

MINUTES OF MEETING SEPTEMBER 18, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 18th day of September 2007, the Commissioners' Court convened the Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:05 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; convened at 1:42 PM and adjourned at 1:47 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; convened at 1:47 PM and adjourned at 1:48 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:48 PM and adjourned at 1:56 PM.

The Commissioners Court reconvened the Voting Session at 1:56 PM.

The Commissioners Court retired to Executive Session at 2:51 PM.

The Commissioners Court reconvened the Voting Session at 4:41 PM.

The Commissioners Court adjourned the Voting Session at 4:50 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING THE TRAVIS COUNTY TAX RATE FOR FY '08 COUNTY BUDGET. (9:16 AM)

Clerk's Note: This Item is a public hearing to receive comments.

Motion by Commissioner Gómez **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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Commissioner Gómez **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: Alan Roddy, Travis County Resident; and Phillip A. Dick, Travis County Resident. (9:31 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C4 and Items 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16.A&B, 17.A&B, 23, 24, 25, 26, 28, 30, 31, 33, 34, and 35. (9:38 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 SETTING A PUBLIC HEARING DATE ON OCTOBER 2, 2007 TO RECEIVE COMMENTS REGARDING REQUEST FOR PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED ACCESS EASEMENT TO "HOKANSON COURT" IN RIO VISTA RANCH SUBDIVISION, PRECINCT FOUR. (COMMISSIONER GÓMEZ)
- C4. APPROVE SETTING A PUBLIC HEARING DATE FOR OCTOBER 23, 2007 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 13, PART OF LOT 13B AS LOT 13C, RED WAGON RANCHETTES, SECTION 2 SUBDIVISION (1 TOTAL LOT). (COMMISSIONER DAUGHERTY)

INTRODUCTIONS

- 2. INTRODUCTION OF STEVE CAPELLE, C. CRAIG SMITH, DANIEL BRADFORD AND CHRIS GILMORE TO THE COMMISSIONERS COURT. (COUNTY ATTORNEY) (9:18 AM)

Members of the Court heard from: James W. Collins, Executive Assistant, Travis County Attorney's Office.

Discussion only. No formal action taken.

PURCHASING OFFICE ITEMS

3. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT 05K00264RV, HARMONY CONSTRUCTION COMPANY, FOR PAINTING AND WALL REPAIR/MINOR CONSTRUCTION. (FACILITIES MANAGEMENT) (9:38 AM)

Clerk's Note: Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

4. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 8) TO CONTRACT NO. 01T0008-OJ, CERIDIAN BENEFITS SERVICES, INC., FOR THE ADMINISTRATION OF THE FLEXIBLE SPENDING ACCOUNT FOR TRAVIS COUNTY EMPLOYEES. (HUMAN RESOURCES) (9:38 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. 3 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) (9:38 AM)

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

6. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF SLAUGHTER LANE ROAD EXTENSION TO HANRAHAN PRITCHARD ENGINEERING, INC. (TRANSPORTATION AND NATURAL RESOURCES) (9:38 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO INTERLOCAL AGREEMENT NO. IL060054RE, AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR ADULT BASIC EDUCATION SERVICES. (HHS & VS) (9:38 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. 3 TO INTERLOCAL AGREEMENT NO. IL040256RE, CITY OF AUSTIN, FOR DEAF INTERPRETING SERVICES. (HHS & VS) (9:38 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. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. PS970315LB, VINSON & ELKINS L.L.P., FOR PROFESSIONAL SERVICES RELATED TO GASB 45 IMPLEMENTATION. (COUNTY AUDITOR) (9:38 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 CONTRACT AWARD FOR THE HEMAN MARION SWEATT TRAVIS COUNTY COURTHOUSE IMPROVEMENTS 2007, IFB NO. B070339JT, TO THE SOLE BIDDER, COAST TO COAST CONSTRUCTION, INC. (FACILITIES MANAGEMENT) (9:38 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 CONTRACT AWARD FOR PROFESSIONAL CONSULTING SERVICES FOR FACILITIES CONDITION ASSESSMENTS TO VANDERWEIL FACILITY ADVISORS, INC. (FACILITIES MANAGEMENT) (9:38 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION ON COUNTY POLICY CONCERNING FLOODPLAIN BUYOUTS. (2:07 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Stacey Scheffel, Flood Plain Manager, TNR; and Melinda Mallia, Environmental Project Manager, TNR.

Discussion only. No formal action taken.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON WAIVING SECOND SEPTIC PERMIT FEES FOR LEE PAGEL'S PROPOSED RESIDENCE AT 18308 ALBERT VOELKER ROAD. (COMMISSIONER DAVIS) (9:38 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 REQUEST TO ALLOW THE PARK AT BLACKHAWK II SUBDIVISION, PHASE 2B TO UTILIZE THE TRAVIS COUNTY ALTERNATIVE FISCAL POLICY. (COMMISSIONER ECKHARDT) (9:38 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A VARIANCE TO CHAPTER 64, TRAVIS COUNTY REGULATIONS FOR FLOODPLAIN MANAGEMENT FOR A HOME LOCATED AT 1605 CENTER POINT LANE. (COMMISSIONER DAUGHERTY) (9:42 AM)

Members of the Court heard from: Stacey Scheffel, Flood Plain Manager, TNR; Alan Postlewaite, Travis County Resident; and Mrs. Postlewaite, Travis County Resident.

Discussion only. No formal action taken.

Item 15 to be reposted on October 2, 2007.

16. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:38 AM)

- A. A REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS FOR LAKEVIEW ESTATES CONDOMINIUMS – THREE SINGLE FAMILY UNITS IN THREE SINGLE UNIT STRUCTURES; AND
- B. A CONSTRUCTION AGREEMENT FOR LAKEVIEW ESTATES CONDOMINIUMS. (COMMISSIONER DAUGHERTY)

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

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:38 AM)

- A. INDEMNIFICATION AGREEMENT WITH WILLIAM J. MADDUX TO FACILITATE THE FUNDING OF THE PERMANENT TRAFFIC IMPROVEMENTS ON RM 620 AT HOME DEPOT/SOUTH LAKE MEDICAL; AND
- B. ADVANCED FUNDING AGREEMENT FOR VOLUNTARY TRANSPORTATION IMPROVEMENT PROJECTS WITH THE STATE OF TEXAS AND TRAVIS COUNTY FOR THE PERMANENT TRAFFIC IMPROVEMENTS AS DESCRIBED IN 'A' ABOVE IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON NOTICE OF TERM EXPIRATION AND REQUEST FOR REAPPOINTMENT OF DONALD PATRICK, M.D., J.D. TO THE TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS. (10:01 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 18.

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: The Court noted that by approving Item 18 they are stating their inclination to reappoint Dr. Patrick in a timely manner, which is understood to be around October 15, 2007.

19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TRANSPORTATION PAYMENT DUE TO WILKE-CLAY-FISH FUNERAL HOME REGARDING THE BURIAL OF MR. GILLAM. (9:15 AM)

Item 19 was pulled from the Agenda.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON STAFF RECOMMENDATION TO APPROVE AN INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR THE PROVISION OF PUBLIC HEALTH, ANIMAL CONTROL AND OTHER RELATED SERVICES. (11:27 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Jose Palacios, Chief Assistant County Auditor, Travis County Auditor's Office; Mary Etta Gerhardt, Assistant County Attorney; and David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS).

Discussion only. No formal action taken.

Item 20 to be reposted on September 25, 2007.

PLANNING AND BUDGET DEPT. ITEMS

21. CONSIDER AND TAKE APPROPRIATE ACTION ON FY '08 BUDGET RULES.
(10:53 AM)

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the FY '08 Budget Rules.

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

22. REVIEW AND TAKE APPROPRIATE ACTION ON CONTINUATION OF FY '08 BUDGET MARK-UP. (10:04 AM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO; Travis Gatlin, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; Walter Lagrone, Director, Operations and Technology, Information and Telecommunications Systems (ITS); Jessica Rio, Budget Analyst, PBO; Minerva Camarena-Skith, Executive Committee, Austin Interfaith; Sherri Fleming, Executive Manager, TCHHS&VS; and Barbara Wilson, Assistant County Attorney.

Clerk's Note: The Court approved without objection the moving of \$3,468,659.00 from the Allocated Reserve to the Capital Acquisition Reserve (CAR) to be used in the future for the purchase of County Offices.

Clerk's Note: The Court discussed corrections to the proposed 2008 Budget.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the corrections.

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 22 CONTINUED

Clerk's Note: The Court discussed the use of existing Certificates of Obligation (CO) for FY '08 Capital Items and the re-budgeting of projects funded from CAR.

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

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: The Court discussed a request from Capital Idea for \$100,000.00 in extra funding.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that we award Capital Idea \$100,000.00 out of Allocated Reserve, and that money be available to Capital Idea after October 1, 2007.

Motion failed:

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO CONTINUE THE DRUG COURT PROGRAM GRANT POSITION IN CRIMINAL COURTS THROUGH THE END OF SEPTEMBER 2007. (9:38 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:38 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.

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 \$651,852.21 FOR THE PERIOD OF AUGUST 31 TO SEPTEMBER 6, 2007. (9:38 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. (9:38 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 HOLIDAY SCHEDULE EFFECTIVE OCTOBER 1, 2007 THROUGH DECEMBER 31, 2008 IN ACCORDANCE WITH THE TRAVIS COUNTY CODE, SECTIONS 10.043, HOLIDAYS AND 10.044, PERSONAL HOLIDAYS. (11:25 AM)

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD).

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 27.

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AWARD FUNDS FOR ONE TRAVIS COUNTY EMPLOYEE TO PARTICIPATE IN LEADERSHIP AUSTIN TRAINING IN ACCORDANCE WITH CHAPTER 16 OF THE TRAVIS COUNTY CODE. (9:38 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 FOLLOW-UP TO BUDGET FY '08 COMPENSATION MARKUP: (10:55 AM)

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

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; Linda Moore Smith, Director, HRMD; and Bob Vann, Constable Precinct 2.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON FOLLOW-UP TO BUDGET FY '08 COMPENSATION MARKUP: (10:55 AM)

A. IMPLEMENTATION SCHEDULE FOR COMPENSATION ACTIONS; AND

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

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON FOLLOW-UP TO BUDGET FY '08 COMPENSATION MARKUP: (10:55 AM)

B. POPS (TCSO AND NON-TCSO):

1. PAY SCALES (AS APPROVED IN FY 2008 BUDGET RULES);

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the pay scales.

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 29 CONTINUED

29. CONSIDER AND TAKE APPROPRIATE ACTION ON FOLLOW-UP TO BUDGET FY '08 COMPENSATION MARKUP: (10:55 AM)

B. POPS (TCSO AND NON-TCSO):

2. ANNUAL ANNIVERSARY RAISES AS PER PROPOSED SCALE IN FY '08; AND

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve continuation of the anniversary raises.

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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON FOLLOW-UP TO BUDGET FY '08 COMPENSATION MARKUP: (10:55 AM)

B. POPS (TCSO AND NON-TCSO):

3. CONSTABLE PRECINCT 2 ISSUES.

Clerk's Note: The Court discussed:

- 1) An increase in one pay grade for all Constables in Precinct 2; and,
- 2) Approval of funds for 8 green-circled slots to recommended pay grade minimum.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the change in green circle and in the pay grades.

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: The County Judge noted that by approving Item 29.B3 the Court is approving Staff recommendations for the Constable Precinct 2 Office.

OTHER ITEMS

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:38 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF AUGUST 2007. (COUNTY AUDITOR) (9:38 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.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HEALTH CARE DISTRICT: (9:54 AM)

A. FISCAL YEAR 2008 BUDGET; AND

Clerk's Note: Items 32.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Carl S. Richie, Jr., Chairman, Travis County Healthcare District Board; Trish Young, President and Chief Executive Officer, Travis County Healthcare District; and Stacy Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Fiscal 2008 Budget in Item 32.A.

Motion carried: 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

ITEM 32 CONTINUED

32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FOR THE TRAVIS COUNTY HEALTH CARE DISTRICT: (9:54 AM)

B. 2007 TAX RATE.

Clerk's Note: Items 32.A&B are associated with one another and were called for concurrent discussion.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Tax Rate.

Motion carried: 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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 1. (9:38 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 ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 2. (9:38 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 ASSESSMENT AND COLLECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 3. (9:38 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A COLLABORATION RESOLUTION FROM RIDGETOP AND NORTHFIELD NEIGHBORHOOD ASSOCIATIONS REGARDING URBAN CHANGE IN CENTRAL AUSTIN. (11:15 AM)

Members of the Court heard from: Martha Koock Ward, Planning Team Officer, Ridgetop Neighborhood Association/Northfield Neighborhood Association (RNA/NNA); Kim Bernson, President, Ridgetop Neighborhood Association; and Mary Etta Gerhardt, Assistant County Attorney.

Discussion only. No formal action taken.

Item 36 to be reposted on October 2, 2007.

Clerk's Note: The County Judge noted that any suggested changes to the proposed Resolution would need to be submitted by Thursday, September 27, 2007 by noon.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON ADOPTION OF PROCESS AND SCHEDULE TO FILL EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY POSITION. (1:57 PM)

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services; Linda Moore Smith, Director, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the schedule.

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

38. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM FORT BELKNAP ELECTRIC COOPERATIVE, INC. FOR ELECTRIC UTILITY RIGHT OF WAY EASEMENT TO SERVE TRAVIS COUNTY SCHOOL LAND PROPERTY. (4:46 PM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis 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 ADOPTION OF
PROCESS AND SCHEDULE TO CONDUCT PERFORMANCE EVALUATIONS
OF EXECUTIVE MANAGERS AND CERTAIN OTHER MANAGERS. (4:47 PM)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 39.

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

40. CONSIDER AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. CENTER HILL JOINT VENTURE (FRANK YI RESALE DEED). (THIS MATTER MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:31 PM) (2:51 PM) (4:41 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.

Members of the Court heard from: Elliot Beck, Assistant County Attorney; Reza Rezaee, Travis County Resident; Bill Aleshire, Attorney for Frank Yi; and David Escamilla, Travis County Attorney.

Motion by Commissioner Daugherty to reject all bids, and that we advise the County Attorney's Office to set up a special arrangement for dealing with this particular piece of property.

Clerk's Note: The Motion failed for lack of a Second.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt that we approve the Staff Recommendation, and authorize the County Judge to sign the proposed tax resale deed to Frank Yi.

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

Clerk's Note: The Court noted that the result of the Motion failing would be the same as no action taken.

Item 40 will be reposted at an appropriate time in the future.

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.

41. 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. ¹ (2:51 PM) (4:43 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 at a later date.

42. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ALLSTATE INSURANCE COMPANY AS SUBROGEE FOR DOROTHY JACKSON AND ELIJAH JACKSON, DARLENE JACKSON, JOE SHAW AND COREY WHIPPER, PERSONNALLY V. PAUL MALON AND TRAVIS COUNTY. ¹ (9:16 AM)

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.

Item 42 postponed until further notice.

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN MARY LOU VALLEJO V. FRED WHITE AND TRAVIS COUNTY. ¹ (9:16 AM)

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.

Item 43 postponed until further notice.

44. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN JANIS BADING WORKER'S COMPENSATION LIEN CASE SUBROGATION. ¹ (2:51 PM) (4:44 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we accept the insurance company's offer to settle this matter after the County accepts a 25% reduction in our claim; that we authorize the County Attorney to file lawsuit on Thursday, September 20, 2007 unless this matter has been resolved.

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

45. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND THE FIRE MARSHAL REGARDING 21018 STATE HIGHWAY 71 WEST, SPICEWOOD, TEXAS AND NON-COMPLIANCE WITH TRAVIS COUNTY FIRE CODE AND ORDERS OF THE FIRE MARSHAL AND TAKE APPROPRIATE ACTION. ¹ (2:51 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.

Item 45 postponed until September 25, 2007.

46. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING LEASE AGREEMENT BETWEEN CITY OF JONESTOWN AND TRAVIS COUNTY FOR SPACE LOCATED AT 18649 HIGHWAY 1431. ^{1 AND 2} (2:51 PM) (4:44 PM)

Clerk's Note: Judge Biscoe announced that Item 46 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 Commissioner Daugherty **and seconded by** Judge Biscoe that we continue to occupy the space through the term of the lease, which is September 30, 2008, and allow the usage by Health and Human Services (HHS).

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

47. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2} (2:51 PM) (4:45 PM)

Clerk's Note: Judge Biscoe announced that Item 47 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 Davis that we direct Staff to contact our consultants, make one last run at the seller's counter-offer to sell, that we touch base with the appropriate financial people at Travis County to give us a full financial sorting of what it would take to purchase this property, and probably demolish and rebuild to meet the County's needs in the future.

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 47 to be reposted on September 25, 2007.

48. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING SALE OF COUNTY PROPERTY LOCATED AT 6701 BURNET ROAD, AUSTIN, TEXAS. ^{1 AND 2} (9:16 AM)

Clerk's Note: Judge Biscoe announced that Item 48 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 48 postponed until further notice.

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Davis to adjourn the Voting Session. (4:50 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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge