

MINUTES OF MEETING JULY 1, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 1st day of July 2008, the Commissioners' Court convened the Voting Session at 9:19 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 record notes that Precinct Three Commissioner Gerald Daugherty was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:19 AM.

The Commissioners Court reconvened the Voting Session at 11:58 AM.

The Commissioners Court adjourned the Voting Session at 11:59 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 12:00 PM and adjourned at 12:00 PM.

The Commissioners Court, meeting as the Travis County Bee Caves Road District #1 (Galleria); convened at 12:00 PM and adjourned at 12:01 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 12:01 PM and adjourned at 12:05 PM.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PORTION OF OLD ANDERSON MILL ROAD OFF RM 2769 TO BE KNOWN AS "HUDSON CIRCLE", IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:42 AM)

Clerk's Note: Item 4 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON A PARTIAL PLAT VACATION FOR RIVER PLACE SECTION 16, BLOCK M, LOTS 49 AND 50, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:42 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENTS TO TITLE 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION: (10:10 AM)
 - A. CRITICAL WATER QUALITY ZONE (BUFFER) ON THE COLORADO RIVER;
 - B. PUBLIC NOTIFICATION REQUIREMENT; AND
 - C. SETTING A PUBLIC HEARING ON AUGUST 5, 2008.

Clerk's Note: Items 6.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR; Joe Gieselman, Executive Manager, TNR; and Christopher Gilmore, Assistant County Attorney.

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

Motion carried:

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| 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 |

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON THREE ITEMS REGARDING MEADOWS OF BLACKHAWK PHASE 7A-1, A SUBDIVISION IN PRECINCT TWO: (9:42 AM)
 - A. ACCEPTANCE OF DEDICATION OF STREETS AND DRAINAGE FACILITIES;
 - B. LICENSE AGREEMENT WITH MEADOWS OF BLACKHAWK HOMEOWNERS ASSOCIATION, INC.; AND
 - C. CASH SECURITY AGREEMENT FOR BOUNDARY STREET, ROWE LANE. (COMMISSIONER ECKHARDT)

Clerk’s Note: Items 7.A-C 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 REGARDING PROPOSED NEW PARK HOURS AND A NEW PARK RULE PROHIBITING TOBACCO PRODUCTS AT YOUTH EVENTS. (COMMISSIONER DAUGHERTY) (10:47 AM)

Clerk’s Note: The Court discussed the following Staff recommendations:

- 1) Parks to be closed at civil twilight all year round;
- 2) Tom Hughes Park to be closed between November 1st and March 31st;
- 3) Sports facilities to be open between 7:00 AM and 10:00 PM;
- 4) Sports fields closures dates to be December 1st to February 15th;
- 5) Prohibiting the use of tobacco products at youth athletic events; and,
- 6) These rules to be effective as of October 1, 2008.

Signage will be posted of the new rules at all Travis County Parks.

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

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

Motion carried:

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| 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 |

PLANNING AND BUDGET DEPT. ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:59 AM)

Item 9 not needed.

10. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:42 AM)

- A. GRANT APPLICATION TO THE OFFICE OF ATTORNEY GENERAL TO CONTINUE PROJECT SAFE NEIGHBORHOODS PROGRAM IN THE DISTRICT ATTORNEY'S OFFICE; AND
- B. GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR THE JUSTICE ASSISTANCE GRANT IN THE SHERIFF'S OFFICE TO FUND ON-GOING TECHNOLOGY IMPROVEMENTS AND PERSONAL PROTECTION EQUIPMENT.

Clerk's Note: Items 10.A&B 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

11. 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 \$430,093.37 FOR THE PERIOD OF JUNE 13 TO JUNE 19, 2008. (9:42 AM)

Clerk's Note: Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:42 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.

ITEM 14 CONTINUED

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING INITIATIVES FOR THE FIRST PHASE OF THE STAR FLIGHT BUSINESS PLAN: (9:56 AM)
- B. WORK WITH HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD) AND ADVERTISE NEW POSITIONS TO COMPLETE HIRING PROCESS BY OCTOBER 1, 2008;

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Emergency Services; Casey Ping, Program Manager, STAR Flight; and Blain Keith, Chief Assistant County Auditor, Travis County Auditor's Office

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 14.B.

Motion carried:

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| 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 14 CONTINUED

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING INITIATIVES FOR THE FIRST PHASE OF THE STAR FLIGHT BUSINESS PLAN: (10:09 AM)

C. WORK WITH HRMD TO DEVELOP JOB DESCRIPTIONS FOR NEW COUNTY MEDICAL POSITIONS TO STAFF THE SECOND AIRCRAFT;

D. REVIEW WITH HRMD AND THE CITY OF AUSTIN A PLAN TO TRANSITION CURRENT STAR FLIGHT CITY OF AUSTIN MEDICAL EMPLOYEES INTO COUNTY MEDICAL EMPLOYEE POSITIONS; AND

Clerk's Note: Items 14.C and D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Emergency Services.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve Items 14.C & D. That is, basically, getting with HRMD to iron out the specifics on these positions.

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| 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 14 CONTINUED

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING INITIATIVES FOR THE FIRST PHASE OF THE STAR FLIGHT BUSINESS PLAN:

E. **REVISED LANGUAGE:** INCREASE STAR FLIGHT FEES FOR BOTH TRANSPORT AND MILEAGE EFFECTIVE **AUGUST 1, 2008**. (10:09 AM)

Members of the Court heard from: Danny Hobby, Emergency Services Coordinator, Emergency Services.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 14.E.

Motion carried:

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| 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 |

PURCHASING OFFICE ITEMS

15. APPROVE CONTRACT AWARD FOR RECORDS STORAGE BOXES, IFB NO. B080226DR, TO THE LOW BIDDER, CAPITAL CITY CONTAINER/THARCO. (RECORDS MANAGEMENT AND COMMUNICATIONS RESOURCES) (9:42 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. 6 TO CONTRACT NO. 07K00254RV, STEWART BUILDERS, LTD. FOR CONSTRUCTION OF NEW BUILDINGS FOR THE TRANSPORTATION AND NATURAL RESOURCES EASTSIDE SERVICE CENTER. (FACILITIES MANAGEMENT) (9:42 AM)

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

17. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 05T00291OJ, GENERAL SECURITY SERVICES CORPORATION, FOR ELECTRONIC MONITORING. (PRETRIAL SERVICES, JUVENILE PROBATION, COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT) (9:42 AM)

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

18. APPROVE CONTRACT AWARD FOR TRAVIS COUNTY SCHOOL LAND OIL AND GAS LEASE, IFB NO. B080149JW, TO THE SOLE BIDDER, EL-MONT PROPERTIES, INC. (TEXAS COOPERATIVE EXTENSION OFFICE) (9:42 AM)

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

19. AUTHORIZE STAFF TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, KLOTZ ASSOCIATES, INC., RFQ NO. Q080209LP, SIDEWALK REPAIR AND RECONSTRUCTION CONSULTANT SERVICES. (TRANSPORTATION AND NATURAL RESOURCES) (9:42 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. APPROVE ORDER EXEMPTING THE PURCHASE OF MECHANICAL, ELECTRICAL, PLUMBING AND STRUCTURAL ENGINEERING SERVICES FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A)(4) OF THE COUNTY PURCHASING ACT. (FACILITIES MANAGEMENT) (9:42 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.

OTHER ITEMS

21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:42 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. RECEIVE AND DISCUSS AS NECESSARY THE SECOND REVENUE ESTIMATE FOR THE FISCAL YEAR 2009 BUDGET PROCESS. (10:33 AM)

Members of the Court heard from: Blain Keith, Chief Assistant County Auditor, Travis County Auditor’s Office; and Susan Spataro, Travis County Auditor.

Discussion only. No formal action taken.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED POLICY CHANGE REGARDING ADJUSTMENTS OUTSIDE THE ROUTINE HUMAN RESOURCES MANAGEMENT DEPARTMENT SCHEDULE FOR MARKET REVIEW. (COMMISSIONER ECKHARDT) (10:58 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Eddie Gary, Organizer, American Federation of State, County and Municipal Employees (AFSCME).

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to approve a three-pronged objective test;

- 1) The job family or job classification is above the average turnover rate by 60%;
- 2) That the average pay rate within that particular position classification or series of comparable positions is below the marketplace pay rate by 20% or more; and,
- 3) The department has the ability to fund the increase in pay internally.

If it meets those three criteria, then it comes to Commissioners Court to consider whether or not that position classification or job family is bumped to the front of the line, considering a number of factors which include, but are not limited to, rapid movement in the labor market, labor shortage, exit interview information, management-employee complaints, or any over relevant considerations by the Court.

Motion carried:

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| 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 |

24. CONSIDER AND TAKE APPROPRIATE ACTION ON COMPENSATION AND OFFICE SUPPLIES FOR THE SPECIAL ASSISTANT TO THE COMMISSIONERS COURT. (11:18 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve the recommendations as set forth in the memo. That is \$59,056.00, plus \$2,800.00 in operating expenses.

Motion carried:

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| 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 |

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO INCREASE AMOUNT OF CHANGE FUND FOR THE DISTRICT CLERK'S OFFICE. (DISTRICT CLERK) (9:42 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.

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

- 26. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN SANDRA LUNA, INDIVIDUALLY, AND A/N/F KASANDRA LUNA V. CITY OF AUSTIN, TRAVIS COUNTY AND MICHAEL HARLEY ALT. ¹
(11:19 AM) (11:58 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize payment of the verdict amount in cause number C-1-CV-06-005366, the Luna case against Travis County, including costs or interest assessed by the Court.

Motion carried:

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

- 27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING COMMERCIAL STRUCTURES AT 5516 U.S. HIGHWAY 71 EAST, CEDAR CREEK, TEXAS 78712 AND NON-COMPLIANCE WITH TRAVIS COUNTY FIRE CODE. ¹ (9:19 AM)

Clerk's Note: Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 27 postponed until July 8, 2008.

- 28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION AND/OR CONSIDER SETTLEMENT OFFER REGARDING GREGORY EALEY, FILE NUMBER 245.806, (REQUESTED BY PLAINTIFF). ¹ (9:19 AM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 28 postponed until July 8, 2008.

- 29. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON COMPLAINT REGARDING CERTAIN ALLEGED ACTIVITIES DURING RECENT REPUBLIC OF TEXAS BIKER RALLY AT THE TRAVIS COUNTY EXPOSITION CENTER. ¹ (11:19 AM) (11:58 AM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 29.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (11:59 AM)

Motion carried:

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – JULY 1, 2008

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 1st day of July 2008, the Commissioners’ Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 12:00 PM 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 Road District Board of Directors record notes that Precinct Two Commissioner Sarah Eckhardt and Precinct Three Commissioner Gerald Daugherty were not present during the Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 12:00 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (12:00 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize appropriate investments.

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

