBER 2008;
 - E. CONTRACT WITH THE FEDERAL BUREAU OF JUSTICE ASSISTANCE FOR THE 2006 JUSTICE ASSISTANCE GRANT, WHICH PROVIDES FUNDS FOR THE PURCHASE OF EQUIPMENT FOR THE SHERIFF'S OFFICE;
 - F. CONTRACT WITH THE BUREAU OF JUSTICE ASSISTANCE FOR A JUSTICE AND MENTAL HEALTH COLLABORATION PROGRAM IN JUVENILE PROBATION. THIS IS A NEW GRANT THAT WILL PROVIDE FUNDS TO OPERATE A JUVENILE MENTAL HEALTH COURT;
 - G. CONTRACT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE FY '07 SOLID WASTE ENFORCEMENT GRANT. THIS IS A NEW ONE-TIME AWARD TO REIMBURSE TRAVIS COUNTY EXPENSES FOR ENFORCEMENT EFFORTS RELATED TO ILLEGAL DUMPING; AND
 - H. CONTRACT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE FY '07 IMPERIAL VALLEY CLEANUP GRANT. THIS IS A NEW ONE-TIME AWARD TO REIMBURSE TRAVIS COUNTY FOR COSTS ASSOCIATED WITH CLEANUP EFFORTS RELATED TO ILLEGAL SOLID WASTE DUMPING.

ITEM 13 CONTINUED

Clerk's Note: Items 13.A-H approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 14. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:54 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.

ADMINISTRATIVE OPERATIONS ITEMS

- 15. 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 \$682,496.02 FOR THE PERIOD OF SEPTEMBER 29 TO OCTOBER 5, 2006. (9:54 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 ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:23 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 16.

Motion carried:

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

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY CLAIM RECOMMENDATIONS: (9:54 AM)
- A. TRAVIS COUNTY SHERIFF'S OFFICE UNIT 2335 – SETTLE;
 - B. TRAVIS COUNTY SHERIFF'S OFFICE UNIT 2184 – SETTLE;
 - C. TRAVIS COUNTY SHERIFF'S OFFICE UNIT 2187 – SETTLE;
 - D. TRANSPORTATION AND NATURAL RESOURCES UNIT SB1900 – SETTLE;
 - E. TRAVIS COUNTY SHERIFF'S OFFICE UNIT 2174 – SETTLE;
 - F. CONSTABLE PRECINCT 5 UNIT 1861 – SETTLE;
 - G. TRAVIS COUNTY SHERIFF'S OFFICE UNIT 2347 – SETTLE; AND
 - H. CONSTABLE PRECINCT 5 UNIT 1859 – SETTLE.

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON SUGGESTIONS TO NAME THE COUNTY BUILDINGS AT 4011 MCKINNEY FALLS PARKWAY AND 5555 AIRPORT BOULEVARD AND SET DATE FOR PUBLIC HEARINGS. (10:23 AM)

Clerk's Note: The Court discussed Staff recommendations to receive suggestions and set a Public Hearing for October 24, 2006.

Members of the Court heard from: Shawn Malone, Research Analyst, Administrative Operations.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve the Staff recommendations for Item 18.

Motion carried:

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

OTHER ITEMS

19. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:54 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO THE OFFICE OF ATTORNEY GENERAL'S CURRENT CONTRACT WITH TRAVIS COUNTY DOMESTIC RELATIONS OFFICE (DRO) FOR COMMUNITY SUPERVISION EFFECTIVE JULY 1, 2006. (JUVENILE PROBATION, DRO) (9:54 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE OFFICE OF ATTORNEY GENERAL'S CONTRACT WITH THE TRAVIS COUNTY DOMESTIC RELATIONS OFFICE FOR CUSTOMER SERVICE AND STATE CASE REGISTRY TO BE EFFECTIVE SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2008. (JUVENILE PROBATION, DRO) (9:54 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (10:27 AM)

- A. RECEIVE BRIEFING FROM FIRST SOUTHWEST AND OTHER CONSULTANTS REGARDING OPPORTUNITY TO REALIZE SIGNIFICANT SAVINGS BY REFINANCING;
- B. AUTHORIZE COUNTY STAFF, FINANCIAL ADVISOR AND BOND COUNSEL TO PROCEED WITH PREPARATION OF NECESSARY DOCUMENTS TO REFINANCE VARIOUS COUNTY DEBT OBLIGATIONS; AND
- C. DESIGNATE FIRST SOUTHWEST AS UNDERWRITER.

Members of the Court heard from: Ladd Patillo, Travis County Financial Advisor; and Garry R. Kimball, Senior Vice President, First Southwest Company.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize that the “proceeding” be ready, and at the appropriate time if we think that we ought to move, the Court would have an opportunity to address it at that point, look at all the specifics, and decide yea or nay.

A Friendly Amendment to the previous Motion was offered by Commissioner Sonleitner to include 22.C.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 7, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:57 AM)

No action necessary on Item 23.

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.

- 24. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON PROPOSED SETTLEMENT OFFER REGARDING PROPERTY CLAIM OF TRAVIS COUNTY IN TCEMS V. MARIA LOPEZ. ¹ (10:33 AM) (11:42 AM)

Clerk's Note: Judge Biscoe announced that Item 24 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 that we approve the settlement offer made by Ms. Lopez and family.

Motion carried:

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

- A2. APPOINT LAURIE SEREMETIS, M.D. TO THE CHILDREN'S PROTECTIVE SERVICES BOARD TO REPLACE PAMELA BAGGET-WALLIS EFFECTIVE NOVEMBER, 2006 FOR A TERM TO EXPIRE MARCH, 2010.
(COMMISSIONER SONLEITNER) (9:54 AM)

Clerk's Note: Item A2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to adjourn the Voting Session. (12:02 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge