

MINUTES OF MEETING MAY 8, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 8th day of May 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 11:46 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:44 PM and adjourned at 1:50 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; convened at 1:50 PM and adjourned at 1:55 PM.

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

The Commissioners Court retired to Executive Session at 3:51 PM.

The Commissioners Court reconvened the Voting Session at 5:53 PM.

The Commissioners Court adjourned the Voting Session at 6:01 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOT 10, BLOCK F, BELLA VISTA SUBDIVISION SECTION 1 AND LOT 9, BLOCK F, BELLA VISTA SUBDIVISION SECTION 3-A (SHORT FORM PLAT – 2 LOTS – 0.667 ACRES – APPENNINI WAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTIES WCID NO. 1E – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (ACTION ITEM #14) (9:16 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: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Kim Campbell, TXU Energy; and Andrea Colunga Bussey, Division Director, Family Support Services, TCHHS&VS. (9:18 AM)

CONSENT ITEMS

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Mary Etta Gerhardt, Assistant County Attorney; and John Hille, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C4 and Items 5, 6, 8, 9, 10, 12, 13, 14, 19, 20, 21, 24.A&B, 25, 26, 27, 28, 31, 32, 33.A-D, and A1. (9:22 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 ON MAY 29, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF HARTSHILL DRIVE WITHIN THE LONG CANYON 1-A SUBDIVISION, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF APRIL 24, 2007.

RESOLUTIONS & PROCLAMATIONS

2. APPROVE PROCLAMATION RECOGNIZING MAY 6 THROUGH MAY 12, 2007 AS "ARSON AWARENESS WEEK" IN TRAVIS COUNTY. (9:29 AM)

Members of the Court heard from: Brad Beauchamp, Acting Travis County Fire Marshal; and Ken Finley, Vice President, International Association of Arson Investigators.

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

SPECIAL ITEMS

3. RECEIVE PUBLIC TESTIMONY AND TAKE APPROPRIATE ACTION CONCERNING LARGE GATHERINGS WITH LOUD MUSIC AT THE J. LORRAINE RANCH ON 14219 LITTIG ROAD. (COMMISSIONER DAVIS) (9:36 AM)

Members of the Court heard from: Brennan Donohue, Travis County Resident; Dolores Donohue, Travis County Resident; Helen Austin, Williamson County Resident; Idalia Orocio, Pastor and Founder, Word of God Church; Snow Olvera, Travis County Resident; Hope Olvera, Travis County Resident; George T. Richards, Owner, J. Lorraine; and Casey Bolt, Events Coordinator.

Discussion only. No formal action taken.

PURCHASING OFFICE ITEMS

4. **REVISED LANGUAGE: CONSIDER AND TAKE APPROPRIATE ACTION ON MODIFICATION NO. 2 TO CONTRACT NO. PS050216MB, HOK, FOR PROFESSIONAL CONSULTING SERVICES FOR TRAVIS COUNTY CORRECTIONAL COMPLEX DESIGN-BUILD PROJECT. (FACILITIES MANAGEMENT) (2:15 PM)**

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Roger El Khoury, Director, Facilities Management; Ken Gaede, Project Manager, Facilities Management; and Bill Prindle, Senior Vice President, Hellmuth, Obata, and Kassabaum (HOK).

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 4.

Motion carried:

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

5. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR EAST METRO PARK, PHASE II IMPROVEMENTS PROJECT, IFB NO. B070135-LP, TO THE LOW BIDDER, JOURNEYMAN CONSTRUCTION, LP. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAVIS) (9:22 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 CONSTRUCTION SERVICES FOR THE 2007 HMAc OVERLAY PROGRAM, GROUPS A, B, C AND D, IFB NO. B070170-LP, TO THE LOW BIDDER, WHEELER COATINGS ASPHALT, LP. (TRANSPORTATION AND NATURAL RESOURCES) (9:22 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. 11 TO CONTRACT NO. PS960075JW, AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, FOR FAMILY PRESERVATION PROGRAM SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (11:06 AM)

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 7.

Motion carried:

County Judge Samuel T. Biscoe	abstain
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

- 8. APPROVE CONTRACT AWARD FOR CASE MANAGEMENT SERVICES, RFS NO. S070001-RE, TO SOUTHWEST KEY PROGRAM, INC. (JUVENILE PROBATION) (9:22 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 ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL MECHANICAL, ELECTRICAL, AND PLUMBING ENGINEERING SERVICES FROM TEXAS ENERGY ENGINEERING SERVICES, INC. FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (COMMISSIONER ECKHARDT) (9:22 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 NO. PS070217ML, PROFESSIONAL PSYCHIATRIC SERVICES WITH MAUREEN S. BURROWS M.D., M.P.H. (DISTRICT AND CRIMINAL COURTS) (9:22 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.

THIS ITEM TO BE TAKEN UP AT 10:30 A.M.

11. APPROVE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FEDERALLY-APPROVED DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM. (10:46 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Sylvia Lopez, Historically Underutilized Business (HUB) Program Coordinator, Purchasing; Elizabeth Boswell, Transportation Compliance Engineer, Business Opportunities Programs, Texas Department of Transport (TXDOT); and Tamara Armstrong, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 11.

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

12. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS990110EF, COMMUNICATION SERVICES FOR THE DEAF, FOR INTERPRETER SERVICES. (HHS & VS) (9:22 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 TERMINATION OF CONTRACT NO. PS000207-JW, GREATER SAN MARCOS YOUTH COUNCIL, INC., FOR RESIDENTIAL TREATMENT SERVICES. (JUVENILE PROBATION) (9:22 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOT 10, BLOCK F, BELLA VISTA SUBDIVISION SECTION 1 AND LOT 9, BLOCK F, BELLA VISTA SUBDIVISION SECTION 3-A (SHORT FORM PLAT – 2 LOTS – 0.667 ACRES – APPENNINI WAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON/TRAVIS COUNTIES WCID NO. 1E – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:22 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 REQUEST TO APPROVE PROCESS FOR PUBLIC INPUT ON PROPOSED MASTER PLAN FOR IMPROVING MILTON REIMERS RANCH PARK IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:16 AM)

Item 15 was pulled from the Agenda.

16. CONSIDER AND TAKE APPROPRIATE ACTION TO AUTHORIZE TRANSPORTATION AND NATURAL RESOURCES STAFF TO WORK WITH THE PLANNING AND BUDGET OFFICE, THE AUDITOR'S OFFICE AND THE CITY OF AUSTIN TO DEVELOP A FUNDING STRATEGY TO COMPLETE ACQUISITION OF THE BALCONES CANYONLANDS PRESERVE WITHIN FOUR YEARS AND ENSURE ADEQUATE LONG-TERM FUNDING OF OPERATIONS AND MANAGEMENT OBLIGATIONS. (COMMISSIONER DAUGHERTY) (1:56 PM)

Members of the Court heard from: Rose Farmer, Resource Management Specialist, TNR; and Kevin Connally, Travis County Natural Resources Environmental Specialist, TNR.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty for the creation of a committee between Transportation and Natural Resources (TNR), the Planning and Budget Office (PBO), the Auditor's Office, and the City of Austin to come up with a triage of which are the most feasible options for completing the purchase within four years.

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 16 to be reposted when ready.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT ONE: THE ESTATES AT BELL FARMS, PRELIMINARY PLAN, (TOTAL LOTS 587 – 244.58 ACRES, 585 SINGLE FAMILY LOTS, DRAINAGE, LANDSCAPE, PRIVATE AMENITY, SIGHT DISTANCE AND 2 MULTI-FAMILY LOTS (202 UNITS) – OLD HIGHWAY 20 – NO FISCAL IS REQUIRED FROM TRAVIS COUNTY WITH THIS PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED HORNSBY BEND, CITY OF AUSTIN ETJ). (COMMISSIONER DAVIS) (9:28 AM)

Item 17 postponed until May 15, 2007.

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON RESPONSES TO THE QUESTIONNAIRE FROM THE APPLICANTS WISHING TO REPRESENT SMALL CITIES ON THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION BOARD (CAMPO). (2:27 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez that we appoint Commissioners Gomez and Daugherty to serve on a subcommittee of the Commissioners Court, to work with Joe Gieselman, Executive Manager, TNR between now and 5:00 PM Friday, May 11, 2007, to read and evaluate the answers to the questionnaires; that we contact applicant and ascertain interest in serving as the alternate; and that we post on next Tuesday's Agenda, May 15, 2007, an item that will allow us to make the appointment to address the alternate situation and any other related issues.

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

Item 18 to be reposted on May 15, 2007.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON A FEE REIMBURSEMENT AGREEMENT FOR BRIARCREEK SECTION 5, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:22 AM)

Clerk's Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AMENDMENT #1 TO LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT FOR A STP METROPOLITAN MOBILITY PROJECT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR FRATE-BARKER ROAD, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:22 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 THE LOWER COLORADO RIVER AUTHORITY (LCRA) CONTRACT TO PURCHASE COLORADO RIVER WATER FOR RECREATIONAL USE AT SOUTHEAST METROPOLITAN PARK. (COMMISSIONER GÓMEZ) (9:22 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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

22. RECEIVE BRIEFING FROM RAY MARSHALL CENTER AT THE UNIVERSITY OF TEXAS AT AUSTIN ON FINDING FROM EVALUATION OF COUNTY-FUNDED WORKFORCE DEVELOPMENT SERVICES WITH FOCUS ON THE FIRST YEAR OF THE RAPID EMPLOYMENT MODEL PILOT. (2:42 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Lawrence Lyman, Social Services Program Administrator, Workforce Development, TCHHS&VS; Dr. Christopher King, Director, Ray Marshall Center, University of Texas; and Tara Smith, Research Associate, Ray Marshall Center, University of Texas.

Discussion only. No formal action taken.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO PLAIN VIEW ESTATES NEIGHBORHOOD: (3:15 PM)
- A. RESULTS OF INCOME AND DEMOGRAPHIC SURVEY; AND
 - B. **REVISED LANGUAGE:** AGREEMENT WITH HORNSBY BEND WATER UTILITY **COMPANY.** (COMMISSIONER DAVIS)

Clerk's Note: Items 23.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; John Hille, Assistant County Attorney; and Joe Gieselman, Executive Manager, TNR.

Discussion only. No formal action taken.

Item 23.B to be reposted on May 15, 2007.

PLANNING AND BUDGET DEPT. ITEMS

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:22 AM)
- A. GRANT APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE JUVENILE PROBATION DEPARTMENT TO PROVIDE RESOURCES TO WORK WITH JUVENILES AND THEIR FAMILIES TO PREVENT FURTHER INVOLVEMENT WITHIN THE JUSTICE SYSTEM; AND
 - B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE HEALTH AND HUMAN SERVICES DEPARTMENT TO PROVIDE UTILITY ASSISTANCE AND THE REPAIR, REPLACEMENT OR RETROFIT OF HEATING AND COOLING APPLIANCES FOR ELIGIBLE HOUSEHOLDS.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:22 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 A PROPOSED SECOND AMENDMENT OF INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY HEALTHCARE DISTRICT AND TRAVIS COUNTY, TEXAS. (9:22 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.

ADMINISTRATIVE OPERATIONS ITEMS

27. 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 \$447,613.92 FOR THE PERIOD OF APRIL 20 TO APRIL 26, 2007. (9:22 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:22 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 REQUEST FROM CITY OF AUSTIN TO APPOINT A TRAVIS COUNTY REPRESENTATIVE TO THE DOWNTOWN AUSTIN PLAN TECHNICAL ADVISORY GROUP. (3:51 PM)

Item 29 postponed until May 15, 2007.

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

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

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Cindy Purinton, Benefit Administrator, Human Resources Management Department (HRMD); Dan Mansour, Risk and Benefits Manager, HRMD; Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Oma Claunch, Broker, Unum.

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

- A. MAINTAINING OR ELIMINATING EPO (EXCLUSIVE PROVIDER ORGANIZATION) FOR FY '08;

Motion by Judge Biscoe and seconded by Commissioner Davis that we follow the Benefit Committee's recommendation and maintain the Exclusive Provider Organization (EPO) for one more year, and that we keep up the effort to educate employees about the many advantages of the Preferred Provider Organization (PPO) during the enrollment process.

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

ITEM 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

B. ACTIVE EMPLOYEES HEALTH INSURANCE RATES AND SUBSIDIES;

Clerk’s Note: The Court discussed a recommendation from the Benefits Committee that there be no increase in active employee insurance premiums for FY '08.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the recommendation.

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

C. RETIREES HEALTH INSURANCE RATES AND SUBSIDIES;

Clerk’s Note: The Court discussed two options:

- 1) B – No increase in premiums for retirees
- 2) B2 – A decrease in premiums as follows:
 - Under 65 retiree – decrease in premium of \$200
 - Under 65 retiree plus child - decrease in premium of \$100
 - Over 65 retiree - decrease in premium of \$40.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Option B2 and that we fund it out of the Health Benefits Reserve.

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 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

D. HEALTH REIMBURSEMENT ACCOUNT; AND

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that we pursue the creation of a Health Reimbursement Account.

A Clarification of the previous Motion was made by Judge Biscoe that Staff should take steps to bring back a detailed proposal for the Court's review at the appropriate time in the future, before we adopt the budget.

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

E. GROUP LIFE INSURANCE:

1. INCREASE BASIC LIFE FROM \$25,000 TO \$50,000;

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 30.E.1.

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 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

E. GROUP LIFE INSURANCE:

2. INCREASE IN RETIREE LIFE FROM \$10,000 TO \$15,000; AND

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (3:24 AM)

E. GROUP LIFE INSURANCE:

3. INCREASE MAXIMUM SUPPLEMENTAL LIFE FROM \$200,000 TO \$250,000.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 30.E.3.

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

OTHER ITEMS

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:22 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 REGARDING AN ORDER APPOINTING PRESIDING JUDGES AND ALTERNATE PRESIDING JUDGES FOR THE MAY 12, 2007 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (9:22 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.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ADDITIONS TO THE TRAVIS COUNTY VEHICLE AND EQUIPMENT FLEET: (9:22 AM)
- A. 1992 BARTH COMMAND VEHICLE ACQUIRED FROM THE TEXAS DEPARTMENT OF PUBLIC SAFETY;
 - B. 1994 DODGE SWAT TACTICAL RESCUE VEHICLE ACQUIRED FROM THE AUSTIN POLICE DEPARTMENT;
 - C. 1997 REFRIGERATED UTILITY TRAILER ACQUIRED FROM THE SHERIFF'S COMBINED AUTO THEFT TASK FORCE; AND
 - D. 2007 WELLS FARGO TWELVE FOOT TOTE WAGON TRAILER ACQUIRED BY THE SHERIFF'S AUTO THEFT TASK FORCE. (SHERIFF'S OFFICE)

Clerk's Note: Items 33.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

THIS ITEM TO BE TAKEN UP AT 11:00 A.M.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE:
(11:07 AM)

A. SENATE BILL 1164: RELATING TO THE COMPENSATION OF OFFICIAL COURT REPORTERS FOR DISTRICT COURTS;

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant.

Discussion only. No formal action taken.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE:
(11:07 AM)

B. SENATE CONCURRENT RESOLUTION 42: GRANTING MARIA ISABEL GUERRERO-MCDONALD AND GUERRERO-MCDONALD & ASSOCIATES, INC., PERMISSION TO SUE TRAVIS COUNTY;

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant.

Discussion only. No formal action taken.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE:
(11:08 AM)

C. HOUSE BILL 937: RELATING TO THE DEFINITION OF CERTAIN AUTHORIZED EMERGENCY VEHICLES AND TO AN EXEMPTION FROM THE PAYMENT OF A TOLL FOR THOSE VEHICLES;

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant; Bob Kamm, Travis County Legislative Consultant; Chris Shields, Travis County Legislative Consultant; and Jim Connolly, Assistant County Attorney.

Discussion only. No formal action taken.

Item 34.C to be reposted on May 15, 2007.

ITEM 34 CONTINUED

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE: (11:20 AM)

D. HOUSE BILL 3654: RELATING TO THE PLACEMENT OF CERTAIN RELEASEES OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE IN TREATMENT CENTERS, RESIDENTIAL FACILITIES, OR HALFWAY HOUSES;

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; Talia Gaster, Travis County Legislative Consultant; Chris Shields, Travis County Legislative Consultant; and Cindy Finnegan, Criminal Justice Planning (CJP).

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty that we oppose HB 3654 in its current form, but continue to work with them on the details of the bill.

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

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE: (11:28 AM)

E. HOUSE BILL 1886: RELATING TO THE PROCUREMENT METHODS OF CERTAIN POLITICAL SUBDIVISIONS AND CERTAIN OTHER ENTITIES FOR THE CONSTRUCTION, REHABILITATION, ALTERATION, OR REPAIR OF CERTAIN PROJECTS; AND

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; and Cyd Grimes, Travis County Purchasing Agent.

Discussion only. No formal action taken.

ITEM 34 CONTINUED

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE:

(11:31 AM)

- F. DISCUSSION OF OTHER BILLS AND LEGISLATIVE ISSUES AS NECESSARY.

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant; Bob Kamm, Travis County Legislative Consultant; and Talia Gaster, Travis County Legislative Consultant.

Discussion only. No formal action taken.

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.

35. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON SELECTION OF EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY. ^{1 AND 3} (3:51 PM)
(5:53 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 and Gov't. Code Ann. 551.074, Personnel Matters.

Clerk's Note: The Court approved without objection that each member of the Commissioners Court should spend more time with the applications, and next Tuesday, May 15, 2007, either decide to move on the ones we have, to initiate another search, or to select another option.

No action required on Item 35.

Item 35 to be reposted on May 15, 2007.

- 36. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPOINTMENT OF TRAVIS COUNTY FIRE MARSHAL AND TAKE APPROPRIATE ACTION. ¹
^{AND}³ (3:51 PM) (5:54 PM)

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 and Gov’t. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we appoint Brad Beauchamp as Fire Marshall; that we make it effective May 15, 2007; that we authorize the County Judge to negotiate an appropriate salary with Mr. Beauchamp and report back to the Court, up to but not exceeding mid-point.

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

- 37. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POTENTIAL PURCHASE OF PROPERTY ALONG AIRPORT BLVD. IN CENTRAL AUSTIN. ²
(3:51 PM) (5:56 PM)

Clerk’s Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.072, Real Property.

No action required on Item 37.

Item 37 to be reposted May 22, 2007.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TRAVIS COUNTY A 0.082 ACRE (3,586 SQ. FT.) PARCEL OF LAND AND A 0.244 ACRE DRAINAGE AND SLOPE EASEMENT AREA LOCATED ON HOWARD LAND, IN PRECINCT ONE, REQUIRED FOR CONSTRUCTION OF THE HOWARD LANE EAST II ROADWAY IMPROVEMENT PROJECT AS PART OF THE 2005 BOND PROGRAM. ^{1 AND 2} (3:51 PM) (5:56 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 Davis to accept the offer from Mike Jeter, the property owner, to sell the property in question and described in this item, to us for the sum of \$31,156.00.

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 AN COUNTER-OFFER TO SELL TRAVIS COUNTY A 0.043 ACRE (1,873 SQ. FT.) TRACT OF LAND (PARCEL #15) AND A 0.014 ACRE (618 SQ. FT.) TRACT OF LAND (PARCEL #16) NEEDED FOR USE AS RIGHT OF WAY IN CONSTRUCTION OF THE GATTIS SCHOOL ROAD IMPROVEMENT PROJECT AS PART OF THE 2005 BOND PROGRAM. ^{1 AND 2} (3:51 PM) (5:57 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 and Gov't. Code Ann. 551.072, Real Property.

Clerk's Note: The Court discussed an offer from Ms. Sandra Cisneros to sell the property.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to reject her offer, and communicate a counter-offer to purchase the said property for the sum of \$14,300.00.

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

Precinct 4, Commissioner Margaret J. Gómez yes

- 42. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON THE EXPANSION APPLICATION AND RELATED DOCUMENTATION OF BFI-ALLIED WASTE FILED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. ¹ (3:55 PM) (5:58 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.

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

Item 43 postponed until May 15, 2007.

- 43. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LEASING ADDITIONAL PARKING AT THE 812 SAN ANTONIO PARKING GARAGE. ^{1 AND}
² (3:51 PM) (5:59 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 and Gov’t. Code Ann. 551.072, Real Property.

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we agree to the terms as recommended by the owner of the property, and that is that Travis County would lease for the rest of this year, 2007, the spaces at \$80 per parking space, and in calendar year 2008 that amount would increase to \$85; and that we agree to the other terms and conditions set forth in the contract that’s proposed; and that the Court authorize the County Judge to sign it when it’s completed.

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

- 44. RECEIVE REPORT REGARDING SECURITY ISSUES AT THE NORTHWEST RURAL COMMUNITY CENTER IN JONESTOWN AND TAKE APPROPRIATE ACTION. ⁴ (3:51 PM) (6:00 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, Gov't. Code Ann. 551.072, Real Property, and Gov't. Code Ann. 551.076, Security.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to authorize Staff to proceed with the recommendation that they laid before us, with the County to absorb additional costs from the General Fund Loss Prevention line item, and should that line item run short, that it be called to the attention of the Commissioners Court immediately so we can identify another source of funding, and have it back on the Agenda next week, May 15, 2007, just in case.

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 44 to be reposted May 15, 2007.

ADDED ITEM

- A1. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING PROPERTY CLAIM RECOMMENDATION: (9:22 AM)
 - A. FACILITIES MANAGEMENT – SETTLE.

Clerk's Note: Item A1.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

