

## **MINUTES OF MEETING – AUGUST 7, 2007**

### **AND RECONVENED AUGUST 8, 2007**

## **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 7<sup>th</sup> day of August 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 11:40 AM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; Travis County Health Facilities Development Corporation; and the Travis County Cultural Education Facilities Finance Corporation at 1:41 PM, postponed the Corporation Voting Sessions until August 14, 2007.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 3:18 PM.

The Commissioners Court reconvened the Voting Session at 3:55 PM.

The Commissioners Court retired to Executive Session at 4:21 PM.

The Commissioners Court reconvened the Voting Session at 5:16 PM.

The Commissioners Court recessed the Voting Session at 5:18 PM.

The Commissioners Court reconvened the Voting Session at 1:22 PM, Wednesday, August 8, 2007.

The Commissioners Court adjourned the Voting Session at 1:44 PM, Wednesday, August 8, 2007.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS ON PROPOSED ELECTED OFFICIALS' SALARIES FOR FY '08. (ACTION ITEM #21) (9:18 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 21 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:** Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO).

**Motion by** Commissioner Davis **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:** Dr. Charles Aikens, Austin Capital City Lions; Albert Walker, President, Austin Capital City Lions; Mae Marion, Honorary Member, Austin Capital City Lions; and Joyce Best, Northeast Action Group. (9:20 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C6 and Items 3, 5, 6, 7.A-D, 8.A-F, 14, 23.A&B, 25, 26, 29, and 30.A&B. (9:31 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. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REAPPOINT OFELIA ELIZONDO TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY HOUSING AUTHORITY BOARD OF COMMISSIONERS, TERM EFFECTIVE THROUGH AUGUST 2009. (COMMISSIONER DAUGHERTY)
- C4. APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 21, 2007 REGARDING THE PROPOSED ISSUANCE OF A TAX EXEMPT NOTE AND RELATED LOAN AGREEMENT BY THE OGLESBY EDUCATION FACILITIES CORPORATION FOR A CATHOLIC HIGH SCHOOL FOR AUSTIN, INC. D/B/A ST. MICHAEL'S CATHOLIC ACADEMY.
- C5. APPROVE SETTING A PUBLIC HEARING DATE OF AUGUST 21, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 10 FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG THE FRONT LOT LINES OF LOTS 72, 73, 74 AND 75 OF APACHE SHORES, FIRST INSTALLMENT, A SUBDIVISION IN TRAVIS COUNTY IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C6. APPROVE SETTING A PUBLIC HEARING DATE OF SEPTEMBER 11, 2007 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 2, 3, 4, 5, 6 AND 7, AND THE PARTIAL CANCELLATION OF PART OF MOON DANCE DRIVE, SIESTA SHORES, SECTION 1 SUBDIVISION (2 LOTS TOTAL). (COMMISSIONER DAUGHERTY)

**PURCHASING OFFICE ITEMS**

- 2. APPROVE INTERLOCAL AGREEMENT WITH UNIVERSITY OF TEXAS SYSTEM FOR A CONTRACTOR BONDING TRAINING INITIATIVE. (PURCHASING-HUB PROGRAM) (9:33 AM)

Item 2 postponed until further notice.

- 3. APPROVE CONTRACT NO. PS070310VR, AUSTIN CHILDREN'S SHELTER, FOR RESIDENTIAL EMERGENCY SHELTER SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:31 AM)

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

- 4. APPROVE CONTRACT AWARD FOR POST-RELEASE TRANSITIONAL HOUSING SERVICES, RFS NO. S070284-VR, TO THE HIGHEST QUALIFIED RESPONDENT, THE ABUNDANT LIFE NETWORK. (CRIMINAL JUSTICE PLANNING) (COUNSELING AND EDUCATION SERVICES) (9:35 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Marvin Brice, Construction Procurement Management, Purchasing.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 4.

**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

- 5. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS010162JW, SARAH CORTEZ, FOR SEX OFFENDER TREATMENT SERVICES. (JUVENILE PROBATION) (9:31 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 MODIFICATION NO. 5 TO CONTRACT NO. PS000011JW, NICOLAS CARRASCO, PH.D., FOR SEX OFFENDER TREATMENT SERVICES. (JUVENILE PROBATION) (9:31 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 CONTRACT AWARDS FOR URINALYSIS DRUG SCREENS, IFB NO. B070219-OJ, TO THE QUALIFIED BIDDERS: (9:31 AM)
  - A. KROLL LABORATORY INC. - ITEM 1;
  - B. DRUG DETECTION DEVICES - ITEM 2;
  - C. REDWOOD TOXICOLOGY LABORATORY - ITEMS 3 AND 4; AND
  - D. INSTANT TECHNOLOGIES - ITEM 5. (JUVENILE COURT) (SHERIFF'S OFFICE)

**Clerk's Note:** Items 7.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. APPROVE CONTRACT AWARD FOR SIGN MATERIALS, IFB NO. B070257-RG, TO THE LOW BIDDERS: (9:31 AM)
  - A. VULCAN SIGNS - GROUPS A AND B;
  - B. CUSTOM PRODUCTS - GROUP C;
  - C. NIPPON CARBIDE INDUSTRIES - GROUP D;
  - D. ALLIED TUBE - GROUP E;
  - E. 3M - GROUPS F AND I; AND
  - F. LAIRD PLASTICS - GROUPS G, H AND J. (TRANSPORTATION AND NATURAL RESOURCES)

**Clerk's Note:** Items 8.A-F approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. APPROVE EXEMPTION ORDER FOR THE PURCHASE OF CULVERT PIPE FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(2) OF THE COUNTY PURCHASING ACT, AND AWARD CONTRACT TO CONTECH CONSTRUCTION. (TRANSPORTATION AND NATURAL RESOURCES) (9:34 AM)

Item 9 postponed until further notice.

### JUSTICE & PUBLIC SAFETY ITEMS

10. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE GRANT REQUIREMENTS FOR THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE STATE JAIL COMMUNITY RESOURCE PROGRAM. (9:40 AM)

**Members of the Court heard from:** Danny Hobby, Executive Manager, Travis County Emergency Services; Mark Spacht, Clinical Manager, Counseling and Education Services (CES); and Kimberly Pierce, Planning Manager, Criminal Justice Planning (CJP).

Discussion only. No formal action taken.

Item 10 to be reposted on August 14, 2007.

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL LAND (PARCEL NUMBERS 7 AND 10) NEEDED FOR RIGHT OF WAY IN THE 2005 BOND PROGRAM, HOWARD LANE EAST (I) ROADWAY IMPROVEMENT PROJECT LOCATED IN PRECINCT ONE. (COMMISSIONER DAVIS) (11:33 AM)

**Members of the Court heard from:** Greg Chico, Right-of-Way Manager, Transportation and Natural Resources (TNR).

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

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED AMENDMENT TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) MOBILITY 2030 PLAN TO INCLUDE STATE HIGHWAY 45 SOUTHWEST FROM FM 1826 TO US 290 WEST. (COMMISSIONER DAUGHERTY) (9:34 AM)

Item 12 postponed until August 14, 2007.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 50, 51, 52 AND A PORTION OF LOT 49 AND 0.348 AND 0.570 ACRE TRACTS, LAKEHURST SUBDIVISION (4 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:34 AM)

Item 13 postponed until August 14, 2007.

- 14. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND LEANDER INDEPENDENT SCHOOL DISTRICT FOR SUPPLEMENTAL SALARY FOR SCHOOL CROSSING GUARDS. (COMMISSIONER DAUGHERTY) (9:31 AM)

**Clerk's Note:** Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ASSIST IN THE CLEAN UP OF DEBRIS RESULTING FROM THE RECENT FLOOD EVENT ON LAKE TRAVIS. (COMMISSIONER DAUGHERTY) (11:13 AM)

**Clerk's Note:** The Court discussed recommendations suggested by Judge Biscoe:

- 1) Have a meeting with the residents at the nearest County owned facility to see how the County can help;
- 2) Emphasize that the County would like to place dumpsters in County right-of-way and announce pick-up dates;
- 3) Contact the companies that supply the dumpsters, and ask for a discount in return for good public relations;
- 4) Determine what the County should do, how much it will cost, and identify the source of funding; and
- 5) Contact Insurance companies and discuss the possibility of financial contributions to the clean up.

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

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

**Motion carried:**

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

Item 15 to be reposted on August 21, 2007.



16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO HOLD PUBLIC MEETINGS FOR THE PURPOSE OF GATHERING PUBLIC INPUT ON ROADWAY AND AREA FLOODING FOR THE TRAVIS COUNTY DRAINAGE BASIN STUDY. (11:37 AM)

**Clerk's Note:** The Court discussed the following dates and venues for the Public Hearings:

- 1) August 30, 2007 at the Travis County West Service Center, and;
- 2) September 6, 2007 at the Travis County Road and Bridge Satellite One Office.

**Members of the Court heard from:** Don Ward, Division Manager, Road and Bridge, TNR; and Joe Gieselman, Executive Manager, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 16.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AMEND HAMILTON POOL ROAD ON THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) MOBILITY 2030 PLAN. (10:02 AM)

**Clerk’s Note:** The Court discussed placing a footnote in the comments column of the Capital Area Metropolitan Planning Organization (CAMPO) plan, expressing the intent that Hamilton Pool Road remain a two-lane, Hill Country type roadway, with shoulders and turn lanes, while preserving the right-of-way requirements for a four-lane highway.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Gene Lowenthal, President, Hamilton Pool Scenic Corridor Coalition; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize Staff to draft the appropriate footnote language, share that with Mr. Gene Lowenthal and appropriate others; and present this either at the CAMPO meeting Monday, August 13, 2007, or in follow up discussions with the Texas Department of Transportation (TXDOT).

**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

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 18. RECEIVE ANNUAL REPORT FROM THE TRAVIS COUNTY CHILDREN’S PROTECTIVE SERVICES BOARD. (9:18 AM)

Item 18 pulled from the Agenda.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE A NON-ROUTINE, ONE-TIME PAYMENT TO CERTAIN HEALTH, HUMAN SERVICES AND VETERANS’ SERVICES EMPLOYEES WHOSE POSITIONS WERE ASSIGNED TO A HIGHER PAY GRADE AS A RESULT OF THE FY 2006 MARKET SALARY SURVEY. (4:08 PM)

Item 19 pulled from the Agenda.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO PLANNING FOR AND THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUEST TO: (9:57 AM)

A. APPROVE CHANGES TO THE SUBSTANTIAL AMENDMENT TO TRAVIS COUNTY'S 2006-2010 CONSOLIDATED PLAN IN RESPONSE TO PUBLIC COMMENT;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that they be included.

**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

**Clerk's Note:** Item 2 was further discussed at 11:13 AM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item 20.A. Judge Biscoe instructed that the record show Commissioner Eckhardt voting yes on the Motion on Item 20.A. 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

**ITEM 20 CONTINUED**

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO PLANNING FOR AND THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUEST TO:  
(9:58 AM)

B. APPROVE CHANGES TO TRAVIS COUNTY'S PROGRAM YEAR 2007 ANNUAL ACTION PLAN IN RESPONSE TO PUBLIC COMMENT;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that those changes be approved.

**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

**Clerk's Note:** Item 2 was further discussed at 11:13 AM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item 20.B. Judge Biscoe instructed that the record show Commissioner Eckhardt voting yes on the Motion on Item 20.B. 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

## ITEM 20 CONTINUED

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO PLANNING FOR AND THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUEST TO:

C. AUTHORIZE SUBMISSION OF THE SUBSTANTIAL AMENDMENT TO THE 2006-2010 CONSOLIDATED PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAN ANTONIO FIELD OFFICE, REGION VI;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the Substantial Amendment; and authorize the Court and the County Judge to sign the prepared letters to HUD.

**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

**Clerk's Note:** Item 2 was further discussed at 11:13 AM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item 20.C. Judge Biscoe instructed that the record show Commissioner Eckhardt voting yes on the Motion on Item 20.C. 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

ITEM 20 CONTINUED

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO PLANNING FOR AND THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUEST TO: (10:00 AM)

D. AUTHORIZE SUBMISSION OF PROGRAM YEAR 2007 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAN ANTONIO FIELD OFFICE, REGION VI; AND

Members of the Court heard from: Christy Moffett, Social Services Manager, TCHHS.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 20.D.

<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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO PLANNING FOR AND THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REQUEST TO: (10:01 AM)

E. OTHER RELATED ITEMS.

No action necessary on Item 20.E.

**PLANNING AND BUDGET DEPT. ITEMS**

21. CONSIDER AND TAKE APPROPRIATE ACTION TO SET ELECTED OFFICIALS' SALARIES FOR FY '08. (2:05 PM)

**Clerk's Note:** Item 21 is the action item for the public hearing on Agenda Item 1.

**Members of the Court heard from:** Belinda Powell, Capital Planning Coordinator, PBO.

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

**Clerk's Note:** The Court did not take a vote on the Standing Motion and Second at this time.

**A Substitute Motion was made by** Commissioner Eckhardt to leave it at the 3.5% recommended by the Citizens Advisory Committee on Elected Officials' Salaries.

**Clerk's Note:** The Substitute Motion died for lack of a Second.

**Clerk's Note:** The Court took a vote on the Standing Motion and Second at this time.

<b>Motion carried:</b> 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

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:31 AM)

**Clerk’s Note:** The Court discussed Budget Amendment A1, regarding the transfer of funds from Transportation and Natural Resources salary savings in the Allocated Reserve for relocation expenses in the Thoroughbred Farms Open Land Space Project.

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; and Joe Gieselman, Executive Manager, TNR.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the Budget Amendment item and the others in 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk’s Note:** The Court, by approving Item 22, authorized the Planning and Budget Office (PBO) to do an automatic budget transfer as requested.

- 23. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:31 AM)

- A. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR TITLE IV-E LEGAL SERVICES CONTRACT IN THE DISTRICT ATTORNEY’S OFFICE WHICH CONTINUES THE EXISTING PROGRAM FOR FY ‘08; AND
- B. APPROVE GRANT CONTRACT WITH THE GOVERNOR’S OFFICE, CRIMINAL JUSTICE DIVISION TO COMPLETE THE K-9 DEPLOYMENT TRAILER IN THE SHERIFF’S OFFICE TO INSURE OPERATIONAL AND EFFICIENT MEANS TO TRANSPORT CANINES AND EQUIPMENT.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PARTICIPATION OF TRAVIS COUNTY IN TEXSTAR, A LOCAL GOVERNMENT INVESTMENT POOL, AND AUTHORIZATION FOR JUDGE BISCOE TO SIGN THE ENROLLMENT DOCUMENTS. (9:34 AM)

Item 24 pulled from the Agenda.

### ADMINISTRATIVE OPERATIONS ITEMS

25. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR PARTICIPANTS IN THE TRAVIS COUNTY EMPLOYEE HEALTH CARE FUND FOR PAYMENT OF \$588,040.18 FOR THE PERIOD OF JULY 20 TO JULY 26, 2007. (9:31 AM)

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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:31 AM)

**Clerk's Note:** Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

27. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING THE DRUG COURT PROGRAM: (9:35 AM)
  - A. RELOCATION TO POST ROAD BUILDING; AND
  - B. APPROVAL OF THE SCHEMATIC DESIGN.

Item 12 postponed until further notice.

28. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SPACE ALLOCATION AND RELATED RENOVATIONS WITHIN THE CRIMINAL JUSTICE CENTER AND GAULT BUILDINGS FOR VARIOUS DEPARTMENTS: (1:42 PM)
- A. REMODEL THE GAULT BUILDING FIRST FLOOR AND MOVE THE DISTRICT ATTORNEY RECORDS DIVISION, COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT INTAKE DIVISION AND PART OF PRETRIAL SERVICES;
  - B. REMODEL THE GAULT BUILDING SECOND FLOOR AND MOVE CRIMINAL COURTS ADMINISTRATION, THE DISTRICT ATTORNEY WHITE COLLAR CRIME UNIT, TRAVIS COUNTY SHERIFF'S OFFICE DIVISIONS AND PART OF PRETRIAL SERVICES;
  - C. REMODEL PORTIONS OF THE CRIMINAL JUSTICE CENTER FIRST FLOOR TO MOVE TAX OFFICE COLLECTIONS, TRAVIS COUNTY SHERIFF'S OFFICE DIVISIONS AND PROVIDE SPACE FOR DISTRICT CLERK EXPANSION;
  - D. REMODEL THE CRIMINAL JUSTICE CENTER THIRD FLOOR FOR A NEW COUNTY COURT AT LAW, MAGISTRATE COURT, PUBLIC SPACES, STAFF OFFICES AND SUPPORT SPACES; AND
  - E. REMODEL THE JAIL AUXILIARY COURTROOM SPACE FOR TRAVIS COUNTY SHERIFF'S OFFICE USE (DESIGN ONLY IN FY '08).

**Clerk's Note:** Items 28.A-E are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; Jim Barr, Senior Project Manager, Facilities Management; and Belinda Powell, Capital Planning Coordinator, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 28.A-E.

**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**

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:31 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 REPORTS FOR THE FOLLOWING: (9:31 AM)
- A. RECEIVE FY '05 AND FY '06 AUDIT REPORTS WITH QUALIFIED OPINIONS FOR THE EMERGENCY SERVICES DISTRICT NO. 11; AND
  - B. RECEIVE FY '06 AUDIT REPORTS FOR EMERGENCY SERVICES DISTRICTS NO. 1, NO. 2, NO. 6 AND NO. 9.

**Clerk's Note:** Items 30.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. DISCUSS AND TAKE APPROPRIATE ACTION ON FEASIBILITY OF CREATING POSITION TO PERFORM PUBLIC INFORMATION, INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE DUTIES AT TRAVIS COUNTY. (4:08 PM)

Discussion only. No formal action taken.

Item 31 to be reposted on August 14, 2007.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CAPITAL METRO FOR APPOINTMENT OF A THIRD MEMBER TO LOCAL FARE APPROVAL COMMITTEE. (11:38 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we appoint Commissioner Eckhardt.

**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	abstain

**Clerk's Note:** The County Judge noted that Commissioner Davis and Judge Biscoe are already members of the Committee.

## 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.

33. CONSIDER AND TAKE APPROPRIATE ACTION TO APPOINT DANNY HOBBY AS ACTING JUSTICE AND PUBLIC SAFETY COORDINATOR.  
(COMMISSIONER DAUGHERTY) <sup>3</sup> (4:21 PM) (5:16 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 33, and that we authorize the County Judge to work with the Human Resources Department (HRMD) on an appropriate personnel action form on Travis County Counseling and Education Services (TCCES) Director Caryl Colburn's salary.

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

34. RECEIVE LEGAL BRIEFING ON PRELIMINARY PLAN IN PRECINCT THREE: RGK RANCH. (DISCUSSION ONLY; NO ACTION) <sup>1</sup> (4:21 PM) (5:17 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.

Discussion only. No formal action taken.

35. RECEIVE LEGAL BRIEFING ON COUNTY LAND USE AUTHORITY AND RELATED MATTERS GRANTED BY SENATE BILL 873. <sup>1</sup> (4:21 PM) (5:17 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.

Discussion only. No formal action taken.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT DEMAND, EEOC CHARGE NO. 451-2007-00612. <sup>1</sup> (4:21 PM) (5:17 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.

Discussion only. No formal action taken.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. <sup>1 AND 2</sup> (4:21 PM) (5:18 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. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt that we direct Staff to send the revised letter of intent reflecting the appraised value.

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

**ADDED ITEMS**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: LEHNE ADDITION (2 TOTAL LOTS). (2:13 PM) (3:18 PM) (3:55 PM) (1:22 PM, Wednesday, August 8, 2007)

**Members of the Court heard from:** Tony Ionescu, Texas Commission on Environmental Quality (TCEQ); Joe Gieselman, Executive Manager, TNR; Brad Beauchamp, Travis County Fire Marshal; Mike Slaughter, Deputy Fire Marshal, Travis County Fire Marshal’s Office; David Hartman, Attorney for applicant; Anna Bowlin, Program Manager, Planning and Engineering, TNR; Nathaniel Booker, Austin Colony Resident; Barbara Scott, President, Colony Park Neighborhood Association; Dennis McClintock, President, Scenic Point Homeowners Association; Alfreda Loving, Colony Park Neighborhood Association; Algie Williams, Colony Park Resident; and John Hille, Assistant County Attorney.

**Clerk’s Note:** Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Commissioner Davis that in the interest of health and public safety that we reject the Lehne Addition Plat for recording in Precinct 1, at 7759 Johnny Morris Road.

**Clerk’s Note:** The Motion died for lack of a Second.

**Motion by** Commissioner Daugherty that, provided we have the ability to enforce the agreement with the points that were submitted by the applicant, the three of them along with the applicant being able to contract with a private vendor, that there can be at least a quarterly inspection that the applicant would pay for, to make sure that everything is going right with your project, with a plat note or a legal document; that with those provisions being able to be included, that we approve the Plat.

**Clerk’s Note:** The Motion died for lack of a Second.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to recess Item A1 until Wednesday, August 8, 2007 at 1:15 PM.

**Motion carried:**

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

## ITEM A1 CONTINUED

**Clerk's Note:** Item A1 was revisited at 1:22 PM, Wednesday, August 8, 2007

**Members of the Court heard from:** John Hille, Assistant County Attorney; and Anna Bowlin, Program Manager, Planning and Engineering, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we approve the application for the Plat; approve the Declaration of Restricted Covenants that has been placed before us, and approve the filing of this document, after approval of the Site Plan, because, if the Site Plan is not approved this document will be unnecessary.

<b>Motion carried:</b> 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

**Clerk's Note:** The Declaration of Restricted Covenants covered the following three items:

- 1) Signs will be installed to ensure all trucks turn right off of the property onto Johnny Morris Road
- 2) There will be a 150' vegetative buffer along the boundary adjacent to the scenic Point subdivision. Structures will be forbidden.
- 3) There will be a prohibition of bulk fuel and lubricant storage on 40 acres of the balance of the property.

**Clerk's Note:** The Court also discussed that the applicant should request, and pay for, quarterly inspections of the site by the Travis County Fire Marshal. The applicant presented a letter to the Court requesting annual inspections. The County Judge noted that the Commissioners Court can request the Travis County Fire Marshal to inspect the property at any time, and that the Travis county Fire Marshal can schedule inspections whenever he sees a need.





