

## **MINUTES OF MEETING JULY 10, 2007**

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

On Tuesday, the 10<sup>th</sup> day of July 2007, the Commissioners' Court convened the Voting Session at 9:21 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 and Deputy Robert Resnick.

The Commissioners Court recessed the Voting Session at 11:58 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:42 PM and adjourned at 1:58 PM.

The Commissioners Court reconvened the Voting Session at 1:58 PM.

The Commissioners Court retired to Executive Session at 2:34 PM.

The Commissioners Court reconvened the Voting Session at 6:01PM.

The Commissioners Court adjourned the Voting Session at 6:18 PM.

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD). (9:23 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C6 and Items 4.A, 7, 8, 9.A&B, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 24, 25, 28, 33, and 34. (9:25 AM) (2:33 PM)

**Motion carried:**

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

**Clerk's Note:** Item C3 was further discussed at 2:33 PM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item C3. Judge Biscoe instructed that the record show Commissioner Eckhardt abstaining on the Motion on Item C3. The Commissioners' Court record does reflect the Corrected Vote.

**Corrected Vote:**

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	abstain
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 JUNE 26, 2007.
- C4. APPROVE SETTING A PUBLIC HEARING ON JULY 24, 2007 TO RECEIVE COMMENTS REGARDING REQUEST FOR PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED EASEMENT OFF PRIEM LANE TO "KEILMAN LANE", IN PRECINCT TWO. (COMMISSIONER ECKHARDT)

**CONSENT ITEMS CONTINUED**

- C5. APPROVE SETTING A PUBLIC HEARING ON JULY 31, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOT 24 AND LOT 25 OF LAKE RIDGE ESTATES, SECTION 3, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C6. APPROVE SETTING A PUBLIC HEARING ON AUGUST 14, 2007 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 AND 7, PEARSON SUBDIVISION NUMBER 2 (2 TOTAL LOTS). (COMMISSIONER DAUGHERTY)

**RESOLUTIONS & PROCLAMATIONS**

1. APPROVE PROCLAMATION RECOGNIZING DR. CIRO E. GARCIA AS HE CELEBRATES HIS 45<sup>TH</sup> YEAR AS PASTOR OF THE BETANIA BAPTIST CHURCH AND HIS 85<sup>TH</sup> BIRTHDAY. (JUDGE BISCOE) (9:27 AM)

**Members of the Court heard from:** Ruben Garcia, Son of Ciro E. Garcia; and Wes Todd, Treasurer, Betania Baptist Church.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Proclamation in Item 1.

<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

2. APPROVE RESOLUTION RECOGNIZING THE 10<sup>TH</sup> YEAR OF THE HEALTHY FAMILIES TRAVIS COUNTY PROGRAM. (9:35 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans Services (TCHHS&VS); Princess Katana, Project Director, The Children's Partnership; Judy Schwartz, Program Manager, Healthy Families; and Jessica Colin, participant, Healthy Families program.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Proclamation in Item 2.

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

### SPECIAL ITEMS

3. RECEIVE BRIEFING ON RECENT FLOODING IN TRAVIS COUNTY AND SURROUNDING AREAS AND TAKE APPROPRIATE ACTION. (10:34 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Stacey Scheffel, Flood Plain Manager, Transportation and Natural Resources (TNR); and Melinda Mallia, Environmental Project Manager, TNR.

Discussion only. No formal action taken.

**PLANNING AND BUDGET DEPT. ITEMS**

4. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:25 AM)
- A. APPROVE GRANT APPLICATION TO THE U. S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE 2007 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) IN THE SHERIFF'S OFFICE. GRANT PROVIDES REIMBURSEMENT FOR PRIOR YEAR EXPENDITURES FOR THE PERIOD FROM JULY 1, 2005 THROUGH JUNE 30, 2006.

**Clerk's Note:** Item 4.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:48 AM)

**Members of the Court heard from:** Jessica Rio, Budget Analyst, Planning and Budget Office (PBO).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the two recommended by Transportation and Natural Resources (TNR), the Amendment and the Transfer in Item 5.

**A Division of the Vote was requested by** Commissioner Daugherty.

**First Division of the Vote:**

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Budget Amendment A1 in Item 5.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 5 CONTINUED****Second Division of the Vote:**

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we take the \$11,000.00 for the Transportation Alliance from the TNR Salary Savings.

**Motion carried:**

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

6. CONSIDER AND TAKE APPROPRIATE ACTION ON DRAFT ADVERTISEMENT FOR PUBLIC HEARING TO SET ELECTED OFFICIALS' SALARIES FOR FY '08 AND CALENDAR FOR ACTIONS FOR THE REMAINDER OF THE SALARY SETTING PROCESS. (10:50 AM) (2:34 PM) (6:01 PM)

**Members of the Court heard from:** Belinda Powell, Capital Planning Coordinator, PBO; Susan Spataro, Travis County Auditor; Barbara Wilson, Assistant County Attorney; Christian Smith, Executive Manager, PBO; and John Hille, Assistant County Attorney.

**Clerk's Note:** Judge Biscoe announced that Item 6 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Clerk's Note:** The County Judge explained that this is an initial setting of a possible salary increase percentage for elected officials. By law, the Court can come down from the original advertised number, but cannot increase the proposed percentage.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to advertise at 5%.

**Withdrawal of the Previous Motion was made by** Judge Biscoe.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to advertise at 6%.

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

## ITEM 6 CONTINUED

**A Substitute Motion was made by** Commissioner Eckhardt and **Seconded by** Commissioner Davis to leave it at 3.5%, as the ceiling.

<b>Motion failed:</b>	County Judge Samuel T. Biscoe	no
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	no
	Precinct 4, Commissioner Margaret J. Gómez	no

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

<b>Motion failed:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	no
	Precinct 2, Commissioner Sarah Eckhardt	no
	Precinct 3, Commissioner Gerald Daugherty	no
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we set it at 5%.

<b>Motion failed:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	no
	Precinct 2, Commissioner Sarah Eckhardt	no
	Precinct 3, Commissioner Gerald Daugherty	no
	Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Davis to entertain it at 4.5%.

<b>Motion failed:</b>	County Judge Samuel T. Biscoe	no
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	no
	Precinct 4, Commissioner Margaret J. Gómez	no

Item 6 to be reposted on July 17, 2007.

## ADMINISTRATIVE OPERATIONS ITEMS

7. 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 \$676,100.75 FOR THE PERIOD OF JUNE 22 TO JUNE 28, 2007. (9:25 AM)

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:25 AM)

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

9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY CLAIM RECOMMENDATIONS: (9:25 AM)
  - A. TRANSPORTATION AND NATURAL RESOURCES UNIT EX2270 – SETTLE; AND
  - B. FACILITIES MANAGEMENT – SETTLE.

**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. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING SEARCH FOR POTENTIAL SITES FOR A NEW TRAVIS COUNTY REGIONAL MEDICAL EXAMINERS CENTER AND ASSOCIATED ISSUES. (11:21 AM)

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Danny Hobby, Executive Manager, Travis County Emergency Services; Dr. David Dolinak, Travis County Medical Examiner; and Leslie Stricklan, Project Manager, Facilities Management.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez that we authorize Staff to get with Purchasing to secure the services of an appropriate broker, services provided free of charge with a commission later on, to help us identify potential sites that meet the criteria that we listed today.

<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

## PURCHASING OFFICE ITEMS

11. APPROVE CONTRACT AWARD FOR LAW ENFORCEMENT SCHEDULING SOFTWARE TO JIVASOFT CORPORATION. (SHERIFF'S OFFICE) (9:25 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. APPROVE ORDER EXEMPTING THE PURCHASE OF CONSULTING, RESEARCH AND ADVISORY SERVICES FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT, AND AWARD CONTRACT TO BURTON GROUP, INC. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS/COUNTY AUDITOR) (9:25 AM)

**Clerk's Note:** Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. APPROVE MODIFICATION NO. 8 AND RATIFICATION TO CONTRACT NO. MA040180LC, NEUBUS, INC., FOR MICROFILM SCANNING AND INDEXING SERVICES. (COUNTY CLERK) (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.

14. DECLARE CERTAIN EQUIPMENT AS SURPLUS PROPERTY PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE AND AUTHORIZE SAME TO BE DISPOSED OF THROUGH DELL, INC. (PURCHASING) (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. DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 06K00259LP, CASH CONSTRUCTION, FOR ANDERSON MILL ROAD IMPROVEMENTS. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAUGHERTY) (9:25 AM)

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

17. APPROVE CONTRACT AWARD FOR PRINTING AND MAILING SERVICES, IFB NO. B070270-RG TO THE SOLE BIDDER, INFORMATION MANAGEMENT SOLUTIONS. (RECORDS MANAGEMENT) (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. 2 TO JOB ORDER NO. 56, CONTRACT NO. 04K0203BRV, ARCHITECTURAL HABITAT OF AUSTIN, INC., FOR ADDITIONAL MINOR CONSTRUCTION AND RENOVATION SERVICES FOR THE COLLIER EAST COMMAND CENTER. (FACILITIES MANAGEMENT) (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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR MODIFICATION NO. 3 TO CONTRACT NO. PS040282JW WITH ROBERT R. KAMM AND CHRISTOPHER S. SHIELDS, P.C., FOR PROFESSIONAL LEGISLATIVE ADVOCACY SERVICES. (COMMISSIONERS COURT) (10:32 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 19.

<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

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

20. CONSIDER AND TAKE APPROPRIATE ACTION ON A LICENSE AGREEMENT WITH THE LOWER COLORADO RIVER AUTHORITY ALLOWING THEM TO INSTALL, OPERATE AND MAINTAIN A WEATHER MONITORING STATION IN TRAVIS COUNTY'S NORTHEAST METROPOLITAN PARK. (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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE USE OF ALTERNATIVE FISCAL FOR ELM CREEK SECTION 5B, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:25 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:  
(9:22 AM) (2:34 PM) (6:10 PM)
- A. VARIANCE FROM SECTION 82.202(L)(2)(B), STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS IN TRAVIS COUNTY;
  - B. PRELIMINARY PLAN IN PRECINCT THREE: RGK RANCH, PRELIMINARY PLAN (1508 TOTAL LOTS); AND
  - C. PHASING AGREEMENT BETWEEN RGK AND TRAVIS COUNTY.  
(COMMISSIONER DAUGHERTY)

**Clerk's Note:** Judge Biscoe announced that Items 22.A-C would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Clerk's Note:** Items 22.A-C are associated with one another and were called for concurrent discussion.

Discussion only. No formal action taken.

Items 22.A-C to be reposted on July 17, 2007.

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

23. RECEIVE AN UPDATE ON IMPLEMENTATION OF THE MOBILE CRISIS OUTREACH TEAM, AND RELATED ISSUES. (9:44 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; Charles Harrison, Chief Operating Officer, Austin-Travis County Mental Health Mental Retardation (A-TCMHMR); Dr. Debbie Webb, A-TCMHMR; Sherry Blyth, Associate Director, Crisis Services, A-TCMHMR; Sgt. Hicks, Mental Health Team, Travis County Sheriff's Office (TCSO); and Cyd Grimes, Travis County Purchasing Agent.

Discussion only. No formal action taken.

## OTHER ITEMS

24. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (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.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DAVID WILLIAMS TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, EFFECTIVE IMMEDIATELY THROUGH JUNE 2010. (COMMISSIONER DAUGHERTY) (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. DISCUSS AND TAKE APPROPRIATE ACTION ON FEASIBILITY OF CREATING POSITION TO PERFORM PUBLIC INFORMATION, INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE DUTIES AT TRAVIS COUNTY. (JUDGE BISCOE) (2:14 PM)

Discussion only. No formal action taken.

Item 26 to be reposted July 24, 2007.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CAPITAL METRO FOR APPOINTMENT OF THREE COUNTY MEMBERS TO LOCAL FARE APPROVAL COMMITTEE. (11:52 AM)

Discussion only. No formal action taken.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST BY TRAVIS COUNTY SHERIFF'S OFFICE REGARDING THE DISPOSITION OF REIMBURSEMENT FUNDS TO TRAVIS COUNTY FROM THE STATE OF TEXAS FOR HURRICANE RITA EXPENSES RELATED TO TRAVIS COUNTY SHERIFF'S OFFICE DEPLOYMENT TO CAMERON PARISH IN 2005. (SHERIFF'S OFFICE) (9:25 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. RECEIVE REPORT AND TAKE APPROPRIATE ACTION REGARDING LEGISLATIVE ACTION TAKEN DURING THE 80<sup>TH</sup> TEXAS LEGISLATURE AND THE IMPACT OF CERTAIN LEGISLATION ON TRAVIS COUNTY. (9:22 AM)

Item 29 postponed until July 17, 2007.

30. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE CREATION OF A NEW COUNTY COURT AT LAW NO. 8. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (1:58 PM) (2:34 PM) (6:10 PM)

**Clerk's Note:** Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** The Honorable David Crain, Judge, County Court at Law Number Three; The Honorable Mike Denton, Judge, County Court at Law Number Four; and Roger El Khoury, Director, Facilities Management.

Discussion only. No formal action taken.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SET A PUBLIC HEARING DATE ON JULY 24, 2007 REGARDING THE PROPOSED ISSUANCE OF THE CRAWFORD EDUCATION FACILITIES CORPORATION ADJUSTABLE RATE DEMAND REVENUE BONDS, SERIES 2007 (CONCORDIA UNIVERSITY AT AUSTIN PROJECT). (11:57 AM)

**Members of the Court heard from:** Harvey Davis, Manager, Travis County Corporations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 31.

**Motion carried:**

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

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE ISSUANCE, SALE AND DELIVERY OF SINGLE FAMILY MORTGAGE REVENUE AND REFUNDING BONDS (MORTGAGE-BACKED SECURITIES PROGRAM) SERIES 2007A (AMT) BY TRAVIS COUNTY HOUSING FINANCE CORPORATION. (11:56 AM)

**Members of the Court heard from:** Harvey Davis, Manager, Travis County Corporations.

**Motion by** Judge Biscoe **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 Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

33. CONSIDER AND TAKE APPROPRIATE ACTION ON APPROVAL AND CONFIRMATION OF LICENSED PEACE OFFICERS AS PER TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (CONSTABLE PRECINCT TWO) (9:25 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 REQUEST TO APPROVE INTERLOCAL AGREEMENT WITH LEANDER INDEPENDENT SCHOOL DISTRICT FOR LAW ENFORCEMENT SERVICES IN THE FORM OF SCHOOL RESOURCE OFFICERS. (CONSTABLE PRECINCT TWO) (9:25 AM)

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

## EXECUTIVE SESSION ITEMS

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

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

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

### **THIS ITEM TO BE TAKEN UP AT 2:00 P.M.**

35. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON SELECTION OF EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY. <sup>1 AND 3</sup> (2:34 PM) (6:10 PM)

**Clerk's Note:** Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the draft flier and revised job description; that we authorize our Human Resources and Development Department to post those two expeditiously, and invite employment applications, post that until filled; and that 30 days from today, August 10, 2007, the Court pull the applications that have been filed, review them and decide what action, if any, to take.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes



36. CONSIDER AND TAKE APPROPRIATE ACTION ON THE EXPANSION APPLICATION AND RELATED DOCUMENTATION OF BFI-ALLIED WASTE FILED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. <sup>1</sup>  
(2:34 PM) (6:11 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.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we take the draft document prepared by the County Attorney's office, and authorize the County Attorney to share that document with others who have asked for the opportunity to provide legal comments and input to Travis County on how to develop language and documents to promote the enforceability of a November 1, 2015 closure date; that we give those to whom that document is sent until July 31, 2007 to provide comments to the County Attorney's Office, from which the invitations and draft documents will be mailed.

**Motion carried:**

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

37. CONSIDER AND TAKE APPROPRIATE ACTION IN RELATION TO STAR FLIGHT OPERATIONS REGARDING: (2:34 PM) (6:12 PM)

A. INTERPRETATION OF EXCEPTION FOR PILOTS FROM TRAVIS COUNTY PERSONNEL POLICY PROCEDURES, SECTION 10.043 HOLIDAYS; AND

B. PRACTICES RELATED TO PAYMENT OF ON-CALL SERVICES. <sup>1</sup>

**Clerk's Note:** Judge Biscoe announced that Items 37.A&B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Barbara Wilson, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve that order as it is drafted by the County Attorney and that will cover 37.A, which is the holiday pay.

**Motion carried:**

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

## ITEM 37 CONTINUED

**Motion by Judge Biscoe and seconded by** Commissioner Gómez that we authorize the Danny Hobby, Executive Manager, Travis County Emergency Services to initiate appropriate internal disciplinary action and education, and work management controls regarding the use of on-call services with the Star-Flight Program. This Motion contains the intention to forget and forgive any over-payments that have been made under an incorrect interpretation of the current policy.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	abstain
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

38. RECEIVE LEGAL BRIEFING REGARDING CONTRACT AND DEED ON THE  
CURRENT MEDICAL EXAMINER'S BUILDING AT 1213 SABINE STREET. <sup>1</sup>  
(2:34 PM) (6:14 PM)

**Clerk's Note:** Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 38.

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON CLAIM BY JENNIFER MALDONADO, FORMER SLOT #45; EEOC CHARGE NO. 31C-2007-00733. <sup>1</sup> (2:34 PM) (6:15 PM)

**Clerk's Note:** Judge Biscoe announced that Item 39 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 Davis** that we re-authorize the mediation, the difference is that it is private mediation and Travis County will pay for it; that will cost between \$1,200.00 and \$1,800.00.

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Gerald Daugherty	yes
	Precinct 4, Commissioner Margaret J. Gómez	yes

40. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POTENTIAL PURCHASE OF PROPERTY ON LAVACA STREET IN CENTRAL AUSTIN. <sup>1</sup> and <sup>2</sup> (2:34 PM) (6:15 PM)

**Clerk's Note:** Judge Biscoe announced that Item 40 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.

**Members of the Court heard from:** John Hille, Assistant County Attorney; and Barbara Wilson, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we agree to pay \$2.4M, which is \$100,000.00 more than we discussed last time; that we also agree to the other requirements contained in the draft agreement that has been provided for our signature, which includes a donation of \$25,000.00 to \$30,000.00 worth of personal property (furniture); that we further direct the Planning and Budget Office (PBO) to transfer \$100,000.00 from Allocated Reserve for earnest money, preferably as an automatic transfer, and make changes on dates in the paragraphs 3.3 and 4.1 to make them consistent with our conversations.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: LEHNE ADDITION (2 TOTAL LOTS). <sup>1</sup> (2:34 PM) (6:17 PM)

**Clerk's Note:** Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 41.

Item 41 to be reposted on July 24, 2007.

## ADJOURNMENT

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to adjourn the Voting Session. (6:18 PM)

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	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**