

## **MINUTES OF MEETING JUNE 17, 2008**

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

On Tuesday, the 17<sup>th</sup> day of June 2008, the Commissioners' Court convened the Voting Session at 9:16 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:21 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:55 PM and adjourned at 2:02 PM.

The Commissioners Court, meeting as the Travis County Bee Caves Road District #1 (Galleria); convened at 2:02 PM and adjourned at 2:05 PM.

The Commissioners Court reconvened the Voting Session at 2:05 PM.

The Commissioners Court retired to Executive Session at 3:58 PM.

The Commissioners Court reconvened the Voting Session at 5:35 PM.

The Commissioners Court adjourned the Voting Session at 5:40 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST FOR A PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED PRIVATE ACCESS EASEMENT OFF HAYNIE FLAT ROAD TO "HAYNIE CREEK LANE," IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #17) (9:17 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 17 for a summary of the action item.

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

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

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

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

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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Gus Peña, Travis County Resident; Stuart Thomas Gerstacker, Travis County Resident; and Joe Gieselman, Executive Manager, TNR. (9:20 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 5.A-C, 7, 8, 11, 12, 13, 15.A&B, 17, 20, 23, 24.A&B, 27, 28, 29, and A1. (9:27 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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE SETTING A PUBLIC HEARING DATE ON JULY 22, 2008 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 13 AND 14, BLOCK B, PALEFACE RANCH SECTION 2A (1 TOTAL LOT). (COMMISSIONER DAUGHERTY)
- C3. APPROVE SETTING A PUBLIC HEARING ON JULY 1, 2008 TO RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PORTION OF OLD ANDERSON MILL ROAD OFF RM 2769 TO BE KNOWN AS "HUDSON CIRCLE", IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JUNE 3, 2008.
- C5. APPROVE SETTING A PUBLIC HEARING ON JULY 8, 2008 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 7.5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 10 AND 11 OF WHITE RIM MOUNTAIN, SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**SPECIAL ITEM**

2. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:28 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Brad Beauchamp, Travis County Fire Marshal.

Discussion Only. No formal action taken.

Item 2 to be reposted on June 24, 2008.

**Clerk's Note:** Judge Biscoe announced that by taking no action the prohibition against outdoor burning stays in place.

**RESOLUTIONS AND PROCLAMATIONS**

3. APPROVE PROCLAMATION RECOGNIZING THE 19<sup>TH</sup> ANNUAL "JUNETEENTH – EMANCIPATION DAY" CELEBRATION TO BE HELD ON WEDNESDAY, JUNE 18, 2008. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:38 AM)

**Members of the Court heard from:** Cheryl Brown, Executive Assistant, County Judge's Office; Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; Donald Rollack, Purchasing Agent Assistant, Purchasing; Feli Chavez-Burleson, Executive Assistant, Travis County Commissioner Precinct 1 Office; Sue Spears, Administrative Assistant, Travis County Commissioner Precinct 1 Office; Diana Villanueva, District Attorney's Office; and Chris Fanuel, Executive Assistant, Commissioner Precinct 1 Office.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the Proclamation in Item 3.

<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

**PLANNING AND BUDGET DEPT. ITEMS**

4. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:16 AM)

Item 4 not needed.

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:27 AM)
  - A. GRANT APPLICATION TO THE NATIONAL INSTITUTE OF CORRECTIONS FOR A ONE-TIME AWARD TO FUND OFFENDER WORKFORCE DEVELOPMENT TRAINING PROGRAM IN CRIMINAL JUSTICE PLANNING;
  - B. GRANT APPLICATION TO THE TEXAS HISTORICAL COMMISSION FOR A CULTURAL RESOURCES SURVEY OF RURAL PROPERTIES IN NORTHEAST TRAVIS COUNTY; AND
  - C. GRANT APPLICATION TO THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION FOR JUVENILE PROBATION DEPARTMENT AND PARTNERS TO DEVELOP LOCAL AND REGIONAL MENTORING PROGRAMS.

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

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROCESS AND SCHEDULE FOR DEVELOPING THE ADVERTISEMENT FOR THE PUBLIC HEARING TO SET ELECTED OFFICIALS' SALARIES FOR FISCAL YEAR 2009 AND THE CALENDAR FOR ACTION FOR THE REMAINDER OF THE SALARY SETTING PROCESS. (3:56 PM) (3:58 PM) (5:35 PM)

**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.

**Members of the Court heard from:** Belinda Powell, Capital Planning Coordinator, PBO; and Leroy Nellis, Budget Manager, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that we give ourselves additional time to let these matters settle, and that we have it back on the Court's Agenda on July, 8, 2008.

**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	absent

Item 6 to be reposted July 8, 2008.

## 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 \$422,479.44 FOR THE PERIOD OF MAY 30 TO JUNE 5, 2008. (9:27 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. (9:27 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 ON PROPOSED SALARY ADJUSTMENT PLAN FOR RECRUITMENT AND RETENTION ISSUES WITHIN MAINTENANCE AND SKILLED TRADES. (10:26 AM)

**Clerk's Note:** The Court discussed the following Staff recommendations:

- 1) Consider a \$1.00 or \$2.00 per hour pay increase; and, maintain current pay grade assignments for all affected titles;
- 2) Grant a one-time exemption to lift the red-line cap on any affected titles;
- 3) Consider exception to Performance Based Pay (PBP) policy to ensure employees receiving one-time per hour pay increase are not prohibited from FY 08 PBP eligibility;
- 4) Authorize a complete analysis of all titles in the General/Road Maintenance and Skilled Trades job families in FY 09;

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Debbie Rich, Human Resources Coordinator, Travis County Sheriff's Office (TCSO); Luane Schull, Compensation Manager, HRMD; Greg Powell, Business Manager, Local 1624, American Federation of State, County and Municipal Employees (AFSCME); Leroy Nellis, Budget Manager, PBO; and Susan Spataro, Travis County Auditor.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve recommendations one through four with a \$2.00 per hour pay increase at this time applicable to TNR, effective July 1, 2008.

<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 the Motion also covers the Section B comparable titles, which are the maintenance and skilled trades, and that the salary adjustment will be funded from FY '08 salary savings from each department affected.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON 24-HOUR FITNESS CORPORATE AGREEMENT WITH REVISED FEE FOR ADDITIONAL ENROLLEES IN THE SAME HOUSEHOLD. (10:23 AM)

**Members of the Court heard from:** Zetta Garnett, Benefits Assistant, HRMD; and Rodney Allison, Corporate Client Service Manager, 24 Hour Fitness.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 10.

**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

## PURCHASING OFFICE ITEMS

11. APPROVE CONTRACT AWARD FOR RESIDENTIAL PLUMBING SERVICES, IFB NO. B080163DR, TO THE LOW BIDDER, 5-F MECHANICAL GROUP, INC. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:27 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 MODIFICATION NO. 4 TO CONTRACT NO. MA020091LC, VERTIQ SOFTWARE, LLC, FOR MEDICAL EXAMINER'S SOFTWARE SYSTEM. (INFORMATION AND TELECOMMUNICATION SYSTEMS) (9:27 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 CONTRACT AWARD FOR STORMWATER DRAINAGE PRODUCTS, IFB NO. B080223LD, TO THE OVERALL LOW BIDDER, FERGUSON WATERWORKS. (TRANSPORTATION AND NATURAL RESOURCES) (9:27 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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER EXEMPTING THE PURCHASE OF ONE HELICOPTER FROM AMERICAN EUROCOPTER, LLC FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(2) OF THE COUNTY PURCHASING ACT; AND
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT AWARD FOR THE PURCHASE OF ONE HELICOPTER FROM AMERICAN EUROCOPTER, LLC DURING FISCAL YEAR 2010 THAT IS CONTINGENT UPON FUNDING FOR THE PURCHASE IN EITHER THE FISCAL YEAR 2010 BUDGET OR A SPECIAL BUDGET FOR DEBT FUNDING APPROVED BEFORE OCTOBER 31, 2010. (STARFLIGHT/EMERGENCY SERVICES) (9:55 AM)

**Clerk's Note:** Items 14.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Danny Hobby, Executive Manager, Travis County Emergency Services; Barbara Wilson, Assistant County Attorney; Willy Culberson, Director of Aviation Operations, STAR Flight; Cyd Grimes, Travis County Purchasing Agent; and Casey Ping, Program Manager, STAR Flight.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Items 14.A&B, contingent on 14.A, with American Eurocopter, LLC., being in agreement with the contract.

<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 American Eurocopter LLC has already signed the contract.

15. A. **REVISED LANGUAGE:** DECLARE **TWENTY-FIVE (25)** COMPUTER SYSTEMS AS SURPLUS PROPERTY, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE; AND
- B. DONATE PROPERTY TO HUSTON-TILLOTSON UNIVERSITY, PURSUANT TO SECTION 263.152(a)(4)(B) OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (9:27 AM)

**Clerk's Note:** Items 15.A&B 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. 3 TO CONTRACT NO. PS070116RE WITH AMERICAN YOUTHWORKS FOR TRAIL AND PARK IMPROVEMENT. (TRANSPORTATION AND NATURAL RESOURCES) (9:26 AM)

Item 16 postponed.

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

17. RECEIVE COMMENTS REGARDING A REQUEST FOR A PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED PRIVATE ACCESS EASEMENT OFF HAYNIE FLAT ROAD TO "HAYNIE CREEK LANE," IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:27 AM)

**Clerk's Note:** Item 17 is the action item for the public hearing on Agenda Item 1.

**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. DISCUSS AND TAKE APPROPRIATE ACTION ON PROPOSED PARK FEES FOR THE COMMUNITY PAVILION AT EAST METROPOLITAN PARK AND RESERVATION OF ATHLETIC FIELDS AT ALL COUNTY PARKS. (3:34 PM)

**Clerk's Note:** Item 18 is the action item for the public hearing on Agenda Item A2.

**Clerk's Note:** The Court discussed Staff recommendations on the following fees:

- 1) Community Pavilion at East Metro Park - \$50.00 per hour with a two-hour minimum, or \$500.00 per day (park hours), with a \$200.00 deposit plus a \$10.00 reservation fee required;
- 2) Athletic Field Usage - \$5.00 per field/per hour with no charge for non-profit youth groups;
- 3) Athletic Field Reservations - \$5.00 non-refundable fee per field/per hour; and,
- 4) Tournaments/Special Events - \$5.00 per field/per hour maintenance surcharge.

**Members of the Court heard from:** Charles Bergh, Division Director, Parks and Natural Resources, TNR; Kurt Nielsen, Parks Operations Manager, East Side, TNR; and Joe Gieselman, Executive Manager, TNR.

**Motion by Judge Biscoe and seconded by Commissioner Davis** is that we do \$300.00 per day. I would have it more like \$35.00 per hour with a two-hour minimum. If you have \$300.00 per day cost, I would have a \$100.00 deposit. And that's a deposit that you lose if you don't keep your commitment and come use it and deliver the other the \$200.00. Also, if you don't clean the facility when you leave, you forfeit this.

<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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve all the other recommendations from Staff.

<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 directed Staff to review the new fees after the summer/fall season for both the Pavilion and the Athletic Fields.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON WANDERING CREEK PRELIMINARY PLAN AND A PHASING AGREEMENT WITH WANDERING CREEK INVESTMENTS L.P., A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (11:09 AM) (2:05 PM) (3:58 PM) (5:37 PM)

**Clerk's Note:** Judge Biscoe announced that Item 19 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR; Stacey Scheffel, Flood Plain Manager, TNR; Benedict Patrick, Project Manager, HDR/WHM; Bill Hilgers, Travis County Resident; Thomas J Lincoln, Travis County Resident; Clem Vettters, Travis County Resident; Cathy Olive, President, Elroy Preservation Association; Jud Wellman, Engineer, Jacobs Carter Burgess; Kip Kronenburg, Developer, Wandering Creek Investments L.P.; Henry Gilmore, Attorney representing the developer; and Teresa Calkins, Engineer, TNR.

Discussion only. No formal action taken.

Item 19 to be reposted on either July 1, 2008 or July 8, 2008.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS FOR COMANCHE CANYON CONDOMINIUM PROJECT AND A CONDOMINIUM AGREEMENT WITH COMANCHE CANYON CONDO PARTNER, LIMITED PARTNERSHIP. (COMMISSIONER DAUGHERTY) (9:27 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 ON A REQUEST FOR A VARIANCE TO INSTALL A SUPPLY AND RETURN LINE TO THE TREATMENT UNITS CLOSER THAN FIVE FEET TO THE HOUSE FOUNDATION AT 2909 PAMELLA COURT. (COMMISSIONER DAUGHERTY) (3:31 PM)

**Members of the Court heard from:** Stacey Scheffel, Flood Plain Manager, TNR; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 21.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE TO INSTALL A SUPPLY AND RETURN LINE TO THE TREATMENT UNITS CLOSER THAN FIVE FEET TO THE HOUSE FOUNDATION AT 1202 LAKELAND DRIVE EAST. (COMMISSIONER DAUGHERTY) (3:33 PM)

**Members of the Court heard from:** Stacey Scheffel, Flood Plain Manager, TNR.

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe to approve Item 22.

**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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR STEINER RANCH PHASE 2, SECTION 5 SUBDIVISION, AND A LICENSE AGREEMENT WITH STEINER RANCH MASTER ASSOCIATION, INC. (COMMISSIONER DAUGHERTY) (9:27 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 REGARDING MARTIN-COLE FINAL PLAT, A SUBDIVISION IN PRECINCT ONE: (9:27 AM)
- A. REQUEST FOR A VARIANCE TO TITLE 30-3-191 TO NOT PROVIDE SIDEWALKS FOR 8817 BURLESON-MANOR ROAD; AND
  - B. REQUEST FOR A VARIANCE TO TITLE 30-2-151, WHICH REQUIRES STREETS OF A NEW SUBDIVISION TO ALIGN TO EXISTING STREETS (TREE TOP DRIVE).

**Clerk's Note:** Items 24.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. DISCUSS AND TAKE APPROPRIATE ACTION ON PROPOSED TESTIMONY TO THE TEXAS SENATE COMMITTEE ON INTERNATIONAL RELATIONS AND TRADE ON POLICIES RELATING TO DEVELOPMENT AND GROWTH IN RURAL AND UNINCORPORATED REGIONS OF THE STATE. (3:53 PM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 25.

**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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM RESIDENTS OF HAZY HILLS RANCHETTES SUBDIVISIONS FOR ASSISTANCE REGARDING THE SPICEWOOD STONE COMMERCIAL DEVELOPMENT, BILLBOARD ADVERTISING ON STATE HIGHWAY 71, NOISE AND OTHER ALLEGED NUISANCES. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (3:58 PM) (5:37 PM)

**Clerk's Note:** Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 26 to be reposted when ready.

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

27. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE \$500,000 IN PROGRAM YEAR 2008 FUNDING FOR INFRASTRUCTURE TO SUPPORT AFFORDABLE HOUSING DEVELOPMENT TO AUSTIN HABITAT FOR HUMANITY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (9:27 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.

## OTHER ITEMS

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:27 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 REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF MAY, 2008. (9:27 AM)

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSUMPTIONS REGARDING THE FOLLOWING: (10:17 AM)

A. PROPERTY TAX RATE CONSIDERATIONS; AND

B. 2008 PARCEL RATE FEES. (TAX ASSESSOR COLLECTOR)

**Clerk's Note:** Items 30.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Dusty Knight, Chief Operating Officer, Tax Assessor Collector's Office; Tian Dao, Business Analyst, Tax Assessor Collector's Office; Jennifer Krantz, Tax Compliance Officer Lead, Tax Assessor Collector's Office; Cheryl Janysek, Business Analyst, Tax Assessor Collector's Office; Renea Deckard, Tax Assessor Collector Associate Deputy; John Hille, Assistant County Attorney; and Leroy Nellis, Budget Manager, PBO.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 30.A.

<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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 30.B.

<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



31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM SHERIFF'S OFFICE TO RECLASSIFY SLOT 1223 TO CREATE A CRIME ANALYST POSITION. (SHERIFF'S OFFICE) (9:16 AM)

Item 31 postponed.

32. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING: (3:58 PM)
  - A. CREATING AN INTERGOVERNMENTAL RELATIONS COORDINATOR POSITION FOR TRAVIS COUNTY; AND
  - B. INSTRUCTING THE PLANNING AND BUDGET OFFICE TO INCLUDE THIS POSITION IN THE FY2009 PRELIMINARY BUDGET. (COMMISSIONER ECKHARDT)

Items 32.A&B to be reposted.

**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

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.

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPRAISAL AND SURVEY OF APPROXIMATELY 140 ACRES OF LAND OFF FM 969 IN EAST AUSTIN. <sup>1 AND 2</sup> (3:58 PM) (5:38 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we ask Staff and the County Judge and others who want to work on it, to work with the City of Austin and the interested private party on what we discussed with legal counsel and Staff; and also that we communicate with the state officials at the Travis County Community Justice Center what is in the works so they will know exactly what we have in mind.

<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	absent

Item 33 to be reposted when ready.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH PARKE PROPERTIES I AND II, L.P. AND GDF REALTY INVESTMENTS LTD. FOR THE ACQUISITION OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. <sup>2</sup> (3:58 PM) (5:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Item 34 was not discussed.

Item 34 to be reposted on either July 8, 2008 or July 15, 2008.

35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN SANDRA LUNA, INDIVIDUALLY, AND A/N/F KASANDRA LUNA V. CITY OF AUSTIN, TRAVIS COUNTY AND MICHAEL HARLEY, ALT. <sup>1</sup> (3:59 PM)

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

Item 35 was postponed.

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN ANDRE TYRONE SOUTHWALL V. MARGO FRASIER, ET. AL, NO. A-05-CA-342-SS. <sup>1</sup> (9:38 AM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 36 was postponed.

37. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE CONTESTED CASE HEARING ON THE PENDING APPLICATION FOR THE PROPOSED SOLID WASTE AMENDMENT TO EXPAND WASTE MANAGEMENT OF TEXAS LANDFILL LOCATED ON GILES ROAD NEAR STATE HIGHWAY 290 EAST. <sup>1</sup> (3:58 PM) (5:39 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.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize the County Attorney to take any and all steps necessary to represent Travis County in this administrative hearing, in a manner consistent with the position taken by a majority of the Commissioners Court previously.

**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	absent

38. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE CONTESTED CASE HEARING ON THE PENDING APPLICATION FOR THE PROPOSED SOLID WASTE AMENDMENT TO EXPAND BFI WASTE SYSTEMS OF NORTH AMERICA, INC. <sup>1</sup> (3:58 PM) (5:39 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.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize the County Attorney to take any and all steps necessary to represent the Travis County Commissioners Court in this administrative hearing, and in this case the expansion application is filed by BFI Waste Systems of North America Inc., in a manner consistent with the position of the Commissioners Court previously.

**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	absent

39. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT BETWEEN CITY OF BEE CAVE AND TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1 CONCERNING BEE CAVE PARKWAY. <sup>1 AND 2</sup> (9:17 AM)

**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 and Gov't. Code Ann. 551.072, Real Property.

Item 39 not needed.

### ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RATIFY DECISION TO AUTHORIZE THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES TEAM TO USE COUNTY OWNED PROPERTY TO CONDUCT ARSON INVESTIGATION. (9:27 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.

- A2. **PUBLIC HEARING AT 9:00 A.M.** RECEIVE COMMENTS ON THE PROPOSED PARK FEES FOR THE COMMUNITY PAVILION AT EAST METROPOLITAN PARK AND RESERVATION OF ATHLETIC FIELDS AT ALL COUNTY PARKS. (ACTION ITEM #18) (9:19 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 18 for a summary of the action item.

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

- A3. DISCUSS AND TAKE APPROPRIATE ACTION ON FISCAL YEAR 2008 JOB ANALYSIS PROJECT RESULTS, RECOMMENDATIONS AND OTHER COMPENSATION RELATED ITEMS: (10:46 AM)
- A. CLASSIFIED JOB TITLES, PAY GRADES, FLSA DESIGNATIONS FOR JOB FAMILIES INCLUDING COURTS; SENIOR AND MIDDLE MANAGEMENT; PROFESSIONAL SUPPORT; TRAINING, EDUCATION AND INSTRUCTION; REPRODUCTION; PUBLIC INFORMATION; HUMAN RESOURCES; INFORMATION TECHNOLOGY; AND SPECIAL PROJECT/ELECTIONS;
  - B. COST TO IMPLEMENT CLASSIFIED JOB ANALYSIS PROJECT RESULTS INCLUDING GREEN-CIRCLED SLOTS AND GENERAL MARKET ADJUSTMENT; AND
  - C. LIVABLE WAGE RATE.

**Clerk's Note:** Items A3.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Linda Moore Smith, Director, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Luane Schull, Compensation Manager, HRMD; Greg Powell, Business Manager, Local 1624, AFSCME; Tonya Mills, TCSO; and Debbie Rich, Human Resources Coordinator, TCSO.

Discussion only. No formal action taken.

Items A3.A-C to be reposted on July 8, 2009.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:40 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	absent

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

**Date of Approval**

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