

## **MINUTES OF MEETING – JULY 31, 2007**

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

On Tuesday, the 31<sup>st</sup> day of July 2007, the Commissioners' Court convened the Voting Session at 9:15 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 11:26 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 11:28 AM and adjourned at 11:31 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 11:31 AM PM and adjourned at 11:37 AM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; convened at 11:37 AM and adjourned at 11:39 AM.

The Commissioners Court reconvened the Voting Session at 1:41 PM.

The Commissioners Court retired to Executive Session at 2:28 PM.

The Commissioners Court reconvened the Voting Session at 5:13 PM.

The Commissioners Court adjourned the Voting Session at 5:18 PM.

## PUBLIC HEARINGS

1. 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 LOTS 24 AND 25 OF LAKE RIDGE ESTATES, SECTION 3, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #14) (9:17 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 14 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, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez 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:** Jim Vonwolske, Travis County Resident; Bill Worsham, Director of Coastal Engineering, Leap Engineering; and Gus Peña, Travis County Resident. (9:19 AM)

**CONSENT ITEMS**

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C5 and Items 4, 5, 6, 7, 9, 10, 11, 12, 13.A&B, 14, 17, 20.A&B, 21, 23, 25, 26, 28, 31, 32, 33, 34, 35, and 36. (9:30 AM) (9:43 AM)

<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 Consent Items were revisited at 9:43 AM.

**Clerk's Note:** The County Judge noted that Item 36 could not go on Consent, as the bids need to be opened in Court. Please see Item 36 for any action taken.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to rescind the action taken on Item 36.

<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

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.

**CONSENT ITEMS CONTINUED**

- C3. APPROVE SETTING A PUBLIC HEARING DATE ON AUGUST 21, 2007 TO RECEIVE COMMENTS REGARDING:
- A. A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE FOUR FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINES OF LOTS 1046 AND 1047 AND LOTS 1049 AND 1050 WITHIN APACHE SHORES, SECTION 2, A SUBDIVISION IN PRECINCT THREE; AND
  - B. A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A TWENTY FOOT DRAINAGE EASEMENT DEDICATED BY DOCUMENT #2000054602 AND LOCATED ALONG THE EAST SIDE LOT LINE OF LOT 1049 WITHIN APACHE SHORES, SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C4. APPROVE SETTING A PUBLIC HEARING DATE ON SEPTEMBER 4, 2007 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 10-14, PEDERNALES BEND SUBDIVISION (5 LOTS TOTAL). (COMMISSIONER DAUGHERTY)
- C5. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 17, 2007.

**RESOLUTIONS & PROCLAMATIONS**

2. APPROVE PROCLAMATION RECOGNIZING THE 24<sup>TH</sup> ANNUAL "NATIONAL NIGHT OUT" IN TRAVIS COUNTY ON AUGUST 7, 2007. (9:34 AM) (9:42 AM)

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

**Motion carried:**

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

**ITEM 2 CONTINUED**

**Clerk's Note:** Item 2 was further discussed at 9:42 AM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item 2. Judge Biscoe instructed that the record show Commissioner Eckhardt voting yes on the Motion on Item 2. The Commissioners' Court record does reflect the Corrected Vote.

**Corrected Vote:**

<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

**SPECIAL ITEMS**

3. RECEIVE BRIEFING ON RECENT FLOODING IN TRAVIS COUNTY AND SURROUNDING AREAS AND TAKE APPROPRIATE ACTION. (9:35 AM)

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

Discussion only. No formal action taken.

**PURCHASING OFFICE ITEMS**

4. APPROVE CONTRACT AWARD FOR ARCHITECTURE AND ENGINEERING SERVICES FOR SMOKE DETECTION AND CONTROL LOGIC TO SMOKE EVACUATION SYSTEM AT THE TRAVIS COUNTY JAIL TO PROFESSIONAL SYSTEMS ENGINEERING, LLC. (SHERIFF'S OFFICE) (9:30 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 MODIFICATION NO. 2 TO CONTRACT NO. 06T00061OJ, LIFE INSURANCE CO. OF NORTH AMERICA, FOR THE PROVISION OF VOLUNTARY ACCIDENTAL DEATH AND DISMEMBERMENT COVERAGE FOR TRAVIS COUNTY EMPLOYEES. (HUMAN RESOURCES) (9:30 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 NO. PS070296VR WITH ERIC FREY, PHD. TO PROVIDE PSYCHOLOGICAL SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:30 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.

7. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. CM060201LC, ARGENT SOFTWARE INC., FOR LICENSES AND SUPPORT SERVICES. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:30 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. APPROVE MODIFICATION NO. 12 TO CONTRACT NO. 04K00264JJ, BARECKY CONSTRUCTION COMPANY, FOR EAST METRO PARK (PHASE I, PROJECT II). (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAVIS) (9:44 AM)

**Members of the Court heard from:** Steve Manilla, Director, Public Works, TNR; and Roger El Khoury, Director, Facilities Management.

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

<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 indicated that Transportation and Natural Resources (TNR) will be using \$10,000.00 of the \$27,030.00 in Fund 341 the Court approved for the completion of East Metro Park for this \$16,950.33 Modification No. 12, for this contract that Facilities Management is managing for TNR.

9. APPROVE CONTRACT NO. PS070283RE, WITH HAILAN ZHANG, FOR APPLICATION PROGRAMMING AND DATABASE PROFESSIONAL SERVICES. (AUDITOR'S OFFICE) (9:30 AM)

**Clerk's Note:** Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. APPROVE MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT NO. IL040256RE, DEAF INTERPRETING SERVICES, WITH THE CITY OF AUSTIN. (HHS & VS) (9:30 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. APPROVE MODIFICATION NO. 5 TO INTERLOCAL AGREEMENT NO. IL030144RE, WITH THE CITY OF AUSTIN FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM. (HHS & VS) (9:30 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 TWENTY-FOUR MONTH EXTENSION (MODIFICATION NO. 1) TO MEMORANDUM OF UNDERSTANDING NO. PS050296ML, COUNCIL ON SEX OFFENDER TREATMENT, TO HOUSE SEX OFFENDERS IN COMMUNITY RESIDENTIAL FACILITIES. (SHERIFF'S OFFICE) (9:30 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. 2 TO THE FOLLOWING CONTRACTS FOR MISCELLANEOUS FOOD AND BREAD PRODUCTS: (9:30 AM)

A. FOODSVC032, LABATT FOOD SERVICE; AND

B. FOODSVC055, SHAVER FOODS. (SHERIFF'S OFFICE)

**Clerk's Note:** Items 13.A&B 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**

14. CONSIDER AND TAKE APPROPRIATE ACTION ON 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) (9:30 AM)

**Clerk's Note:** Item 14 is the action item for the public hearing on Agenda Item 1.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED AMENDMENT TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) MOBILITY 2030 PLAN TO INCLUDE STATE HIGHWAY 45 SOUTHWEST FROM FM 1826 TO US 290 WEST.  
(COMMISSIONER DAUGHERTY) (9:50 AM)

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

Discussion only. No formal action taken.

Item 15 to be reposted on August 7, 2007.

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SPONSOR ITEM AT CAMPO TO IMMEDIATELY ADDRESS CRITICAL TRAFFIC AND PUBLIC SAFETY ISSUES ON STATE HIGHWAY 71 WEST. (10:10 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that we get County Staff to pull together recommendations from residents, and that we indicate County engineers' recommendations on what actions we can take, short-term and long-term, to address some of these problems.

**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



17. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO CLEAN AIR FORCE OF CENTRAL TEXAS AGREEMENT TO FUND AND PAY FY '07 CLEAN AIR FORCE INVOICE (\$10,000) FOR AIR QUALITY PUBLIC EDUCATION AND OUTREACH PROGRAMS. (JUDGE BISCOE) (9:30 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 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) (9:17 AM) (1:41 PM)

Item 18 postponed until August 7, 2007.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT WITH LOWERRE AND FREDERICK FOR LEGAL SERVICES ON APPEAL OF OAK GROVE PLANT PERMIT. (JUDGE BISCOE) (11:20 AM)

**Members of the Court heard from:** John Hille, Assistant County Attorney.

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

**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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:30 AM)
- A. SHADOWGLEN PHASE 1, SECTIONS 12 AND 13, FINAL PLAT IN PRECINCT ONE (71 TOTAL LOTS); AND
- B. APPROVE SUBDIVISION CONSTRUCTION AGREEMENT FOR SHADOWGLEN PHASE 1, SECTIONS 12 AND 13, FINAL PLAT. (COMMISSIONER DAVIS)

**Clerk's Note:** Items 20.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## PLANNING AND BUDGET DEPT. ITEMS

21. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:30 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.

**Clerk's Note:** The Court noted that on Budget Amendment A1 in Item 21 there needs to be a change in the account number from 00149086286099 to 00149086284012.

22. RECEIVE PRESENTATION ON FY '08 PRELIMINARY BUDGET. (10:19 AM)

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO-; and Leroy Nellis, Budget Manager, PBO.

Discussion only. No formal action taken.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED INDIRECT COST RATES FOR FY '08. (9:30 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. 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. (9:16 AM)

Item 24 postponed until August 8, 2007.

**ADMINISTRATIVE OPERATIONS ITEMS**

25. 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 \$338,675.91 FOR THE PERIOD OF JULY 13 TO JULY 19, 2007. (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:30 AM)

**Clerk's Note:** Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION TO DENY LIABILITY CLAIM FROM BONITA BRANT. (11:04 AM) (2:28 PM) (5:17 PM)

**Clerk's Note:** Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Donna Parker Stirman, Risk Management, Human Resources Management Department (HRMD); Bonita Brant, Claimant; and Christopher Brant, Husband of Claimant.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to honor County Staff's recommendation.

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR LICENSE AGREEMENT WITH PRAYER OF THE BONE, LLC, A FILM PRODUCTION COMPANY FOR USE OF THE HEMAN MARION SWEATT COURTHOUSE SEVENTH FLOOR ON AUGUST 6, 7 AND 8, 2007 FOR A FILM SHOOT. (9:30 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. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE DRUG COURT PROGRAM: (1:41 PM)

A. RELOCATION TO POST ROAD BUILDING; AND

B. APPROVAL OF THE SCHEMATIC DESIGN.

**Clerk's Note:** Items 29.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** The Honorable Bob Perkins, Judge, 331<sup>st</sup> District; Roger El Khoury, Director, Facilities Management; Gabriel Stock, Senior Architect, Facilities Management; Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Alicia Perez, Executive Manager, Administrative Operations.

Discussion only. No formal action taken.

Item 29 to be reposted on August 7, 2007.

30. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SPACE ALLOCATION AND RELATED RENOVATIONS WITHIN THE CRIMINAL JUSTICE CENTER AND GAULT BUILDINGS FOR VARIOUS DEPARTMENTS: (9:16 AM)
- A. REMODEL THE GAULT BUILDING FIRST FLOOR AND MOVE THE DISTRICT ATTORNEY RECORDS DIVISION, COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT INTAKE DIVISION AND PART OF PRETRIAL SERVICES;
  - B. REMODEL THE GAULT BUILDING SECOND FLOOR AND MOVE CRIMINAL COURTS ADMINISTRATION, THE DISTRICT ATTORNEY WHITE COLLAR CRIME UNIT, TRAVIS COUNTY SHERIFF'S OFFICE DIVISIONS AND PART OF PRETRIAL SERVICES;
  - C. REMODEL PORTIONS OF THE CRIMINAL JUSTICE CENTER FIRST FLOOR TO MOVE TAX OFFICE COLLECTIONS, TRAVIS COUNTY SHERIFF'S OFFICE DIVISIONS AND PROVIDE SPACE FOR DISTRICT CLERK EXPANSION;
  - D. REMODEL THE CRIMINAL JUSTICE CENTER THIRD FLOOR FOR A NEW COUNTY COURT AT LAW, MAGISTRATE COURT, PUBLIC SPACES, STAFF OFFICES AND SUPPORT SPACES; AND
  - E. REMODEL THE JAIL AUXILIARY COURTROOM SPACE FOR TRAVIS COUNTY SHERIFF'S OFFICE USE (DESIGN ONLY IN FY '08).

Items 30.A-E postponed until August 7, 2007.

### JUSTICE & PUBLIC SAFETY ITEMS

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SUBMIT PROPOSAL FOR TEXAS DEPARTMENT OF CRIMINAL JUSTICE STATE JAIL COMMUNITY RESOURCE PROGRAM (SUBSTANCE ABUSE TREATMENT) - AGENCY REQUISITION NUMBER 969-PS-P045. (9:30 AM)

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

**OTHER ITEMS**

32. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON UPDATED MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FY '06 COUNTY-WIDE ANNUAL FINANCIAL AUDIT IN CONNECTION WITH THE JULY 31, 2007 OFFICIAL STATEMENT. (COUNTY AUDITOR) (9:30 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 CONTRACT MODIFICATION AND EXTENSION OF CONTRACT 696-PD-0-1-L-L0306 M-007 BETWEEN TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND TRAVIS COUNTY FOR THE HOUSING OF RELEASEES FOR THE 2007-2008 CONTRACT TERM. (SHERIFF'S OFFICE) (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER APPOINTING PRESIDING AND ALTERNATE PRESIDING ELECTION JUDGES FOR A TERM OF ONE YEAR BEGINNING AUGUST 1, 2007. (COUNTY CLERK) (9:30 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. ACCEPT AND OPEN BIDS RELATING TO, AND CONSIDER AND TAKE ACTION ON AN ORDER AUTHORIZING, THE ISSUANCE OF \$24,500,000 TRAVIS COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2007A (LIMITED TAX), AND MATTERS PERTAINING THERETO. (9:30 AM) (9:43 AM) (11:00 AM)

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

**Clerk's Note:** Item 36 was revisited at 9:43 AM.

**Clerk's Note:** The Court voted to rescind the action taken on Item 36 during the Consent Motion.

**Clerk's Note:** Item 36 was revisited at 11:00 AM.

**Members of the Court heard from:** Ladd Pattillo, Travis County Financial Adviser; and Darrick W. Eugene, Associate, Vinson and Elkins.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve and accept the bid from First Southwest Company.

<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

**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.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. <sup>1 AND 2</sup>  
(2:28 PM) (5:13 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 and Gov't. Code Ann. 551.072, Real Property.

Item 37 was not discussed.

Item 37 to be reposted when ready.

38. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPERTY AT 6701 BURNET ROAD. <sup>1 AND 2</sup> (2:28 PM) (5:14 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 and Gov't. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the Facilities Management Department to contract for appropriate remediation work at this property, and that \$10,000.00 be taken from lease savings in the department and \$6,000.00 from Allocated Reserve to raise the needed \$16,000.00.

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



39. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON A CONSTRUCTION RELATED EROSION EVENT IN HAYS COUNTY, ASSOCIATED WATER QUALITY AND ENVIRONMENTAL IMPACTS ON HAMILTON POOL AND OTHER NATURAL RESOURCES IN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:28 PM) (5:14 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.

Discussion only. No formal action taken.

Item 39 to be reposted on August 14, 2007.

40. RECEIVE LEGAL ADVICE FROM COUNTY ATTORNEY REGARDING CARDINAL HILLS, SECTION 15, PRIMERA HOMES, LTD., AND BOND POSTED BY THE HARTFORD CASUALTY INSURANCE COMPANY AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAUGHERTY) <sup>1</sup> (2:28 PM) (5:15 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Attorney's Office to formally pursue performance, or the lifting of the stay, and other appropriate legal action to protect Travis County.

**Motion carried:**

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

41. RECEIVE LEGAL BRIEFING ON A PLAT FOR RECORDING IN PRECINCT ONE: LEHNE ADDITION. (DISCUSSION ONLY; NO ACTION) <sup>1</sup> (2:28 PM) (5:16 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.

Discussion only. No formal action taken.

Item 41 to be reposted on August 7, 2007.

42. RECEIVE LEGAL BRIEFING ON PRELIMINARY PLAN IN PRECINCT THREE: RGK RANCH. (DISCUSSION ONLY; NO ACTION) <sup>1</sup> (2:28 PM) (5:16 PM)

**Clerk's Note:** Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 42 to be reposted on August 7, 2007.

43. RECEIVE LEGAL BRIEFING ON COUNTY LAND USE AUTHORITY AND RELATED MATTERS GRANTED BY SENATE BILL 873. <sup>1</sup> (2:28 PM) (5:17 PM)

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

Discussion only. No formal action taken.

Item 43 to be reposted on August 7, 2007.

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT DEMAND, EEOC CHARGE NO. 451-2007-00612. <sup>1</sup> (2:28 PM) (5:17 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.

Discussion only. No formal action taken.

Item 44 to be reposted on August 7, 2007.

## ADJOURNMENT

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:18 PM)

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