

## **MINUTES OF MEETING JULY 24, 2007**

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

On Tuesday, the 24<sup>th</sup> day of July, 2007, the Commissioners' Court convened the Voting Session at 9:19 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 12:11 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:38 PM and adjourned at 1:40 PM.

The Commissioners Court reconvened the Voting Session at 1:40 PM.

The Commissioners Court retired to Executive Session at 1:40 PM.

The Commissioners Court reconvened the Voting Session at 2:22 PM.

The Commissioners Court retired to Executive Session at 4:28 PM.

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

The Commissioners Court adjourned the Voting Session at 5:48 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT ONE: JOHLE HILL, A REVISED PLAT OF LOT 6 JA P. KEMP SUBDIVISION (21 TOTAL LOTS). (COMMISSIONER DAVIS) (ACTION ITEM #6) (9:22 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 Davis **and seconded by** Commissioner Daugherty to open the public hearing.

<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

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

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

<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

2. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 50, 51, 52 AND A PORTION OF LOT 49 AND 0.348 AND 0.570 ACRE TRACTS, LAKEHURST SUBDIVISION (4 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (ACTION ITEM #7) (9:23 AM) (10:24 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 7 for a summary of the action item.

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

**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

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Anna Bowlin, Program Manager, Planning and Engineering, TNR; Jim Whitliff, Consultant for property owner; Mike Richter, property owner; Bill Brown, Attorney for property owner; Glenda Waters, Travis County Resident; and Steve Poalson, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to recess the public hearing on Item 2.

**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 2 was revisited at 10:24 AM.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Mike Richter, property owner.

## ITEM 2 CONTINUED

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

<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

3. RECEIVE COMMENTS REGARDING REQUEST FOR PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED EASEMENT OFF PRIEM LANE TO "KEILMAN LANE," IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (ACTION ITEM #8) (9:35 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 8 for a summary of the action item.

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

<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

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

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

<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

4. RECEIVE COMMENTS ON THE PROPOSED ISSUANCE OF THE CRAWFORD EDUCATION FACILITIES CORPORATION ADJUSTABLE RATE DEMAND REVENUE BONDS, SERIES 2007 (CONCORDIA UNIVERSITY AT AUSTIN PROJECT) IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$47,000,000. (ACTION ITEM #42) (9:36 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 42 for a summary of the action item.

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

**Members of the Court heard from:** Cliff Blount, Attorney for the Travis County Corporations.

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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Brent Spicer, Travis County Sheriffs Office (TCSO); Alex Leo, Travis County Sheriff's Officers Association (TCOA); Tomas Ybarra, Travis County Resident; Rick Hightower, Representing Paz Dhody, Purchaser of Farmers Market. (9:38 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C3 and Items 6, 8, 10, 13, 18.A-C, 21, 22, 23, 24, 25.A-K, 27, 28, 29.A&B, 30, 31.A-D, 32, 33, 34, 35, 42, and A1. (10:00 AM)

**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

- 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 JULY 3 AND JULY 10, 2007, AND THE PUBLIC HEARINGS OF JULY 3 AND JULY 10, 2007.

## SPECIAL ITEMS

- 5. RECEIVE BRIEFING ON RECENT FLOODING IN TRAVIS COUNTY AND SURROUNDING AREAS AND TAKE APPROPRIATE ACTION. (9:52 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Stacey Scheffel, Flood Plains Manager, TNR.

Discussion only. No formal action taken.

Item 5 to be reposted when needed.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

6. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: JOHLE HILL, A REVISED PLAT OF LOT 6 JA P. KEMP SUBDIVISION (21 TOTAL LOTS). (COMMISSIONER DAVIS) (10:00 AM)

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

**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.

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 50, 51, 52 AND A PORTION OF LOT 49 AND 0.348 AND 0.570 ACRE TRACTS, LAKEHURST SUBDIVISION (4 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:19 AM)

**Clerk's Note:** Item 7 is the action item for the public hearing on Agenda Item 2.

Item 7 postponed until further notice.

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST FOR PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED EASEMENT OFF PRIEM LANE TO "KEILMAN LANE", IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (10:00 AM)

**Clerk's Note:** Item 8 is the action item for the public hearing on Agenda Item 3.

**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 ON A PLAT FOR RECORDING IN PRECINCT ONE: LEHNE ADDITION (2 TOTAL LOTS). (COMMISSIONER DAVIS) (2:22 PM)

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR; David Hartman, Attorney for applicant; Randy Hill, Modern Welding Co. of Texas, Inc.; Tom Nuckols, Attorney, City of Austin; George Zapalac, Watershed Protection and Development Review Dept., City of Austin; John Hille, Assistant County Attorney; Anton Rozsypal, Texas Commission on Environmental Quality (TCEQ); Tony Ionescu, TCEQ; Richard Bishop, Assistant State Fire Marshal; Brad Beauchamp, Travis County Fire Marshal; Marshall Lee, Travis County Fire Marshal's Office; John Kuhl, Natural Resources Program Manager, TNR; Paul Turner, Facilities, Austin Independent School District (AISD); Barbara Scott, President, Colony Park Neighborhood Association; Rosalyn Niles, Travis County Resident; Steve Reinhardt, Scenic Point Neighborhood Resident; Willene Cook, LBJ Neighborhood Association; Dennis McClintock, President, Scenic Point Homeowners Association; Len Alderson, Bury and Partners; Richard Franklin, Black Austin Democrats; Sarah Jackson, Secretary, Colony Park Neighborhood Association; and Alfreda Loving, Colony Park Neighborhood Association.

**Motion by** Commissioner Davis to oppose this particular development project at the Lehne Addition, based on all the concerns that have been brought up, and to ask the applicant to relocate this facility, not adjacent to schools and neighborhoods.

**Withdrawal of the previous Motion was made by** Commissioner Davis.

Item 9 to be reposted on August 7, 2007.

10. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE JOINT USE DRIVEWAY FOR THE RESUBDIVISION OF LOT F5, NORTHWEST HILLS RANCH, SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:00 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 THE FOLLOWING:  
(9:20 AM)
- A. A FINAL PLAT FOR RECORDING IN PRECINCT TWO, TRAVESIA, (AKA RACEWAY CROSSING, SECTION 1), PHASE 1, FINAL PLAT (5 TOTAL LOTS); AND
- B. APPROVE A SUBDIVISION CONSTRUCTION AGREEMENT FOR TRAVESIA, PHASE 1, FINAL PLAT. (COMMISSIONER ECKHARDT)

Items 11.A&B postponed until further notice.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR RESOLUTION IN SUPPORT OF REQUIRING PENSKE TRUCK LEASING CO. L.P. TO REMOVE HAZARDOUS WASTE FROM THE TEXAS DISPOSAL SYSTEMS LANDFILL, INC. SITE. (1:40 PM) (4:28 PM) (5:44 PM)

**Clerk's Note:** Judge Biscoe announced that Item 12 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **seconded by** Commissioner Daugherty to approve the Resolution in Item 12 as revised by the Court and legal counsel today, and authorize the entire Commissioners Court to sign the Resolution.

**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

13. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE ADVANCE FUNDING AGREEMENTS WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OR REHABILITATION OF BRIDGES 136, 229, 302, 314 AND 315, IN PRECINCTS ONE, TWO AND THREE. (10:00 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 THE FOLLOWING:  
(11:04 AM)
- 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, INCLUDING PROVISIONS REGARDING A PORTION OF REIMERS-PEACOCK ROAD AND IMPROVEMENTS TO HIGHWAY 71.  
(COMMISSIONER DAUGHERTY)

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR; Joe Gieselman, Executive Manager, TNR; Robert Kleeman, representing applicant; Karen Huber, Travis County Resident; Hans Huth, Travis County Resident; Laura Gruike, Travis County Resident; Cindy Phillips, Travis County Resident; Cecil Perkins, Travis County Resident; Susie Fowler, Travis County Resident; and Bill Bunch, Save Our Springs (SOS) Alliance.

Discussion only. No formal action taken.

Item 14 to be reposted on August 7, 2007.

15. DISCUSS AND TAKE APPROPRIATE ACTION ON ALTERNATIVE FUNDING FOR HOWARD LANE EAST. (COMMISSIONER DAVIS AND JUDGE BISCOE) (10:26 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Sandy Hentges, Greater Austin Chamber of Commerce.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve a letter to the Mayor and City Council of Austin, basically asking two things as to Capital Area Metropolitan Planning Organization (CAMPO) funding, and that is: A) funding for this project for the City and County, and B) if the City has its money already and chooses to use that money for Howard Lane, then, that they join us in asking CAMPO to fund the County section; and also, that we do further work on our ability to use County funding that at some point would be returned from the Texas Department of Transportation (TXDOT), because it is a surplus; how we can use those funds in various ways if we choose to, to fund the County's part.

**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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON OFFER FROM WASTE MANAGEMENT TO PARTNER WITH TRAVIS COUNTY TO TRANSPORT LEACHATE FROM ITS FACILITY BY SHARING LIFT STATION. (9:21 AM)

Item 16 pulled from the Agenda.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT FOR LEGAL SERVICES ON APPEAL OF OAK GROVE PLANT PERMIT. (JUDGE BISCOE) (1:40 PM) (5:45 PM)

**Clerk's Note:** Judge Biscoe announced that Item 17 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 17 to be reposted on July 31, 2007.

**PLANNING AND BUDGET DEPT. ITEMS**

18. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:00 AM)
- A. APPROVE GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT FOR IMPROVEMENTS AT THE MILTON REIMERS RANCH PARK AND 27.5 ACRE PORTION OF THE POGUE SPRINGS PRESERVE FOR ENDANGERED SPECIES PROTECTION;
  - B. APPROVE GRANT CONTRACT WITH THE AUTO THEFT PREVENTION AUTHORITY FOR THE SHERIFF'S DEPARTMENT TO CONTINUE REDUCING AUTO THEFT RATES IN THE 17 COUNTY TASK FORCE AREA; AND
  - C. PERMISSION TO CONTINUE FAMILY VIOLENCE ACCELERATED PROSECUTION PROGRAM IN THE COUNTY ATTORNEY'S OFFICE FOR TWO MONTHS.

**Clerk's Note:** Items 18.A-C 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:47 AM)

**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 Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The Court noted that Budget Amendment A1 was pulled from Item 19.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PARTICIPATION OF TRAVIS COUNTY IN TEXSTAR, A LOCAL GOVERNMENT INVESTMENT POOL, AND AUTHORIZATION FOR JUDGE BISCOE TO SIGN THE ENROLLMENT DOCUMENTS. (9:21 AM)

Item 20 postponed until July 31, 2007.

### **ADMINISTRATIVE OPERATIONS ITEMS**

21. 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 \$749,754.24 FOR THE PERIOD OF JULY 6 TO JULY 12, 2007. (10:00 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:00 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.

### **PURCHASING OFFICE ITEMS**

23. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL060335RE, PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT, FOR THE OUT OF SCHOOL PROGRAM. (HHS & VS) (10:00 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. 6 TO CONTRACT NO. 07K00024DG, ARCHITECTURAL HABITAT, FOR ADDITIONAL RENOVATION SERVICES FOR THE POST ROAD RENOVATION ASSOCIATE JUDGES COURT. (FACILITIES MANAGEMENT) (10:00 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO THE FOLLOWING CONTRACTS FOR GEOTECHNICAL AND CONSTRUCTION TESTING SERVICES: (10:00 AM)

- A. PS060173DG - CTL THOMPSON;
- B. PS060289DG - ALLIANCE;
- C. PS060290DG - ALPHA TESTING;
- D. PS060291DG - FUGRO;
- E. PS060292DG - HVJ ASSOCIATES;
- F. PS060293DG - INTEC;
- G. PS060294DG - PSI;
- H. PS060295DG - RABA-KISTNER;
- I. PS060296DG - RODRIGUEZ ENGINEERING;
- J. PS060297DG - TERRACON; AND
- K. PS060298DG – KLEINFELDER.

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

26. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS070094DG, LOOMIS AUSTIN, FOR PROFESSIONAL SURVEYING SERVICES FOR THE ALEX DUNLAP SURVEY NO. 805. (TRANSPORTATION AND NATURAL RESOURCES) (11:03 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 26.

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

27. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. CM060013LC, STATSEEKER PTY LTD, FOR SOFTWARE LICENSES, SUPPORT AND MAINTENANCE. (INFORMATION AND TELECOMMUNICATIONS SYSTEM) (10:00 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. PS060314LC, INDIGENT HEALTHCARE SOLUTIONS, LTD, FOR PROFESSIONAL SERVICES AND NONEXCLUSIVE LICENSE AGREEMENT FOR INMATE HEALTHCARE SOFTWARE. (SHERIFF'S OFFICE) (10:00 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. APPROVE CONTRACT AWARD FOR WATER TREATMENT SERVICES, IFB NO. B070222-DR, TO THE FOLLOWING: (10:00 AM)

A. CATEGORIES A, B AND D, SCALE FREE COMPANY; AND

B. CATEGORIES C AND D, GARRATT-CALLAHAN COMPANY. (FACILITIES MANAGEMENT)

**Clerk's Note:** Items 29.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. APPROVE CONTRACT NO. PS070297VR WITH RESOLUTION ADOLESCENT COUNSELING SERVICES, LLC TO PROVIDE ASSESSMENT SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (10:00 AM)

**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. APPROVE CONTRACT AWARDS FOR NON-ORIGINAL EQUIPMENT MANUFACTURER AUTOMOTIVE PARTS, IFB NO. 070231-RG, TO THE LOW BIDDERS: (10:00 AM)

- A. O'REILY AUTOMOTIVE PARTS: GROUPS 2, 10, 12, 19, 20 AND 22;
- B. TEXAS ALTERNATOR STARTER SERVICES: GROUPS 6, 7, 8 AND 9;
- C. ARNOLD OIL CO.: GROUPS 1, 3, 4, 5, 11, 13, 14, 15, 16, 17, 18, 21, 23, 24 AND 25; AND
- D. NO AWARD ON GROUP 26. (TRANSPORTATION AND NATURAL RESOURCES)

**Clerk's Note:** Items 31.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. APPROVE CONTRACT AWARD FOR SEPTIC AND HOLDING TANK SERVICES, IFB NO. B070262-NB, TO THE SOLE BIDDER, PLUMMERS ENVIRO SOLUTIONS, INC. (TRANSPORTATION AND NATURAL RESOURCES) (10:00 AM)

**Clerk's Note:** Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. APPROVE CONTRACT AWARD FOR CONSTRUCTION OF EASTSIDE SERVICE CENTER FOR THE TRANSPORTATION AND NATURAL RESOURCES (BASE BID, ALTERNATE NO. 3, ALTERNATE NO. 4 AND ALTERNATE NO. 5), IFB NO. B070254-RV, TO THE LOW BIDDER, STEWARD BUILDERS, LTD. (FACILITIES MANAGEMENT) (COMMISSIONER DAVIS) (10:00 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.



**OTHER ITEMS**

34. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:00 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.

35. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JUNE 2007. (COUNTY AUDITOR) (10:00 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. RECEIVE AND DISCUSS AS NECESSARY THE THIRD REVENUE ESTIMATE FOR THE FY 2008 BUDGET PROCESS. (COUNTY AUDITOR) (10:48 AM)

**Members of the Court heard from:** Blain Keith, Travis County Auditors Office; and Susan Spataro, Travis County Auditor.

Discussion only. No formal action taken.

37. APPROVE UPDATED MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FY '06 COUNTY-WIDE ANNUAL FINANCIAL AUDIT IN CONNECTION WITH THE JULY 23, 2007 PRELIMINARY OFFICIAL STATEMENT. (COUNTY AUDITOR) (10:58 AM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 37.

<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

38. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PARTNER WITH AUSTIN COMMUNITY COLLEGE FOR STUDENT INTERNSHIP PROGRAM AT CENTER FOR PUBLIC POLICY AND POLITICAL STUDIES. (JUDGE BISCOE) (10:04 AM)

**Members of the Court heard from:** Peck Young, Austin Community College (ACC); Greg Hamilton, Travis County Sheriff; and Bruce Todd, Former Travis County Commissioner.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 38.

**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

39. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION SUPPORTING CITIZENS SEEKING CONTEXT SENSITIVE SOLUTION FOR MOBILITY IMPROVEMENTS AT STATE HIGHWAY 290 AND STATE HIGHWAY 71. (COMMISSIONER ECKHARDT) (9:22 AM)

Item 39 pulled from the Agenda.

40. DISCUSS AND TAKE APPROPRIATE ACTION ON FEASIBILITY OF CREATING POSITION TO PERFORM PUBLIC INFORMATION, INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE DUTIES AT TRAVIS COUNTY. (JUDGE BISCOE) (5:48 PM)

Item 40 postponed until July 31, 2007.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON A MEMORANDUM OF UNDERSTANDING BETWEEN TRAVIS COUNTY ADULT PROBATION AND THE TRAVIS COUNTY SHERIFF'S OFFICE TO PROVIDE 24 BEDS AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX TO BE USED AS SUPPLEMENTAL CAPACITY FOR THE SMART PROGRAM. (SHERIFF'S OFFICE) (11:00 AM)

**Members of the Court heard from:** Lila Oshatz, Community Supervision and Corrections Department (CSCD); and Major David Balagia, Corrections Division, TCSO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 41.

**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

42. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION APPROVING A TAX EXEMPT BOND FINANCING TO BE UNDERTAKEN BY CRAWFORD EDUCATION FACILITIES CORPORATION TO FINANCE PROJECT FOR CONCORDIA UNIVERSITY AT AUSTIN. (10:00 AM)

**Clerk's Note:** Item 42 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.

43. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. USLIFE TITLE COMPANY OF AUSTIN AKA TITLE USA COMPANY OF AUSTIN (CITY OF AUSTIN RESALE DEED). <sup>1</sup> (1:40 PM) (5:45 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we, pursuant to the request from legal counsel, reimburse the purchaser of this property the entire amount that he paid Travis County; and since we never gave him the deed, we turn around and deed the property in question to the City of Austin; and that we authorize the County Judge to sign the document that legal counsel has prepared for us.

<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

44. 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> (1:40 PM) (4:28 PM) (5:46 PM)

**Clerk's Note:** Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Tony Nelson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the compromise settlement agreement, the release of all claims, an indemnity agreement supplemental to the mediated agreement; that we authorize the County Judge to sign this document on behalf of the Travis County Commissioners Court; and to authorize the County Auditor to release the funds and make payment expeditiously.

<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	abstain

45. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROPRIATE DISCIPLINARY ACTION FOR TRANSPORTATION AND NATURAL RESOURCES EMPLOYEE, SLOT #376. <sup>3</sup> (1:40 PM) (4:28 PM) (5:48 PM)

**Clerk's Note:** Judge Biscoe announced that Item 45 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.

No action required on Item 45.

### ADDED ITEM

- A1. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 05AE0176JJ, LOCKWOOD, ANDREWS AND NEWNAM, INC., FOR EASTSIDE SERVICE CENTER PROJECT. (FACILITIES MANAGEMENT) (10:00 AM)

**Clerk's Note:** Item A1 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 Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (5:48 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**