

**MINUTES OF MEETING – JANUARY 2, 2007
AND RECONVENED JANUARY 3, 2007
TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 2nd day of January 2007, the Commissioners' Court convened the Voting Session at 9:14 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.

Clerk's Note: At 9:14 AM the Court welcomed newly elected Precinct 2 Commissioner Sarah Eckhardt.

The Commissioners Court retired to Executive Session at 9:56 AM.

The Commissioners Court reconvened the Voting Session at 11:02 AM.

The Commissioners Court recessed the Voting Session at 11:38 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 11:40 AM and adjourned at 11:40 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 11:40 AM and adjourned at 11:45 AM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation convened at 11:45 AM and adjourned at 11:46 AM.

The Commissioners Court, meeting as the Capital Health Facilities Development Corporation; convened at 11:46 AM and adjourned at 11:46 AM.

The Commissioners Court, meeting as the Travis County Development Authority; Travis County Cultural Education Facilities Finance Corporation; convened at 11:47 AM and adjourned at 11:47 AM.

The Commissioners Court reconvened the Voting Session at 10:08 AM, Wednesday, January 3, 2007.

The Commissioners Court retired to Executive Session at 10:08 AM, Wednesday, January 3, 2007.

The Commissioners Court reconvened the Voting Session at 11:21 AM, Wednesday, January 3, 2007.

The Commissioners Court adjourned the Voting Session at 11:22 AM, Wednesday, January 3, 2007.

PUBLIC HEARINGS

1. RECEIVE COMMENTS ON A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT OFF LOGANS HOLLOW DRIVE TO BE KNOWN AS "LOGANS LANE" IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #5) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 5 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: Vincent May, Travis County Resident. (9:16 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C12 and Items 3, 4, 5, 6, 8.A&B, 10, 11, 12, 14, 15, and 17. (9:20 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. RE-APPOINT RAY PERICOLA TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 1, NORTH LAKE TRAVIS FIRE AND RESCUE EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C4. RE-APPOINT ROBERT TAYLOR AND JOHN VILLANACCI AS PRECINCT THREE APPOINTEES TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 3, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C5. RE-APPOINT ARTHUR MAPLE TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 4, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C6. RE-APPOINT WARREN HASSINGER AND JIM NIXON TO SERVE AS PRECINCT THREE APPOINTEES TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 5, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C7. RE-APPOINT JAMES CLAYPOOL AND LEONARD HUBER TO SERVE AS PRECINCT THREE APPOINTEES TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 8, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

- C8. RE-APPOINT NICHOLAS COMSUDI AND STEVE WILSON TO SERVE AS PRECINCT THREE APPOINTEES TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 9, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C9. RE-APPOINT TODD CRICKMER AND JOHN JACKSON TO SERVE AS PRECINCT THREE APPOINTEES TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 10, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C10. RE-APPOINT THOMAS PAUL STEVENSON TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 14, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C11. RE-APPOINT NANCY HAMILTON TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)
- C12. APPROVE THE COMMISSIONERS COURT MINUTES FOR THE VOTING SESSION OF DECEMBER 12, 2006.

SPECIAL ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY AND RELATED MATTERS. (9:25 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we follow Staff's recommendation and lift the order prohibiting outdoor burning.

Motion carried:

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

Clerk's Note: The Court noted that due to the lifting of the drought conditions the ban on the sale of the following two restricted fireworks has been lifted: Missiles with fins and stick rockets. A press release was sent out to inform the public.

PURCHASING OFFICE ITEMS

3. APPROVE CONTRACT AWARD FOR LONG RANGE REFLECTORLESS TOTAL STATIONS, IFB NO. B070022-RG, TO THE LOW BIDDER, MIDWEST ARCHITECT AND ENGINEERS SUPPLY. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER GÓMEZ) (9:20 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. REJECT ALL BIDS RECEIVED FOR IFB NO. B070040-LD FOR JANITORIAL SERVICES FOR THE EXPOSITION CENTER. (FACILITIES MANAGEMENT) (COMMISSIONER GÓMEZ) (9:20 AM)

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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT OFF LOGANS HOLLOW DRIVE TO BE KNOWN AS "LOGANS LANE" IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY) (9:20 AM)

Clerk's Note: Item 5 is the action item for the public hearing on Agenda Item 1.

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 THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR TWIN CREEKS COUNTRY CLUB SECTIONS 2A, 2B, 4 AND 5, FOUR SUBDIVISIONS IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING THE PARKSIDE AT NORTHTOWN CONDOMINIUM PROJECT: (9:22 AM)
 - A. EXEMPTION FROM PLATTING REQUIREMENTS FOR BLOCK F – 50 DETACHED STRUCTURES HOUSING 100 SINGLE FAMILY UNITS (10.939 ACRES LOCATED AT SEBASTIAN BEND AND HARRIS RIDGE BOULEVARD – WATER AND SEWAGE SERVICE TO BE PROVIDED BY NORTHTOWN MUD);
 - B. APPROVAL OF PHASING AGREEMENT FOR BLOCK F;
 - C. EXEMPTION FROM PLATTING REQUIREMENTS FOR BLOCK G – 8 DETACHED STRUCTURES HOUSING 16 SINGLE FAMILY UNITS (1.743 ACRES LOCATED AT SEBASTIAN BEND AND HARRIS RIDGE BOULEVARD – WATER AND SEWAGE SERVICE TO BE PROVIDED BY NORTHTOWN MUD);
 - D. APPROVAL OF PHASING AGREEMENT FOR BLOCK G;
 - E. EXEMPTION FROM PLATTING REQUIREMENTS FOR BLOCK H – 14 DETACHED STRUCTURES HOUSING 28 SINGLE FAMILY UNITS (3.819 ACRES LOCATED ON HARRIS RIDGE BOULEVARD – WATER AND SEWAGE SERVICE TO BE PROVIDED BY NORTHTOWN MUD); AND
 - F. APPROVAL OF PHASING AGREEMENT FOR BLOCK H.
(COMMISSIONER DAVIS)

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

Items 7.A-F to be reposted on January 9, 2007.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FOR DOSS ROAD CONDOMINIUM PROJECT: (9:20 AM)
- A. EXEMPTION FROM PLATTING REQUIREMENTS FOR 20 DETACHED SINGLE-FAMILY UNITS (8.5 ACRES LOCATED AT 4608 DOSS ROAD, LOTS 56 AND 61B LA HACIENDA ESTATES – WATER SERVICE TO BE PROVIDED BY TRAVIS COUNTY WCID #17, WASTEWATER BY ONSITE SYSTEM APPROVED BY LCRA); AND
- B. APPROVAL OF A CONSTRUCTION AGREEMENT. (COMMISSIONER DAUGHERTY)

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

PLANNING AND BUDGET DEPT. ITEMS

9. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:50 AM)
- A. GRANT CONTRACT WITH WAL-MART FOUNDATION FOR SAFE NEIGHBORHOOD HEROES GRANT FOR THE TRAVIS COUNTY SHERIFF'S OFFICE TO PURCHASE STRANGER DANGER EDUCATIONAL MATERIAL FOR ELEMENTARY SCHOOLS.

Members of the Court heard from: Bill Campbell, Finance Director, Travis County Sheriff's Office (TCSO).

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 9.A.

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:20 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.

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 \$387,326.87 FOR THE PERIOD OF DECEMBER 15 TO DECEMBER 21, 2006. (9:20 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. (9:20 AM)

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

13. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE STATE OF TEXAS TO CABLECAST THE HOUSE OF REPRESENTATIVES SESSIONS DURING THE 80TH TEXAS LEGISLATURE ON THURSDAY OF EACH WEEK. (9:28 AM)

Members of the Court heard from: Shawn Malone, Research Analyst, Administrative Operations.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 13.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON AUTHORIZATION OF RECRUITING EXPENSES FOR EXPOSITION CENTER DIRECTOR. (9:20 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.

Clerk's Note: The Court noted that expenses up to \$800.00 may be authorized.

OTHER ITEMS

15. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE. (11:02 AM)

Clerk's Note: The Court discussed two legislative proposals, regarding a new County Court at Law and to Amend 24.248 of the Government Code in the 147th District Court.

Members of the Court heard from: Bob Kamm, Legislative Consultant; Debra Hale, Court Coordinator; David Crane, Judge, County Court at Law Number Three; Jessica Rio, Budget Analyst, Planning and Budget Office (PBO); Christian Smith, Executive Manager, PBO; and Talia Gaster, Legislative Consultant.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve the 147th district Court 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

Clerk's Note: The Court noted that this would be filed as a local bill and would have to be advertised for 30 days before it could be heard by the Legislature.

ITEM 16 CONTINUED

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the request for a new County Court at Law.

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

Clerk's Note: The Court approved a proposed bill regarding the formation of a new County Court at Law. This new Court would primarily be to hear criminal cases but general jurisdiction would be applied for, to give flexibility.

17. RECEIVE RACIAL PROFILING REPORT FOR CALENDAR YEAR 2005 FROM TRAVIS COUNTY CONSTABLE PRECINCT FIVE. (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RE-APPOINT DAVID MARSH TO THE AUSTIN-SAN ANTONIO COMMUTER RAIL DISTRICT BOARD OF DIRECTORS, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (9:24 AM)

Item 18 postponed until January 9, 2007.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT A COMMITTEE TO DEVELOP A COMPREHENSIVE POLICY REGARDING PUBLIC-PRIVATE PARTNERSHIP PROPOSALS FOR MULTIFAMILY HOUSING DEVELOPMENTS. (9:30 AM)

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez that Commissioner Gomez and Commissioner Davis act with Harvey Davis, Manager, Travis County Corporations, in approaching the Strategic Authority and the Housing Authority to identify who they are going to have as part of this. That nucleus then sits down and says, how do we reach out and what other folks are we going to have as part of this committee? They bring that back to the court saying, here is the committee, now let's listen to the court with regards to what you all would like to see us accomplish.

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

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.

20. CONDUCT INTERVIEWS AND TAKE APPROPRIATE ACTION REGARDING THE HIRING OF EXECUTIVE MANAGER FOR TRAVIS COUNTY EMERGENCY SERVICES. ³ (9:14 AM) (11:38 AM) (10:08 AM, Wednesday, January 3, 2007) (11:21 AM, Wednesday, January 3, 2007)

Clerk's Note: Judge Biscoe announced that Item 20 would be considered in Executive Session pursuant to Gov't. Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to recess Item 20 until 10:00 AM on Wednesday, January 3, 2006.

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: On Wednesday, January 3, 2007, Judge Biscoe announced that Item 20 would be considered in Executive Session pursuant to Gov't. Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to repost Item 20 on January 9, 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

21. RECEIVE STAFF BRIEFING AND LEGAL ADVICE REGARDING CITY OF AUSTIN PROPOSAL TO AMEND THE BALCONES CANYONLANDS CONSERVATION PLAN 10(A) PERMIT, ISSUED TO THE CITY OF AUSTIN AND TRAVIS COUNTY BY THE U.S. FISH AND WILDLIFE, CONCERNING THE CONSTRUCTION OF WATER TREATMENT PLANT NO. 4 ON THE CORTAÑA TRACT. ¹ (9:56 AM) (11:02 AM) (11:34 AM)

Clerk's Note: Judge Biscoe announced that Item 21 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; and John Kuhl, Natural Resources Program Manager, TNR.

Discussion only. No formal action taken.

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Davis to adjourn the Voting Session. (11:22 AM, Wednesday, January 3, 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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge