

MINUTES OF MEETING – JANUARY 30, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 30th day of January 2007, the Commissioners' Court convened the Voting Session at 9:23 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 retired to Executive Session at 10:18 AM.

The Commissioners Court reconvened the Voting Session at 10:42 AM.

The Commissioners Court recessed the Voting Session at 11:49 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:39 PM and adjourned at 1:39 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:39 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; convened at 1:42 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; convened at 1:42 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 1:43 PM.

The Commissioners Court retired to Executive Session at 3:24 PM.

The Commissioners Court reconvened the Voting Session at 5:48 PM.

The Commissioners Court adjourned the Voting Session at 5:51 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE OLD KIMBRO ROAD TO THROUGH TRAFFIC FROM US 290 TO OLD HIGHWAY 20 IN PRECINCT ONE FOR ROAD RECONSTRUCTION STARTING JANUARY 31, 2007 AND CONTINUING FOR ONE YEAR OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAVIS)
(ACTION ITEM #18) (9:23 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, Transportation and Natural Resources (TNR); and Brendan Donahue, Travis County Resident.

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty 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: Lori C-Renteria, Chairperson, East Cesar Chavez Neighborhood Planning Team's Crime and Safety Committee; Caryl Colburn, Director, Travis County Counseling and Education Services (TCCES); and Mark Spracht, Clinical Manager, TCCES. (9:29 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C4 and Items 4.A&B, 10, 11.A, 13.A&B, 16, 19.A&B, 22, 23, 24.A&B, 27, 28, and A3. (9:36 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. REAPPOINT WILLIAM H. BEARE JR., DAVID A. WHITE, PATTI B. HANSEN AND ERNESTINE L. THOMPSON TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY THROUGH JANUARY 2009. (JUDGE BISCOE)
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JANUARY 9, 2007.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:44 AM)
 - A. PUBLIC HEARING DATES FOR THE DEVELOPMENT OF PLAN YEAR 2007 ACTION PLAN;
 - B. ADVERTISEMENTS FOR PUBLIC HEARING DATES FOR THE DEVELOPMENT OF THE PLAN YEAR 2007 ACTION PLAN;
 - C. PLAN YEAR 2006 GRANT AGREEMENT BETWEEN TRAVIS COUNTY AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND
 - D. OTHER RELATED ISSUES.

Clerk's Note: Items 2.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 2.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

ITEM 2 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 2.B.

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

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve Item 2.C.

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

No action necessary on Item 2.D.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION (A-TCMHMR) FOR RESOLUTION IN SUPPORT OF TRANSFORMATION COMMUNITY COLLABORATIVE PROJECT AND DESIGNATING A-TCMHMR AS LEAD AGENCY. (9:39 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Abraham Minjarez, Criminal Justice Administrator, Austin-Travis County Mental Health Mental Retardation Center (A-TCMHMRC); and Mildred C. Vuris; Director of Governmental & Community Relations, A-TCMHMRC.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the Resolution in Item 2.

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

PLANNING AND BUDGET DEPT. ITEMS

4. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:36 AM)
- A. GRANT APPLICATION WITH LOWER COLORADO RIVER AUTHORITY TO PARTIALLY FUND FLOOD DETECTION AND WARNING DEVICES ON HAMILTON POOL ROAD; AND
- B. GRANT CONTRACT WITH U.S. DEPARTMENT OF JUSTICE THROUGH THE OFFICE OF THE ATTORNEY GENERAL TO PROVIDE FUNDS FOR AN ASSISTANT DISTRICT ATTORNEY TO WORK ON FIREARMS PROSECUTION.

Clerk's Note: Items 4.A&B 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:48 AM)

Members of the Court heard from: Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO).

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

6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING TOPICS RELATED TO THE FY '08 BUDGET PROCESS: (10:57 AM)
- A. FY '08 BUDGET PARAMETERS THAT PRESENT A RANGE OF BUDGET ISSUES TO BE ADDRESSED; AND
- B. PROPOSED FY '08 BUDGET GUIDELINES THAT ESTABLISH POLICIES, STRATEGIES AND PROCEDURES FOR THE BUDGET PROCESS.

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the FY'08 budget guidelines and the distribution of the parameters, which would include budget issues, that I'm sure County Supervisors, Managers, Officials, et cetera, will want to see.

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

7. ACCEPT AND OPEN BIDS AND TAKE APPROPRIATE ACTION ON AN ORDER AUTHORIZING THE ISSUANCE OF \$35,725,000 TRAVIS COUNTY, TEXAS, UNLIMITED TAX ROAD BONDS, SERIES 2007, AND MATTERS PERTAINING THERETO. (10:50 AM) (1:44 PM)

Clerk's Note: Items 7, 8 and 9 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Ladd Patillo, Travis County Financial Advisor; and Glenn Opel, Bond Counsel, Vinson and Elkins.

Clerk's Note: Glenn Opel, Bond Counsel, Vinson and Elkins noted that by approving Item 7 the Court would be adopting the order to authorize the issuance of the \$35,725,000.00 unlimited tax road bonds, series 2007.

Motion by Judge Biscoe and seconded by Commissioner Gómez to adopt the order for Item 7.

Motion carried:

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

ITEM 7 CONTINUED

Clerk's Note: Item 7 was further discussed at 1:44 PM with a request by Commissioner Davis that the Commissioners' Court record reflect a Corrected Vote on Item 7. Judge Biscoe instructed that the record show Commissioner Davis voting in favor of the Motion on Item 7. The Commissioners' Court record does reflect the 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

Clerk's Note: Glenn Opel, Bond Counsel, Vinson and Elkins noted that by approving Item 8 the Court would be adopting the order to authorize the issuance of the \$26,705,000.00 certificates of obligation, series 2007.

Motion by Judge Biscoe and seconded by Commissioner Gómez to adopt the order for Item 8.

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

Clerk's Note: Glenn Opel, Bond Counsel, Vinson and Elkins noted that by approving Item 9 the Court would be adopting the order to authorize the issuance of the \$21,005,000.00 permanent improvement bonds, series 2007.

Motion by Judge Biscoe and seconded by Commissioner Gómez to adopt the order for Item 9.

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

ITEM 7 CONTINUED

Clerk's Note: Item 9 was further discussed at 1:44 PM with a request by Commissioner Davis that the Commissioners' Court record reflect a Corrected Vote on Item 9. Judge Biscoe instructed that the record show Commissioner Davis voting in favor of the Motion on Item 9. The Commissioners' Court record does reflect the 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

8. ACCEPT AND OPEN BIDS AND TAKE APPROPRIATE ACTION ON AN ORDER AUTHORIZING THE ISSUANCE OF \$26,705,000 TRAVIS COUNTY, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2007 (LIMITED TAX), AND MATTERS PERTAINING THERETO. (10:50 AM)

Clerk's Note: Items 7, 8, and 9 are associated with one another and were called for concurrent discussion. Please refer to Item 7 for a summary of the action taken by the Court.

9. ACCEPT AND OPEN BIDS AND TAKE APPROPRIATE ACTION ON AN ORDER AUTHORIZING THE ISSUANCE OF \$21,005,000 TRAVIS COUNTY, TEXAS, PERMANENT IMPROVEMENT BONDS, SERIES 2007 (LIMITED TAX), AND MATTERS PERTAINING THERETO. (10:50 AM) (1:44 PM)

Clerk's Note: Items 7, 8, and 9 are associated with one another and were called for concurrent discussion. Please refer to Item 7 for a summary of the action taken by the Court.

ADMINISTRATIVE OPERATIONS ITEMS

10. 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 \$348,395.22 FOR THE PERIOD OF JANUARY 12 TO JANUARY 18, 2007. (9:36 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.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:36 AM)

A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND

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

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(11:46 AM)

B. NON-ROUTINE PERSONNEL ACTIONS – GREEN CIRCLE SLOTS –
AUDIT RESULTS AND RECOMMENDATIONS FROM HUMAN
RESOURCES.

Members of the Court heard from: Luane Shull, Compensation Manager, Human Resources Management Department (HRMD); and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 11.B.

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. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON IMPROVEMENTS AT MEDICAL EXAMINER'S OFFICE. (2:34 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Leslie Stricklan, Project Manager, Facilities Management; Beth Devery; Chief Administrative Officer, Travis County Medical Examiners Office; and Roger El Khoury, Director, Facilities Management.

Discussion only. No formal action taken.

13. A. CONSIDER AND TAKE APPROPRIATE ACTION ON EMPLOYEE REFUNDS UNDER TUITION REIMBURSEMENT POLICY 10.021; AND
- B. AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE CERTAIN EMPLOYEES. (9:36 AM)

Clerk's Note: Items 13.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING EXPOSITION CENTER ISSUES: (3:12 PM)
- A. FORM LICENSE AGREEMENT;
- B. RATE SCHEDULE; AND
- C. STRATEGY FOR BRINGING IN HOUSE CUSTODIAL SERVICES. (COMMISSIONER DAVIS)

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

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Tenley Aldredge, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

ITEM 14 CONTINUED

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 14.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

Motion by Commissioner Davis and seconded by Judge Biscoe to approve Item 14.B.

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

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 14.C.

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 Item 14.C is to be reviewed in 6 months.

JUSTICE & PUBLIC SAFETY ITEMS

15. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO RESTRUCTURE THE COMMITMENT TO CHANGE PROGRAM. (1:44 PM)

Members of the Court heard from: Caryl Colburn, Director, TCCES and Interim Criminal Justice Planning Coordinator, Criminal Justice Planning (CJP); and Kimberly Pierce, Planning Manager, CJP.

Clerk's Note: The Court noted that Staff requested that certain line items be added to the Criminal Justice Planning budget that had previously been line items of a now cancelled contract.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the line items for Item 15.

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 Staff recommended that the Commitment to Change Program be extended to the women of the Woodman State Jail, Gatesville who are Travis County residents. Option 3 was to employ a counselor to work full-time out of the Woodman State Jail, Gatesville. This would be on a pilot project status to be reviewed after 90 days.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the recommended pilot program for the women confinees in Woodman State Jail, Gatesville, with a commitment of a 90-day follow-up.

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

PURCHASING OFFICE ITEMS

16. APPROVE MODIFICATION NO. 1, AN ASSIGNMENT OF CONTRACT NO. 06T00115DR FROM LA BORDE ENTERPRISES, INC. TO UNITED SITE SERVICES, INC. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER GÓMEZ) (9:36 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 CONTRACT AWARD AND CONTRACT MODIFICATION NO. 1 FOR REFUSE COLLECTION, IFB NO. B070004-OJ, TO THE LOW BIDDER, WASTE MANAGEMENT OF TEXAS. (COUNTYWIDE) (COMMISSIONER GÓMEZ) (9:49 AM) (9:54 AM) (10:18 AM) (10:42 AM)

Clerk's Note: Judge Biscoe announced that Item 17 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney.

Members of the Court heard from: Tom Nuckols, Assistant County Attorney; Cyd Grimes, Travis County Purchasing Agent; Verna Browning, Texas Disposal Systems (TDS); Ryan Beard, TDS; Trek English, Travis County Resident; and John Kuhl, Natural Resources Program Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to follow Staff's recommendation and award the contract to the low bidder, Waste Management of Texas.

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO TEMPORARILY CLOSE OLD KIMBRO ROAD TO THROUGH TRAFFIC FROM US 290 TO OLD HIGHWAY 20 IN PRECINCT ONE FOR ROAD RECONSTRUCTION STARTING JANUARY 31, 2007 AND CONTINUING FOR ONE YEAR OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAVIS) (2:33 PM)

Clerk's Note: Item 18 is the action item for the public hearing on Agenda Item 1.

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

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve road closure starting on February 15, 2007, until construction is completed.

Motion carried:

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:36 AM)
- A. A PLAT FOR RECORDING IN PRECINCT ONE, LAKES OF NORTHTOWN, SECTION 1 – FINAL PLAT (LONG FORM PLAT – 74 TOTAL LOTS; 69 RESIDENTIAL LOTS AND 5 GREENBELT, LANDSCAPE, DRAINAGE AND AMENITY LOTS – 32.773 ACRES – THE LAKE BOULEVARD – FISCAL HAS BEEN POSTED WITH CITY OF AUSTIN – SEWAGE SERVICE TO BE PROVIDED BY THE NORTHTOWN MUD, CITY OF AUSTIN ETJ); AND
- B. APPROVE A SUBDIVISION CONSTRUCTION AGREEMENT FOR LAKES OF NORTHTOWN, SECTION 1 – FINAL PLAT. (COMMISSIONER DAVIS)

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(2:16 PM)

- A. PROPOSED EXCHANGE OF RIGHT OF WAY FOR REALIGNMENT AND CONSTRUCTION OF LOHMAN FORD ROAD IN CONNECTION WITH THE FINAL PLAT, WATERFORD ON LAKE TRAVIS, SECTION 3-C;
- B. A PLAT FOR RECORDING IN PRECINCT THREE, WATERFORD ON LAKE TRAVIS, SECTION 3-C – FINAL PLAT (LONG FORM PLAT – 13 TOTAL LOTS; 12 RESIDENTIAL AND 1 GREENBELT LOT – 12.84 ACRES – LOHMAN FORD ROAD – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY MUD NO. 10, CITY OF LAGO VISTA ETJ); AND
- C. APPROVE THE ACCEPTANCE OF DEDICATION OF THE REALIGNMENT OF A PORTION OF LOHMAN FORD ROAD AND A PORTION OF IVEAN PEARSON ROAD, DEDICATED BY DOCUMENT NO. 2006002724, JANUARY 6, 2006. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 20.A-C are associated with one another and were called for concurrent discussion.

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

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to approve Item 20.A-C.

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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (2:19 PM)

- A. VARIANCE FROM THE REQUIREMENT THAT EACH LOT IN A SUBDIVISION SHALL ABUT A DEDICATED PUBLIC STREET, TITLE 30-2-171(A), ACCESS TO LOTS FOR A SUBDIVISION IN PRECINCT THREE, COMMANDER'S POINT – FINAL PLAT (NOT RECOMMENDED BY TRANSPORTATION AND NATURAL RESOURCES STAFF); AND
- B. VARIANCE FROM THE REQUIREMENT THAT AN APPLICANT INCLUDE ALL LAND OF THE ORIGINAL TRACT IN AN APPLICATION FOR PLAT APPROVAL, TITLE 30-2-34(B)(D)(2) FOR A SUBDIVISION IN PRECINCT THREE: COMMANDER'S POINT – FINAL PLAT (NOT RECOMMENDED BY TRANSPORTATION AND NATURAL RESOURCES STAFF). (COMMISSIONER DAUGHERTY)

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

Discussion only. No formal action taken.

Items 21.A&B to be reposted on February 13, 2007.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON A LICENSE AGREEMENT WITH JETRE FILM ENTERTAINMENT TO AUTHORIZE THE USE OF HAMILTON POOL PRESERVE FOR THE PURPOSE OF FILMING "SHROUD". (COMMISSIONER DAUGHERTY) (9:36 AM)

Clerk's Note: Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ALTERNATIVE FISCAL FOR AUSTIN'S COLONY PHASE 5 SECTION 3, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:36 AM)

Clerk's Note: Item 23 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 FOLLOWING:
(9:36 AM)
- A. USE OF A CASH SECURITY AGREEMENT FOR BELVEDERE PHASE II-A, A PRIVATE STREET SUBDIVISION IN PRECINCT THREE; AND
 - B. A PLAT FOR RECORDING IN PRECINCT THREE, BELVEDERE II-A, FINAL PLAT (SHORT FORM PLAT – 11 SINGLE FAMILY LOTS – 14.173 ACRES – FLAGLER DRIVE – FULL FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITIES – NO MUNICIPAL ETJ). (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 REGARDING ASSIGNMENT AND ASSUMPTION OF CONTRACTS FOR SWEETWATER SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:38 AM)

Item 25 pulled from the Agenda.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE THE REALLOCATION OF LAPSED 2005 BOND PROPOSITION NO. 1, TIER 1, PROJECT FUNDS FOR WHICH NO PARTICIPATION AGREEMENT WAS APPROVED, EXECUTED AND DELIVERED BEFORE DECEMBER 31, 2006. (COMMISSIONER ECKHARDT AND COMMISSIONER DAVIS) (THIS ITEM MAY BE CONSIDERED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:03 PM)

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR; Greg Hudson, Attorney; and Douglas Gilliland, Developer, Taurus of Texas.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve that we set aside \$6,500,000.00 for the Tier 2 project, that's the Braker Lane Project, that's 973 all the way over to Taylor Lane, with the contingency that we begin negotiating, trying to come up with an agreement, a private partnership, public agreement, that complies with the guidelines that we already have established. I don't know how long that's going to take, but at least we will have money maybe set aside until that particular agreement is before the Commissioners Court. Also, on the remaining amount of money that was in the Tier 2 project, the \$2,000,000.00 be set aside in an Unallocated Reserve as recommended by Staff, and used also as recommended by Staff.

A Clarification of the Previous Motion was made by Judge Biscoe that the \$2,000,000.00 is a round number. The specific figure is \$1,911,578.00.

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

OTHER ITEMS

27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:36 AM)

Clerk's Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF DECEMBER 2006. (COUNTY AUDITOR) (9:36 AM)

Clerk's Note: Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE. (11:37 AM)

Clerk's Note: The Court discussed two legislative proposals regarding Writs of Execution, and Misdemeanor citations.

Members of the Court heard from: Talia Gaster, Legislative Consultant; Sherine Thomas, Assistant County Attorney; and Major David Balagia, Corrections Division; Travis County Sheriff's Office (TCSO).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to support this specific version of the proposed legislative bill regarding Writs of Execution, and come up with a short but appropriate resolution showing our support

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

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve the proposed legislative bill regarding Misdemeanor citations.

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.

30. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON TERMINATION OF 2006 LICENSE AGREEMENT WITH THE REPUBLIC OF TEXAS BIKER RALLY. ¹ (3:24 PM) (5:48 PM)

Clerk's Note: Judge Biscoe announced that Item 30 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 Daugherty to terminate the current contract in order to negotiate a new one.

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

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ANDRE TYRONE SOUTHALL VS. MARGO FRASIER, ET. AL, NO. A-05-CA-342-SS (REQUESTED BY COUNTY ATTORNEY). ¹ (9:23 AM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney.

Item 31 pulled from the Agenda.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY CONCERNING CONDEMNATION PROCEEDING FOR WELLS BRANCH PARKWAY EXTENSION PROJECT (LISSO TRACT) AND THE AWARD OF SPECIAL COMMISSIONERS AND TAKE APPROPRIATE ACTION. ¹ (3:24 PM) (5:48 PM)

Clerk's Note: Judge Biscoe announced that Item 32 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 Daugherty that we pay the total of \$410,000.00, and do not appeal this matter, but respond appropriately to any action taken by the other side.

Motion carried: 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

33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON CONTRACT NEGOTIATIONS WITH FAULKNER USA FOR NEW JAIL CONSTRUCTION AT DEL VALLE CORRECTIONAL COMPLEX (DESIGN-BUILD PROJECT). ¹ (3:24 PM) (5:49 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 33 to be reposted on February 6, 2007.

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT EMPLOYEE, SLOT 535. ^{1 AND 3} (3:24 PM) (5:49 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 and Gov't. Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we grant the requested leave without pay extension for an additional 11 days, which should get this employee through February 2, 2007.

Motion carried: 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 RECOMMENDED PROCESS TO FILL COUNTY VACANCY ON ANIMAL ADVISORY COMMISSION. (JUDGE BISCOE) (9:50 AM)

Clerk's Note: The County Judge proposed the following recommendations:

1. Advertise vacancy and solicit applications from interested parties;
2. Get applications and letters of support to Sherri Fleming, Executive Manager, TCHHS&VS;
3. Formulate 8-10 questions;
4. Put together a selection committee of (a) Commission Board Chair, (b) David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS) or his designee; and (c) Sherri Fleming, Executive Manager, TCHHS&VS or her designee. Authorize the committee to recommend one or more applicants to the Court; and
5. Commissioners Court will then consider the recommendations and take appropriate action.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the Judge's 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- A2. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON PROPERTY AT 6701 BURNET ROAD. (COMMISSIONER ECKHARDT) (THIS ITEM MAY BE CONSIDERED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.072, REAL PROPERTY) (3:24 PM) (5:50 PM)

Clerk's Note: Judge Biscoe announced that Item A2 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 authorize the sub-committee of the Commissioners Court, Commissioner Eckhardt and Commissioner Daugherty, to continue working on this matter, to get together with our consultant and Facilities Management, and meet with the firms that indicated an interest in purchasing this property, as well as either the affected three neighborhood associations or representatives from them over the next month or so, and hopefully have this matter back on the Court's agenda in March, 2007, unless it is necessary for us to address it before then.

Motion carried:

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

- A3. APPROVE SETTING A PUBLIC HEARING ON TUESDAY, FEBRUARY 13, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE BIG VIEW DRIVE TO THROUGH TRAFFIC FROM JOSH LANE TO PANTHER HOLLOW IN PRECINCT THREE FOR THE "COLD FUSION SIZZLER" SLALOM SKATEBOARD RACES TO BE HELD ON FEBRUARY 24, 2007 FROM 8:00 A.M. TO 4:00 P.M. (COMMISSIONER DAUGHERTY) (9:36 AM)

Clerk's Note: Item A3 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 Gómez **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:51 PM)

Motion carried:	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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge