

MINUTES OF MEETING MAY 22, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 22nd day of May 2007, the Commissioners' Court convened the Voting Session at 9:17 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 11:56 AM.

The Commissioners Court reconvened the Voting Session at 1:39 PM.

The Commissioners Court recessed the Voting Session at 3:04 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 3:05 PM and adjourned at 3:08 PM.

The Commissioners Court reconvened the Voting Session at 3:08 PM.

The Commissioners Court retired to Executive Session at 3:23 PM.

The Commissioners Court reconvened the Voting Session at 5:12 PM.

The Commissioners Court adjourned the Voting Session at 5:17 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 AND 7, BLOCK A, 11505 TEXAS 71, PHASE ONE (TOTAL LOTS 2). (COMMISSIONER DAUGHERTY) (ACTION ITEM #17) (9:18 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.

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 Gieselmann, 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

- 2. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT ONE: REVISED PLAT OF LOTS 1 AND 2, BLOCK A MAGNOLIA RANCH ESTATES (TOTAL LOTS 2). (COMMISSIONER DAVIS) (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 Commissioner Davis **and seconded by** Commissioner Daugherty 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, TNR.

Motion by Commissioner Daugherty **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: Gus Peña, Travis County Resident; Paz Dhody, Travis County Resident; Bruce Todd, Former Mayor, City of Austin; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Chuck Kelley, Manager of Staffing, Training and Employee Relations (STER); Paul Kitchen, HR Compensation Analyst, HRMD; Stuart Thomas Gerstacker, Travis County Resident; Jessie Andrews, Travis County Resident; Michael Ray Lutz, Travis County Resident; Craig Pease, Travis County Resident; Dan Mansour, Risk and Benefits Manager, HRMD; and Zetta Garnett, Benefits Assistant, HRMD. (9:20 AM)

Clerk’s Note: The Commissioners Court passed without objection the setting of a Public Hearing regarding Employee Benefits on Wednesday June 20, 2007 at 4:30 PM.

CONSENT ITEMS

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 7, 8, 12, 14, 15, 16, 17, 18, 20, 21, 24.A&B, 25.A&B, 28, 29, 30, 31, and A1. (10:26 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 COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF MAY 8, 2007.
- C4. APPROVE SETTING A PUBLIC HEARING DATE FOR MAY 29, 2007 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: EMERALD POINT, RESUBDIVISION OF LOTS 6, 7 AND 8, EAGLE RIDGE SUBDIVISION (TOTAL LOTS 2). (COMMISSIONER DAUGHERTY)
- C5. APPROVE SETTING A PUBLIC HEARING DATE FOR JUNE 26, 2007 TO RECEIVE COMMENTS ON A REVISED PLAT FOR RECORDING IN PRECINCT THREE: THE REVISED PLAT OF LOTS 2 AND 3, BLOCK A, ROCKY POINT SUBDIVISION (TOTAL LOTS 2). (COMMISSIONER DAUGHERTY)

RESOLUTIONS & PROCLAMATIONS

3. APPROVE PROCLAMATION RECOGNIZING MAY 20 THROUGH 26, 2007 AS "EMERGENCY MEDICAL SERVICES WEEK" IN TRAVIS COUNTY. (9:47 AM)

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services; Ernie Rodriguez, Deputy Director, Emergency Medical Services, City of Austin; Casey Ping, Program Manager, STAR Flight; Willy Culberson, Director of Aviation Operations, STAR Flight; and Ron Moellenberg, Fire Chief, Travis County Emergency Services District 2 (ESD 2).

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the Proclamation in Item 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

4. APPROVE RESOLUTION RECOGNIZING THE 35TH YEAR OF THE RETIRED AND SENIOR VOLUNTEER PROGRAM (RSVP). (9:55 AM)

Members of the Court heard from: Fred Lugo, Director, Travis County Retired Senior Volunteer Program (RSVP).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 4.

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

5. APPROVE RESOLUTION URGING ALL CITIZENS TO RECOGNIZE MEMORIAL DAY. (10:00 AM)

Members of the Court heard from: Olie Pope, Director, Veterans' Services, Travis County Health and Human Services (TCHHS).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 5.

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

6. APPROVE PROCLAMATION RECOGNIZING LARRY DEGLANDON ON HIS RETIREMENT FROM TRAVIS COUNTY TRANSPORTATION AND NATURAL RESOURCES ROAD MAINTENANCE ON MAY 31, 2007. (COMMISSIONER DAUGHERTY) (10:10 AM)

Members of the Court heard from: Larry DeGlandon, Travis County Employee; Joe Gieselman, Executive Manager, TNR; Don Wheeler, Division Director, Road Maintenance and Fleet Services, TNR; and Mrs. DeGlandon, Travis County Resident.

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

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 \$481,172.75 FOR THE PERIOD OF MAY 4 TO MAY 10, 2007. (10:26 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. (10:26 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 CONTRACTS NECESSARY TO IMPLEMENT THE HEALTHY AT HEART REDUCE YOUR CARDIOVASCULAR RISK PROGRAM. (10:30 AM)

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; and Dr. Lynn N. Stewart, M.D., Employees' Wellness and health Clinic.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

JUSTICE & PUBLIC SAFETY ITEMS

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON COMMENTS IN RESPONSE TO PROPOSED RULE 251.6 BY TEXAS COMMISSION ON STATE EMERGENCY COMMUNICATIONS REGARDING USE OF REVENUE. (3:22 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we delete the last paragraph of the comment letter requesting a 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

- 11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ADDITIONAL STRATEGIES TO IMMEDIATELY REDUCE BACKLOG OF LAB TESTS FROM FORENSIC LAB SERVICES. (9:17 AM)

Item 11 postponed until May 29, 2007.

PURCHASING OFFICE ITEMS

- 12. APPROVE CONTRACT AWARD FOR HARDWARE STORE ITEMS, IFB NO. B070212-NB, TO THE SOLE BIDDER, LOWES. (FACILITIES MANAGEMENT) (10:26 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.

Clerk’s Note: The Court noted that the contract in Item 12 is a Countywide contract, not just a Facilities Management contract.

13. APPROVE CONTRACT AWARD TO TEXAS ENERGY ENGINEERING SERVICES, INC. FOR THE PURCHASE OF PROFESSIONAL MECHANICAL, ELECTRICAL, AND PLUMBING ENGINEERING SERVICES FOR PRECINCT TWO OFFICE BUILDING EXPANSION. (FACILITIES MANAGEMENT) (COMMISSIONER ECKHARDT) (9:17 AM)

Item 13 postponed until May 29, 2007.

14. DECLARE CERTAIN SKY CONNECT EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZE TRADE-IN ON NEW EQUIPMENT, PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE. (EMERGENCY SERVICES/STAR FLIGHT) (10:26 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. APPROVE MODIFICATION NO. 2, TERMINATION OF CONTRACT NO. PS050172JW, KIM TARLA-RASH, FOR SEXUAL ASSAULT NURSE EXAMINERS (SANE) SERVICES. (SHERIFF'S OFFICE) (10:26 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.

16. APPROVE MODIFICATION NO. 4, TERMINATION OF INTERLOCAL NO. IL020205JW, TEXAS ENGINEERING EXTENSION SERVICE (TEEX), FOR PROFESSIONAL ASSESSMENT AND TRAINING SERVICES FOR HEAVY EQUIPMENT OPERATORS AND MAINTENANCE TECHNICIANS. (TRANSPORTATION AND NATURAL RESOURCES) (10:26 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 AND 7, BLOCK A, 11505 TEXAS 71, PHASE ONE (TOTAL LOTS 2). (COMMISSIONER DAUGHERTY) (10:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: REVISED PLAT OF LOTS 1 AND 2, BLOCK A MAGNOLIA RANCH ESTATES (TOTAL LOTS 2). (COMMISSIONER DAVIS) (10:26 AM)

Clerk’s Note: Item 18 is the action item for the public hearing on Agenda Item 2.

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. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE REVISED FEE SCHEDULE FOR PARTICIPATION UNDER THE BALCONES CANYONLANDS CONSERVATION PLAN - SHARED VISION FOR A PERIOD OF TWO YEARS (UNTIL JULY 14, 2009). (3:19 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Kevin Connally, Travis County Natural Resources Environmental Specialist, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve a Public Hearing for June 12, 2007, and post it for action the same day.

Motion carried:

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH SHADY HOLLOW M.U.D. FOR THREE RADAR SPEED LIMIT SIGNS IN THE RIGHT OF WAY OF BRODIE LANE, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:26 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 AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A PASS THROUGH FINANCE PROJECT ON FM 1626 IN SOUTHWEST TRAVIS COUNTY. (10:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT WITH HORNSBY BEND WATER UTILITY COMPANY FOR PLAIN VIEW ESTATES NEIGHBORHOOD. (COMMISSIONER DAVIS) (11:56 AM)

Item 22 postponed until May 29, 2007.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THREE APPOINTMENTS TO SERVE AS VOTING MEMBERS OF THE CAPITAL AREA REGIONAL TRANSPORTATION ORGANIZATION (CARTPO): (3:08 PM)

- A. REAPPOINT COMMISSIONER GERALD DAUGHERTY;
- B. CONFIRM APPOINTMENT OF CAROLINE MURPHY, MAYOR OF THE VILLAGE OF BEE CAVES; AND
- C. MAKE THIRD APPOINTMENT AS RECOMMENDED.

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

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

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Items 23.A&B.

Clerk's Note: The Court did not take a Vote on the Standing Motion.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to make sure that we notify the new Mayor of Manor, and give them an opportunity.

Clerk's Note: The Court did not take a Vote on the Standing Motion.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we hold off on 23.C and approve 23.A&B today, May 22, 2007.

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 23.C to be reposted on May 29, 2007.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REGARDING MORNINGSIDE SUBDIVISION: (10:26 AM)

- A. A FINAL PLAT FOR RECORDING IN PRECINCT THREE: MORNINGSIDE SUBDIVISION (SMALL LOT) RESUBDIVISION OF LOTS 1-3, BLOCK 6; LOTS 1-7 AND 10-16, BLOCK 5 OF THE MOORELAND ADDITION AND .9 ACRES OF RIGHT OF WAY (TOTAL LOTS 118); AND
- B. A SUBDIVISION CONSTRUCTION AGREEMENT. (COMMISSIONER DAUGHERTY)

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 THE FOLLOWING REGARDING WATERFORD ON LAKE TRAVIS SECTION 3D, A SUBDIVISION IN PRECINCT THREE: (10:26 AM)

- A. REQUEST TO USE ALTERNATE FISCAL; AND
- B. REQUEST TO USE A CASH SECURITY AGREEMENT. (COMMISSIONER DAUGHERTY)

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

26. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON THE COMMUTE SOLUTIONS INNOVATIVE PROGRAM GRANT AWARD. (9:17 AM)

Item 26 postponed until May 29, 2007.

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PROCEED WITH PUBLIC REVIEW OF THE PROPOSED MASTER PLAN FOR MILTON REIMERS RANCH PARK IN PRECINCT THREE, INCLUDING THE MAILING OF MORE THAN 500 FLYERS ADVERTISING THE PUBLIC REVIEW PROCESS. (COMMISSIONER DAUGHERTY) (3:16 PM)

Members of the Court heard from: Wendy Scarperotta, Senior Planner, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt 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

PLANNING AND BUDGET DEPT. ITEMS

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:26 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.

OTHER ITEMS

- 29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:26 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF APRIL 2007. (COUNTY AUDITOR) (10:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT NUMBER FIVE WITH THE CITY OF AUSTIN AND AUSTIN INDEPENDENT SCHOOL DISTRICT FOR THE FY 2007 TRUANCY COURT PILOT PROJECT. (JUVENILE PROBATION) (10:26 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 INTERLOCAL AGREEMENTS PROVIDING DISPATCH SERVICES WITH THE FOLLOWING CITIES: (2:54 PM)
- A. CITY OF SUNSET VALLEY;
 - B. CITY OF MUSTANG RIDGE;
 - C. CITY OF MANOR;
 - D. CITY OF JONESTOWN; AND
 - E. CITY OF ROLLINGWOOD. (SHERIFF'S OFFICE)

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

Members of the Court heard from: Mike Hemby, Senior Planner, Travis County Sheriff's Office (TCSO); and Danny Hobby, Executive Manager, Travis County Emergency Services.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we approve the five contracts before us.

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

Items 32.A-E to be reposted when ready.

33. CANVASS ELECTION RETURNS AND DECLARE RESULTS FOR THE MAY 12, 2007 GENERAL AND SPECIAL ELECTIONS INCLUDING: (2:49 PM)

Clerk’s Note: Items 33.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

33. CANVASS ELECTION RETURNS AND DECLARE RESULTS FOR THE MAY 12, 2007 GENERAL AND SPECIAL ELECTIONS INCLUDING: (2:49 PM)
- A. THE CONSTITUTIONAL AMENDMENT SPECIAL ELECTION;

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we waive the specific reading of the results, and accept the summary as provided by the County Clerk and declare the results to be accurate.

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

33. CANVASS ELECTION RETURNS AND DECLARE RESULTS FOR THE MAY 12, 2007 GENERAL AND SPECIAL ELECTIONS INCLUDING: (2:49 PM)
- B. THE SPECIAL ELECTION FOR THE TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1 (GALLERIA); AND

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Order we have been provided, and that order says *Order Canvassing Election Returns* for Item 6.B., which is the Travis County Bee Cave Road District No. 1 (Galleria).

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 33 CONTINUED

33. CANVASS ELECTION RETURNS AND DECLARE RESULTS FOR THE MAY 12, 2007 GENERAL AND SPECIAL ELECTIONS INCLUDING: (2:49 PM)

C. THE INITIAL ELECTION FOR THE BOARD OF COMMISSIONERS OF THE BASTROP-TRAVIS COUNTIES EMERGENCY SERVICES DISTRICT NO. 1. (COUNTY CLERK)

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the Order canvassing the returns from this Special Election to elect the initial Emergency Services Commissioners for Bastrop-Travis County Emergency Services District No.1, that we waive the reading of all of the results and accept the summary given by the County Clerk.

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 REGARDING A RESOLUTION APPROVING A TAX EXEMPT BOND FINANCING TO BE UNDERTAKEN BY CAPITAL TRUST AGENCY TO FINANCE PROPERTIES OWNED BY THEOP, LLC. (10:37 AM) (1:39 PM)

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations; Jeff Richards, Chief Financial Officer, American Housing Foundation; Tom E. Gibson, Senior Vice-President, Stern Bothers and Co.; and Cliff Blount, Attorney for the Travis County Corporations.

Motion by Judge Biscoe and seconded by Commissioner Davis to recess Item 34 until this afternoon before we take up the Travis County Housing Finance Corporation.

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 34 CONTINUED

Clerk's Note: Item 34 was revisited at 1:39 PM.

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations; Jeff Richards, Chief Financial Officer, American Housing Foundation; Steve Sturquall, President, American Housing Foundation; Joanne Cruz-Perez, Director, Community Affairs, American Housing Foundation; Cliff Blount, Attorney for the Travis County Corporations; Walter Moreau, Executive Director, Foundation Communities; and Tom E. Gibson, Senior Vice-President, Stern Bothers and Co.

Motion by Judge Biscoe and seconded by Commissioner Davis that we approve the requested Resolution, approve a tax-exempt bond financing to be undertaken by Capital Trust Agencies, to finance the five properties in Travis County owned by Theop LLC.

A Friendly Amendment to the previous Motion was offered by Commissioner Eckhardt that we, upon sealing the deal, move as quickly as possible to transfer our rights to the \$300,000.00 payment, and subsequent payments under the plan, to a local non-profit already engaged in scholarship and educational services to low income children.

Clerk's Note: The Friendly Amendment was not accepted.

An Addition to the previous Motion was made by Judge Biscoe that at the appropriate time we put another item on the Agenda for any follow-up discussion, as provided by law.

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	no

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

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:15 AM)

A. HOUSE BILL 2006: RELATING TO THE USE OF EMINENT DOMAIN AUTHORITY;

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

Discussion only. No formal action taken.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:17 AM)

B. SENATE BILL 1638: RELATING TO THE CALCULATION OF CERTAIN TAX RATES AND CERTAIN NOTICE REQUIREMENTS FOR LOCAL TAXING JURISDICTIONS;

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant.

Discussion only. No formal action taken.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:19 AM)

C. 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: Chris Shields, Travis County Legislative Consultant.

Discussion only. No formal action taken.

ITEM 35 CONTINUED

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:19 AM)

D. HOUSE BILL 1892: RELATING TO THE AUTHORITY OF CERTAIN COUNTIES AND OTHER ENTITIES WITH RESPECT TO CERTAIN TRANSPORTATION PROJECTS; PROVIDING PENALTIES;

E. SENATE BILL 792: RELATING TO THE AUTHORITY OF CERTAIN COUNTIES AND OTHER ENTITIES WITH RESPECT TO CERTAIN TRANSPORTATION PROJECTS AND TO COMPREHENSIVE DEVELOPMENT AGREEMENTS WITH REGARD TO SUCH PROJECTS; AUTHORIZING THE ISSUANCE OF BONDS; PROVIDING PENALTIES; AND

Clerk's Note: Items 35.D&E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant.

Discussion only. No formal action taken.

ITEM 35 CONTINUED

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE. (11:23 AM)

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

Clerk’s Note: The Court discussed HB 3747: Relating to the use of money from certain funds for rail projects, and HB 160: Relating to rail relocation and improvement in the state regarding Texas Emissions Reduction Plan Fund (TERP).

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant; Adele Noel, Air Quality Project Manager, TNR; Chris Shields, Travis County Legislative Consultant; Ross Malloy, Interim Director of the Austin-San Antonio Intermunicipal Commuter Rail District Board; John Hille, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we take no position.

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 having a special voting session on Friday, May 25, 2007 for updates and possible action after the end of the 80th Texas Legislature session.

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

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis that we set a Public Hearing for Friday, May 25, 2007 at 2:00 PM, in the event that we need one.

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 35 CONTINUED

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:48 AM)

G. ADDED ITEM: 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.

Members of the Court heard from: Chris Shields, 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.

36. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POTENTIAL PURCHASE OF PROPERTY ALONG AIRPORT BLVD. IN CENTRAL AUSTIN.
² (3:23 PM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Item 36 postponed until May 29, 2007.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN CLAIM BY JENNIFER MALDONADO, FORMER SLOT #45; EEOC CHARGE NO. 31C-2007-00733. ^{1 AND 3} (3:23 PM) (5:12 PM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that the Commissioners Court authorize the law firm of Cole and Powell PC to conduct an investigation of the claims raised by Jennifer Maldonado in consultation with the County Attorney's Office, and that the Court direct the law firm to present through the County Judge and authorize him to sign an engagement letter containing the terms of engagement. The fee for professional services shall be paid out of the Risk Management Fund, and shall not exceed a total of \$10,000.00 without approval from the Commissioners Court.

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	abstain

38. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON STATUS OF EMPLOYMENT, SLOT #32 HUMAN RESOURCES MANAGEMENT DEPARTMENT. ^{1 AND 3} (11:56 AM)

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 551.074, Personnel Matters.

Item 38 postponed until May 29, 2007.

39. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON SELECTION OF EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY. ^{1 AND 3} (3:23 PM) (5:14 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't Code Ann 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 39 to be reposted on May 29, 2007.

40. 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 (3:23 PM) (5:15 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 39 to be reposted May 29, 2007.

ADDED ITEMS

- A.1 CONSIDER AND TAKE APPROPRIATE ACTION TO APPOINT DORYNE VALENTINE TO BOARD OF THE DISPUTE RESOLUTION CENTER. (COMMISSIONER ECKHARDT) (10:26 AM)

Clerk's Note: Item A.1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:17 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge