

## MINUTES OF MEETING – MARCH 20, 2007

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 20<sup>th</sup> day of March 2007, 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 12:02 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:39 PM and adjourned at 1:48 PM.

The Commissioners Court reconvened the Voting Session at 1:48 PM.

The Commissioners Court retired to Executive Session at 2:15 PM.

The Commissioners Court reconvened the Voting Session at 2:43 PM.

The Commissioners Court adjourned the Voting Session at 2:47 PM.

### CITIZENS COMMUNICATION

**Members of the Court heard from:** The Honorable W. Jeanne Meurer, Judge, 98<sup>th</sup> District; Cyd Grimes, Travis County Purchasing Agent; and Gus Peña, Travis County Resident. (9:17 AM)





- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT THREE: THE HOLLOW AT SLAUGHTER CREEK (SMALL LOT) PRELIMINARY PLAN (TOTAL NUMBER OF LOTS 220 – 40.742 ACRES, 215 SINGLE FAMILY LOTS AND 5 LANDSCAPE, SIGHT DISTANCE, DRAINAGE, WATER QUALITY LOTS – SLAUGHTER CREEK AT GENOA DRIVE – NO FISCAL IS REQUIRED FROM TRAVIS COUNTY WITH THIS PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN - CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:29 AM)

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR; Patricia Michael, President, Texas Oaks South Neighborhood Association (TOSNA); Jeff Howard, Centex Homes; Tom Nuckols, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Daugherty to approve Item 2.

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

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe to approve 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

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:16 AM)
  - A. VILLAGES OF HIDDEN LAKE, PHASE 5A, FINAL PLAT IN PRECINCT TWO (LONG FORM PLAT – 88 TOTAL LOTS: 86 SINGLE FAMILY LOTS AND 2 LANDSCAPE LOTS - 24.42 ACRES – WEISS LANE – FULL FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF PFLUGERVILLE – PFLUGERVILLE ETJ); AND
  - B. APPROVE A CONSTRUCTION AGREEMENT FOR VILLAGES OF HIDDEN LAKE, PHASE 5A, FINAL PLAT, IN PRECINCT TWO. (COMMISSIONER ECKHARDT)

Items 3.A&B postponed until April 3, 2007.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(9:16 AM)
  - A. VILLAGES OF HIDDEN LAKE, PHASE 6A, FINAL PLAT IN PRECINCT TWO (LONG FORM PLAT – 90 TOTAL LOTS: 90 SINGLE FAMILY LOTS - 23.04 ACRES – WEISS LANE – FULL FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF PFLUGERVILLE – PFLUGERVILLE ETJ); AND
  - B. APPROVE A CONSTRUCTION AGREEMENT FOR VILLAGES OF HIDDEN LAKE, PHASE 6A, FINAL PLAT, IN PRECINCT TWO. (COMMISSIONER ECKHARDT)

Items 4.A&B postponed until April 3, 2007.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(9:25 AM)
  - A. WATERFORD SECTION 7 FINAL PLAT IN PRECINCT THREE (SHORT FORM PLAT – 3 TOTAL LOTS: 7 DETACHED STRUCTURES – 71 SINGLE FAMILY UNITS – 25.01 ACRES – IVEAN PEARSON ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUD #10 – CITY OF LAGO VISTA ETJ); AND
  - B. APPROVE A CONSTRUCTION AGREEMENT FOR WATERSTONE CONDOMINIUM PROJECT, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 5.A&B 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 ON THE APPROVAL OF A VARIANCE TO CHAPTER 82.401 (c)(4), STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS TO ALLOW THE ACCEPTANCE OF DEDICATION OF A PORTION OF STREET AND DRAINAGE FACILITIES IN CARDINAL HILLS UNIT 3, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (10:27 AM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 6.

**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

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE DESIGN AND CONSTRUCTION OF PORTIONS OF HEATHERWILDE BOULEVARD AND WELLS BRANCH PARKWAY IN PRECINCTS ONE AND TWO. (COMMISSIONER DAVIS AND COMMISSIONER ECKHARDT) (9:16 AM)

Item 7 pulled until further notice.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE CONSTRUCTION OF THE EXTENSION OF PARMER LANE FROM US 290 TO STATE HIGHWAY 130, IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:16 AM)

Item 8 pulled until further notice.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RECOMMENDATION FROM HEALTH AND HUMAN SERVICES AND VETERANS SERVICE DEPARTMENT TO APPROVE \$67,000 IN EMERGENCY ONE-TIME FUNDING FOR THE WRIGHT HOUSE WELLNESS CENTER'S CLIENT ADVOCACY PROGRAM. (10:28 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Susan Wills, Executive Director, The Wright House Wellness Center; Randolph B. Houston, Jr., President, The Wright House Wellness Center Board; Vincetta Green, Case Management, The Wright House Wellness Center; and Ana Almaguel, Planner, TCHHS&VS.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 9.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** Item 9 was further discussed at 10:48 AM with a request by Commissioner Daugherty that the Commissioners' Court record reflect a Corrected Vote on Item 9. Judge Biscoe instructed that the record show Commissioner Daugherty voting in favor of the Motion on Item 9. The Commissioners' Court record does reflect the Corrected Vote.

**Corrected Vote:**

**Motion carried:**

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

### PLANNING AND BUDGET DEPT. ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:25 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 STATUS OF JUSTICE OF THE PEACE, PRECINCT THREE FINES AND FEES COLLECTIONS PILOT PROJECT AND THE PLAN FOR PHASE II OF THE PROJECT. (10:47 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Dusty Knight, Chief Operating Officer, Tax Assessor Collector's Office; and Stacy Suits, Chief Deputy, Constable Precinct 3.

Discussion only. No formal action taken.

### ADMINISTRATIVE OPERATIONS ITEMS

12. 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 \$671,265.66, FOR THE PERIOD OF MARCH 2, 2007 TO MARCH 8, 2007. (9:25 AM)

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

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

**Clerk's Note:** Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 14. DISCUSS AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(1:59 PM)
  - A. REMAINING ISSUES ASSOCIATED WITH TEMPORARY EMPLOYEES AND PARTICIPATION IN THE TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM (TCDRS) FOR COMPLIANCE WITH TEXAS GOV'T CODE CHAPTER 842; AND
  - B. AUTHORIZE REVISION OF ALL PERSONNEL POLICIES, PROCEDURES AND GUIDELINES IMPACTED BY TEXAS GOV'T CODE CHAPTER 842 REVISIONS.

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

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); Barbara Wilson, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 14.A&B.

**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

- 15. APPROVE CONTRACT NO. PS070179JW, SPEED SHORE CORPORATION, FOR EQUIPMENT OPERATOR TRAINING SERVICES. (TRANSPORTATION AND NATURAL RESOURCES) (9:25 AM)

**Clerk's Note:** Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**Clerk's Note:** The Court authorized the County Judge to sign the original contract on receipt.

16. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 05AE0298RV, HARUTUNIAN ENGINEERING, INC. TO PROVIDE MECHANICAL, ELECTRICAL AND PLUMBING ENGINEERING SERVICES FOR THE HEMAN MARION SWEATT COURTHOUSE. (FACILITIES MANAGEMENT) (9:25 AM)

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

17. APPROVE MODIFICATION NO. 21, AN ASSIGNMENT OF CONTRACT NO. MA010043 FROM CERTIFIED SYSTEMS, INC. TO AUCTOR CORPORATION. (DOMESTIC RELATIONS AND INFORMATION TELECOMMUNICATIONS SYSTEMS) (9:25 AM)

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

18. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. 99C0018-JP, HART INTERCIVIC, FOR PUBLIC RECORDS DEED INDEXING SYSTEM. (COUNTY CLERK) (9:25 AM)

**Clerk's Note:** Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. APPROVE CONTRACT NO. PS070185RE, AIDS SERVICES OF AUSTIN, FOR HIV SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS SERVICES) (10:45 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS.

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

**Clerk's Note:** Item 19 was further discussed at 10:48 AM with a request by Commissioner Daugherty that the Commissioners' Court record reflect a Corrected Vote on Item 19. Judge Biscoe instructed that the record show Commissioner Daugherty voting in favor of the Motion on Item 19. The Commissioners' Court record does reflect the Corrected Vote.

**Corrected Vote:**

**Motion carried:**

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

20. APPROVE CONTRACT NO. PS070186RE, WRIGHT HOUSE WELLNESS CENTER, FOR HIV SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS SERVICES) (9:25 AM)

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

21. APPROVE CONTRACT AWARD FOR TRAFFIC PAINT, IFB NO. B070128-NB, TO THE LOW BIDDER, ALLSTATES COATINGS CO. (TRANSPORTATION AND NATURAL RESOURCES) (9:25 AM)

**Clerk's Note:** Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 05T00136OJ, FROST INSURANCE AGENCY, FOR EXCESS WORKERS' COMPENSATION INSURANCE. (HUMAN RESOURCES) (9:25 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.

23. APPROVE CONTRACT AWARDS FOR JANITORIAL SERVICES, WEST RURAL COMMUNITY CENTER/CLINIC, PRECINCT THREE OFFICE BUILDING, NORTH RURAL COMMUNITY CENTER/CLINIC, IFB NO. B070161-LD, TO THE LOW BIDDERS: (9:25 AM)

A. GROUP A, ALL ITEMS, WEST RURAL COMMUNITY CENTER, WEST RURAL CLINIC, PRECINCT THREE OFFICE BUILDING, K B CONTRACT CLEANERS; AND

B. GROUP B, ALL ITEMS, NORTH RURAL COMMUNITY CENTER, NORTH RURAL CLINIC, MAJESTIKLEEN. (FACILITIES MANAGEMENT)

**Clerk's Note:** Items 23.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. APPROVE CONTRACT AWARD FOR 290 EAST LANDFILL OPERATIONS AND MAINTENANCE, IFB NO. 07T0145-LD, TO THE LOW BIDDER, SCS FIELD SERVICES. (TRANSPORTATION AND NATURAL RESOURCES) (1:57 PM)

Item 24 postponed until March 27, 2007.

25. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. CM060073JT, COMMERCIAL SECURITY INTEGRATION INC. D/B/A EBM AUSTIN FOR UPGRADE TO THE SECURITY ACCESS CONTROL SYSTEM. (FACILITIES MANAGEMENT AND SHERIFF'S OFFICE) (9:25 AM)

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

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR CLARIFICATION ON COURT'S DECISION REGARDING WHETHER TO RETAIN THE BID BOND OR RETURN IT TO BORETEX, LLC AT THE TIME OF CONTRACT AWARD. (1:57 PM)

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

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

**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 26 the Court has agreed to return the Bid Bond to Boretex, LLC.

### OTHER ITEMS

- 27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF FEBRUARY 2007. (AUDITOR'S OFFICE) (9:25 AM)

**Clerk's Note:** Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 29. APPOINT IRENE M. GONZALES TO THE TRAVIS COUNTY HISTORICAL COMMISSION BEGINNING MARCH 2007 THROUGH JANUARY 2009. (COMMISSIONER GÓMEZ) (9:25 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 CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (9:16 AM)

A. SENATE BILL 1204: RELATING TO REORGANIZATION AND ADMINISTRATION OF, AND PROCEDURES RELATING TO, COURTS IN THIS STATE, INCLUDING PROCEDURES FOR APPEALS;

Item 30 postponed until March 27, 2007.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

B. HOUSE BILL 3534: RELATING TO CERTAIN LIMITATIONS ON THE AD VALOREM TAX RATES OF CERTAIN TAXING UNITS, AND OTHER LEGISLATIVE ISSUES RELATING TO TAX AND REVENUE CAPS;

Item 30.B was not discussed.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

C. HOUSE BILL 3196: RELATING TO TOLL COLLECTION AND ENFORCEMENT;

Item 30.C was not discussed.

**ITEM 30 CONTINUED**

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

D. SENATE BILL 1688: RELATING TO THE CREATION, POWERS AND DUTIES OF A TRANSPORTATION INFRASTRUCTURE SERVICES DISTRICT CREATED BY A MUNICIPALITY; IMPOSING TAXES AND AUTHORIZING BONDS;

**Clerk's Note:** Items 30.D-F are associated with one another and were called for concurrent discussion. Please refer to Item 30.F for a summary of the action taken by the Court.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

E. SENATE BILL 1689: RELATING TO THE MUNICIPALITIES THAT MAY ANNEX AN AREA FOR LIMITED PURPOSES;

**Clerk's Note:** Items 30.D-F are associated with one another and were called for concurrent discussion. Please refer to Item 30.F for a summary of the action taken by the Court.

**ITEM 30 CONTINUED**

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

F. SENATE BILL 1690: RELATING TO THE AUTHORITY OF A COUNTY TO ZONE, APPLY BUILDING STANDARDS, AND IMPOSE IMPACT FEES IN AN AREA NEAR CERTAIN TOLL PROJECTS; PROVIDING A PENALTY; AND

**Clerk’s Note:** Items 30.D-F are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; Bob Kamm, Travis County Legislative Consultant; and Chris Shields, Travis County Legislative Consultant.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 30.F.

**A Clarification of the Previous Motion was made by** Judge Biscoe that the motion is to support SB 1690.

<b>Motion failed:</b> County Judge Samuel T. Biscoe	present but not voting
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	present but not voting
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk’s Note:** The County Judge noted that according to our policy, to support this motion would require either a 5/0 or 4/1 vote.

Discussion only. No formal action taken.

Items 30.D-F to be reposted on March 27, 2007.

ITEM 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

G. DISCUSSION OF OTHER BILLS AND LEGISLATIVE ISSUES AS NECESSARY.

**Clerk’s Note:** The Court received an update from Bob Kamm, Travis County Legislative Consultant on priority legislation of concern to Travis County.

**Members of the Court heard from:** Bob Kamm, Travis County Legislative Consultant.

Discussion only. No formal action taken.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION FROM OVERSIGHT COMMITTEE ON SELECTION OF DIRECTOR OF TRAVIS COUNTY MENTAL HEALTH PUBLIC DEFENDERS OFFICE. (1:48 PM)

**Members of the Court heard from:** Kimberly Pierce, Planning Manager, Criminal Justice Planning (CJP); Bill Browning, Attorney, Oversight Committee Member; Jeanette Kinard, recommended appointee to Director of the Mental Health Public Defender’s Office.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to approve the recommendation:

- 1) That we hire Ms. Kinard as the Director of the Travis County Mental Health Public Defender’s Office;
- 2) That we authorize Commissioner Gómez and Judge Biscoe to negotiate with her about a beginning date and salary, and that we try to conduct those negotiations this week, and have this matter back on the Court’s Agenda March 27, 2007;
- 3) That we further discuss and come back to the Court with specific recommendations about other steps that need to be taken to complete the implementation.

<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 thanked the Oversight Committee for their hard work.

**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.

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ENTERTAINMENT BY J&J INC. V. CELIA PEREZ, VERONICA PEREZ GOVEA AND LUKE MERCER, CONSTABLE PRECINCT ONE, ET AL.  
<sup>1</sup> (2:15 PM) (2:43 PM)

**Clerk's Note:** Judge Biscoe announced that Item 32 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 to agree to pay the settlement offer in the amount of \$165,000.00 to settle this matter; that we get the appropriate release of claims, etc., in an appropriate document.

**Motion carried:**

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

**Clerk's Note:** The Court encouraged appropriate training and follow-up to prevent this sort of thing occurring again.





