

## **MINUTES OF MEETING – DECEMBER 12, 2006**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 12<sup>th</sup> day of December 2006, the Commissioners' Court convened the Voting Session at 9:16 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:34 PM.

The Commissioners Court reconvened the Voting Session at 1:44 PM.

The Commissioners Court retired to Executive Session at 2:37 PM.

The Commissioners Court reconvened the Voting Session at 5:38 PM.

The Commissioners Court adjourned the Voting Session at 5:45 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 5:46 PM and adjourned at 5:48 PM.

**PUBLIC HEARINGS**

1. 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 97 AND 98 AND TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 98 AND 99 ALL BEING WITHIN BLOCK PP OF TWIN LAKE HILLS, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #6) (9:18 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 6 for a summary of the action item.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to open the public hearing.

<b>Motion carried:</b> 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, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

<b>Motion carried:</b> 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**

**Members of the Court heard from:** Greg Hamilton, Travis County Sheriff; Gus Peña, Travis County Resident; Jennifer Gale, Dallas Resident; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Dr. Lynn Stewart, MD, Health and Wellness Clinic; Sherrie Hamilton, RN, Health and Wellness Clinic; Denise Dunn, Risk Management, HRMD; Tomas Ybarra, Travis County Resident; and Bonnie Floyd, Assistant Purchasing Agent.

**CONSENT ITEMS**

**Members of the Court heard from:** Bill Derryberry, Senior Budget Analyst, Planning and Budget Office (PBO).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 9.A&B, 10.A&B, 11.A&B, 13, 15.A, 17, 18.A&B, 20, 21.A, 22, 24, 27.A&B, and 28. (9:36 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 SESSIONS OF NOVEMBER 21 AND 28, 2006.
- C4. RE-APPOINT GILES GARMON, MICHAEL GOBERT AND JESSE ARELLANO AS FIRE COMMISSIONERS TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 12 BOARD. TERM ENDING DECEMBER 31, 2008. (COMMISSIONER DAVIS)
- C5. APPROVE RESOLUTION RECOGNIZING JON WISSER, DISTRICT JUDGE, 299<sup>TH</sup> DISTRICT COURT ON HIS RETIREMENT FROM TRAVIS COUNTY.

**SPECIAL ITEMS**

- 2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY AND RELATED MATTERS. (9:39 AM)

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

No action necessary on Item 2.

**Clerk’s Note:** The County Judge noted that by taking no action the burn ban will remain in place.

Item 2 to be reposted on December 19, 2006.

- 3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF THE SALE OR USE OF RESTRICTED FIREWORKS IN THE UNINCORPORATED AREA OF TRAVIS COUNTY. (9:40 AM)

**Clerk’s Note:** The Court noted the Staff recommendation, which is to prohibit the sale of the following two restricted fireworks: Missiles with fins and stick rockets.

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Chester Davis, Owner, American Fireworks, and President, Texas Pyrotechnic Association; and Jim Connolly, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Staff recommendation, and that we authorize the County Judge to sign on behalf of the Commissioners Court.

**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 AND RECOMMENDATIONS ON THE NAMING OF THE COUNTY BUILDING AT 4011 MCKINNEY FALLS PARKWAY OR ANOTHER COUNTY BUILDING, AND TAKE APPROPRIATE ACTION. (9:47 AM)

**Members of the Court heard from:** Monica McCoy, Travis County Resident; Vicki Sheppard, Travis County Resident; Enid Shoquist, Travis County Resident; Jeanie Speed, widow of Billy Paul Speed; Phillip Connor, Travis County Resident; Jim Cooper, Travis County Resident; and Gilbert Martinez, brother of Ramiro Martinez. (9:47 AM)

Discussion only. No formal action taken.

### **TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

5. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REGARDING COUNTY PUBLIC/PRIVATE PARTNERSHIPS: (5:44 PM)
  - A. REQUEST TO AMEND GUIDELINES FOR COUNTY PARTICIPATION IN PUBLIC/PRIVATE PARTNERSHIPS FOR ARTERIAL ROADWAY CONSTRUCTION ADOPTED JULY 12, 2005 AND REVISED ON JULY 25 AND OCTOBER 31, 2006;
  - B. APPROVAL OF A PARTICIPATION AGREEMENT BETWEEN TRAVIS COUNTY AND A PRIVATE DEVELOPER FOR IMPROVEMENTS TO SLAUGHTER LANE, IN PRECINCT FOUR. (COMMISSIONER GÓMEZ);
  - C. APPROVAL OF A PARTICIPATION AGREEMENT BETWEEN TRAVIS COUNTY AND A PRIVATE PROPERTY OWNER FOR IMPROVEMENTS TO WELLS BRANCH PARKWAY, IN PRECINCT TWO. (COMMISSIONER SONLEITNER); AND
  - D. APPROVAL OF A PARTICIPATION AGREEMENT BETWEEN TRAVIS COUNTY AND PRIVATE DEVELOPERS FOR IMPROVEMENTS TO BRAKER LANE, IN PRECINCT ONE. (COMMISSIONER DAVIS)

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

Items 5.A-D postponed until December 19, 2006.

6. 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 97 AND 98 AND TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 98 AND 99 ALL BEING WITHIN BLOCK PP OF TWIN LAKE HILLS, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (5:42 PM)

**Clerk's Note:** Item 6 is the action item for the public hearing on Agenda Item 1.

Item 6 postponed until December 19, 2006.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING (5:44 PM)
  - A. CHAPTER 82 OF THE TRAVIS COUNTY CODE RELATING TO CONSERVATION DEVELOPMENTS; AND
  - B. CONSERVATION DEVELOPMENT DESIGN MANUAL.

Item 7 postponed until December 19, 2006.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED POLICY REGARDING THE USE OF METAL DETECTORS IN TRAVIS COUNTY PARKS. (10:25 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Carolyn Spock, President, Texas Archeological Society; May Schmidt, Secretary, Travis County Historical Commission; Blaine Nelson, Secretary, Austin Metal Detecting Club (AMDC); Leslie Bush, Travis County Resident; Roy Knowls, Travis County Resident; Ron Ralph, Archeologist and Travis County Resident; Art Tiemann, President, AMDC; Robin Matthews, Travis County Resident; and Larry Vickers, Travis County Resident.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Davis that we table this issue until after the legislative session, and get guidance from the State during the session.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Davis to get this item placed on the legislative agenda.

**Acceptance of the Friendly Amendment was made by** Commissioner Sonleitner.

**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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:36 AM)

- A. AN EXEMPTION FROM PLATTING REQUIREMENTS FOR THE FAIRWAYS AT STEINER RANCH CONDOMINIUM PROJECT – 88 DETACHED SINGLE-FAMILY UNITS (32.10 ACRES LOCATED AT 3120 UNIVERSITY CLUB DRIVE – WATER AND SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID #17); AND
- B. A PHASING AGREEMENT FOR FAIRWAYS AT STEINER RANCH CONDOMINIUM PROJECT. (COMMISSIONER DAUGHERTY)

**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 THE FOLLOWING:  
(9:36 AM)
- A. A PLAT FOR RECORDING IN PRECINCT ONE, SHADOWGLEN PHASE 2 SHADOWGLEN TRACE FINAL PLAT (LONG FORM PLAT – 0 TOTAL LOTS – 10.964 ACRES SHADOWGLEN TRACE – FULL FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILBARGER CREEK MUD NO. 1 – CITY OF MANOR ETJ); AND
  - B. A SUBDIVISION CONSTRUCTION AGREEMENT FOR SHADOWGLEN PHASE 2 SHADOWGLEN TRACE FINAL PLAT. (COMMISSIONER DAVIS)

**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 THE FOLLOWING:  
(9:36 AM)
- A. A PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE ONE, SECTION 10D (LONG FORM PLAT – 90 LOTS – 81.41 ACRES – 85 SINGLE FAMILY LOTS, 4 GREENBELT AND DRAINAGE LOTS AND 1 PRIVATE STREET LOT – UNIVERSITY CLUB DRIVE – TRUST DEED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID NO. 17 – CITY OF AUSTIN ETJ); AND
  - B. A SUBDIVISION CONSTRUCTION AGREEMENT FOR STEINER RANCH PHASE ONE, SECTION 10D, FINAL PLAT. (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 11.A&B 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 A PROPOSED POLICY AND PROGRAM FOR THE CONSTRUCTION AND REMEDIATION OF SIDEWALKS IN CONFORMANCE WITH THE AMERICANS WITH DISABILITIES ACT AND TEXAS ACCESSIBILITY STANDARDS, INCLUDING ADOPTION OF AMENDMENTS TO CH. 82, TRAVIS COUNTY CODE.  
(5:44 PM)

Item 12 postponed until December 19, 2006.



13. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE A CASH SECURITY AGREEMENT FOR BOUNDARY STREET FISCAL FOR ELROY ROAD, A COUNTY ROAD PROJECT IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:36 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED MEMORANDUM OF AGREEMENT BETWEEN TRAVIS COUNTY AND BROWNING FERRIS INDUSTRIES (BFI) REGARDING NORTHEAST TRAVIS COUNTY LANDFILL. (COMMISSIONER DAUGHERTY) (11:22 AM)

**Members of the Court heard from:** John Kuhl, Natural Resources Program Manager, TNR; Tom Nuckols, Assistant County Attorney; Brad Douglas, Allied Waste/BFI; S. Martinez, Travis County Resident; Joyce Best, Travis County Resident; Mary Carter, Attorney representing North East Neighborhood Coalition; Evelyn Rimmert, Travis County Resident; Trek English, North East Action Group; Paul Gosselink, Attorney representing BFI; Melanie McAfee, Owner, Barr Mansion; Mark McAfee, Owner, Barr Mansion; Bob Gregory, President, Texas Disposal Systems (TDS); and Ann McAfee, Travis County Resident.

Discussion only. No formal action taken.

### PLANNING AND BUDGET DEPT. ITEMS

15. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:36 AM)
  - A. GRANT APPLICATION TO TEXAS WATER DEVELOPMENT BOARD FOR A FLOOD PROTECTION PLANNING (DRAINAGE BASIN) STUDY OF TRAVIS COUNTY IN TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT.

**Clerk's Note:** Item 15.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (1:44 PM)

**Clerk's Note:** The Court discussed Budget Amendment A1 where Staff recommended transferring \$233,000.00 instead of \$44,000.00 from the reserve due to increases in the UTMB Pharmacy contract as of January 1, 2007.

**Members of the Court heard from:** Bill Derryberry, Senior Budget Analyst, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Staff recommendations.

**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** Judge Biscoe **and seconded by** Commissioner Gómez to approve the rest of the Budget Amendments and transfers.

**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

## ADMINISTRATIVE OPERATIONS ITEMS

17. 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 \$608,936.47 FOR THE PERIOD OF NOVEMBER 24 TO NOVEMBER 30, 2006. (9:36 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(9:36 AM)
- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
  - B. NON-ROUTINE PERSONNEL ACTION – TAX OFFICE – VOLUNTARY JOB CHANGE - TRAVIS COUNTY CODE SECTION 10.03009.

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

19. DISCUSS AND TAKE APPROPRIATE ACTION ON THE FOLLOWING DEFERRED COMPENSATION COMMITTEE RECOMMENDATIONS:  
(1:47 PM)
- A. A CONTRACT AWARD WITH OPTIONS TO RENEW FOR DEFERRED COMPENSATION 457(B) PLAN ADMINISTRATION TO NATIONWIDE RETIREMENT SOLUTIONS;
  - B. CONTRACT RENEWAL WITH THE RETIREMENT STORE TO PROVIDE PLAN ADVICE AND EXPERTISE TO THE COMMISSIONERS COURT AND THE COMMITTEE ON THE DEFERRED COMPENSATION 457 (B) PLAN AND RELATED ISSUES;
  - C. RELEASE OF A REQUEST FOR PROPOSAL FOR DEFERRED COMPENSATION PLAN ADMINISTRATIVE SERVICES; AND
  - D. DESIGNATION OF A DEFERRED COMPENSATION COMMITTEE FOR PLAN OVERSIGHT.

**Clerk's Note:** Items 19.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; Cyd Grimes, Travis County Purchasing Agent; Barbara Wilson, Assistant County Attorney; William Sawyer, Program Director, Nationwide Retirement Solutions; and Kim Wilder, Deferred Compensation, Nationwide Retirement Solutions.

**ITEM 19 CONTINUED**

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve Item 19.A with an option to renew, but not automatically.

**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 start date of the contract will be moved to December 31, 2006 to enable Nationwide Retirement Services time to implement the contract without being non compliant.

**Motion by** Commissioner Sonleitner **and seconded by** Commissioner Gómez that the RFP for Item 19.C be tabled for one year.

**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** Judge Biscoe **and seconded by** Commissioner Davis to approve the issuance of an RFP, when appropriate, but that we do not change vendors in response to the RFP for at least one year.

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

**Motion by** Judge Biscoe to approve Item 19.B

**Clerk's Note:** The Motion died for lack of a second.

Items 19.B&D to be reposted when ready.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A \$1,400.00 DISCOUNT OF THE RENTAL FEE FOR THE BANQUET HALL FOR THE TRAVIS COUNTY FARM AND RANCH BANQUET SPONSORED BY TEXAS COOPERATIVE EXTENSION AND CALLAHAN GENERAL STORE. (9:36 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 REGARDING THE FOLLOWING AUTOMOBILE LIABILITY CLAIM RECOMMENDATION: (9:36 AM)

A. GLENDA RANGEL – SETTLE.

**Clerk's Note:** Item 21.A 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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON ACCEPTANCE OF DONATION OF PORTABLE TWO-WAY RADIOS FROM MOTOROLA, INC. FOR USE ON THE REGIONAL RADIO SYSTEM. (9:36 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.

**Clerk's Note:** The Court expressed its thanks to Motorola, Inc. for the donation.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON SELECTION OF ONE OF TWO PROPOSALS SUBMITTED IN RESPONSE TO RFP NO. P060285-JT FOR MENTAL HEALTH PUBLIC DEFENDERS GRANT PROGRAM. (9:16 AM)

Item 23 postponed until December 19, 2006.

**PURCHASING OFFICE ITEMS**

24. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 06K00260JW, PALMETTO PRIME OF TAMPA, INC. DBA PAVEMENT RESTORATION, INC. FOR ASPHALT REJUVENATION PROGRAM. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER GÓMEZ) (9:36 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.

25. APPROVE TERMINATION OF CONTRACT NO. PS060199JT, ANEWENTRY, INC., FOR CASE MANAGEMENT SERVICES. (CRIMINAL JUSTICE PLANNING) (COMMISSIONER GÓMEZ) (9:16 AM)

Item 25 postponed until December 19, 2006.

26. APPROVE CONTRACT AWARD FOR CELL DOOR LOCKS, IFB NO.B060174-RG, TO THE LOW BIDDER, CORRECTIONS PRODUCTS COMPANY, LTD. (SHERIFF'S OFFICE) (COMMISSIONER GÓMEZ) (5:45 PM)

Item 26 postponed until December 19, 2006.

27. APPROVE NINE-MONTH EXTENSION TO THE FOLLOWING UNISYS CORPORATION CONTRACTS: (9:36 AM)

A. MODIFICATION NO. 4 TO CONTRACT NO. MA000042, FOR SYSTEM HARDWARE AND SOFTWARE MAINTENANCE SUPPORT SERVICES; AND

B. MODIFICATION NO. 2 TO CONTRACT NO. 95C0150-CG, FOR UNISYS SYSTEM LICENSES. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (COMMISSIONER GÓMEZ)

**Clerk's Note:** Items 27.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## OTHER ITEMS

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:36 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 LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE. (5:45 PM)

Item 29 postponed until December 19, 2006.

## 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.

### **AT 1:45 P.M.**

30. CONDUCT INTERVIEWS WITH CERTAIN CANDIDATES FOR EXECUTIVE MANAGER OF EMERGENCY SERVICES FOR TRAVIS COUNTY EMERGENCY SERVICES AND AUTHORIZE NEGOTIATIONS WITH SELECTED CANDIDATE. <sup>3</sup> (2:37 PM) (5:38 PM)

**Clerk's Note:** Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 30 to be reposted on December 19, 2006.

31. CONSIDER PURCHASE OFFERS RECEIVED FOR PROPERTY AT 6701 BURNET ROAD AND TAKE APPROPRIATE ACTION ON OPTIONS FOR SALE. <sup>2</sup> (2:37 PM) (5:38 PM)

**Clerk's Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann 551.072, Real Property.

Discussion only. No formal action taken.

Item 31 to be reposted on December 19, 2006.



32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ESTATE OF SUSAN C. MILBURN, DECEASED. <sup>1</sup> (2:38 PM)  
(5:38 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.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to accept the mediated settlement where:

- 1) Travis County receives 30% of the remaining half of Susan Milburn’s Estate for distribution to Travis County designated entities to use for the abused and neglected children of Travis County;
- 2) Travis County agrees to make these distributions in Memory of Susan Milburn;
- 3) Travis County agrees that the funds designated for disbursement must be used consistent with the settlement agreement and any Court Order. Specifically, the funds are not to be used for administrative costs or for existing program services. The funds must be used to provide services in addition to existing program services for abused and neglected children of Travis County.
- 4) Travis County designates the funds to be paid out as follows:
  - a) \$20,000.00 to the SafeKids Fund of the Travis County CPS Board;
  - b) \$50,000.00 for additional services to be provided by the Managed Services Organization or Children’s Partnership for abused and neglected children consistent with services identified in the existing contract with Travis County Health and Human Services to be administered by the Office of Children Services.
  - c) 33 1/3% of the remaining funds to CASA of Austin;
  - d) 33 1/3% of the remaining funds to the Austin Children’s Shelter;
  - e) 33 1/3% of the remaining funds to Safeplace of Austin.
- 5) Travis County also accepts the terms of disbursement as set forth in mediation; and
- 6) Authorize the County Judge to sign settlement agreements and terms of disbursement.

**Motion carried:**

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON FARMERS MARKET LEASE AGREEMENT WITH CARRIE KEITH D/B/A COOL BEANS COFFEE. <sup>1</sup>  
<sup>AND 2</sup> (2:38 PM) (5:42 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 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 33 to be reposted on December 19, 2006.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. THOMAS E. AND MILDRED E. SAMS (MARK BROOKSHIER RESALE DEED). <sup>1</sup> (2:38 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.

Item 34 postponed until after January 1, 2007.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. BETHLEHAM BAPTIST CHURCH (THE CHAUTAUQUA FOUNDATION, INC. RESALE DEED). <sup>1</sup> (2:38 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.

Item 35 postponed until after January 1, 2007.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. THE HOLLOW, INC. (ANDREW BELICHESKY RESALE DEED). <sup>1</sup> (2:38 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.

Item 36 postponed until after January 1, 2007.

- 37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. CLYDE DOYAL, TRUSTEE (PATRICK AND VICKI PARRISH RESALE DEED).<sup>1</sup> (2:38 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.

Item 37 postponed until after January 1, 2007.

**ADDED ITEM:**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY TO SUBMIT COMMENTS ON DEPARTMENT OF JUSTICE PROPOSAL REGARDING THE CLEAN AIR ACT CONSENT DECREE WITH ALCOA, INC. AND RELATED ISSUES. (11:13 AM)

**Members of the Court heard from:** John White, Environmental Quality Program Manager, TNR; and Adele Noel, Air Quality Project Manager, TNR.

**Motion by** Judge Biscoe **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

**ADJOURNMENT**

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to adjourn the Voting Session. (5:45 PM)

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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**