

MINUTES OF MEETING – FEBRUARY 13, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13th day of February 2007, the Commissioners' Court convened the Voting Session at 9:15 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 One Commissioner Ron Davis was not present during the Voting Session.

The Commissioners Court recessed the Voting Session at 11:55 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:39 PM and adjourned at 1:40 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:40 PM and adjourned at 2:01 PM.

The Commissioners Court reconvened the Voting Session at 2:02 PM.

The Commissioners Court retired to Executive Session at 2:02 PM.

The Commissioners Court reconvened the Voting Session at 3:23 PM.

The Commissioners Court adjourned the Voting Session at 3:30 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT FOR THE VACATION OF A PORTION OF RIGHT OF WAY OF TRAVIS COOKE ROAD IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY) (ACTION ITEM #7) (9:19 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 7 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	absent
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	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A DRAINAGE EASEMENT LOCATED ON A 9.651 ACRE TRACT OF LAND DESCRIBED IN A CORRECTION SPECIAL WARRANTY DEED TO LAS CIMAS ASSOCIATES, L.P., A TRACT OF LAND IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #8) (9:20 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 8 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	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to close the public hearing.

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

3. 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) (ACTION ITEM #9) (9:21 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 9 for a summary of the action item.

Motion by Commissioner Daugherty **and seconded by** Commissioner Eckhardt to open the public hearing.

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

Members of the Court heard from: Joe Gieselman, Executive Manager, 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	absent
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: Latreese Cook, Executive Director, Minorities for Equality in Employment, Education, Liberty and Justice (MEEELJ). (9:23 AM) (9:36 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C3 and Items 4, 5.A-C, 7, 8, 9, 13, 14, 15, 20.B&C, 22, 23.A&B, 24, 26, 28, 29.A&B, and A1. (9:24 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JANUARY 30, 2007.

PURCHASING OFFICE ITEMS

- 4. APPROVE CONTRACT AWARD FOR DETENTION FURNITURE, IFB NO. B070134-OJ, TO THE LOW BIDDER, INTELLIGENT INTERIORS, INC. (9:24 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.

5. APPROVE CONTRACT AWARD FOR IFB NO. B070027-DR INMATE WELFARE ITEMS TO THE FOLLOWING BIDDERS: (9:24 AM)
 - A. HYGIENE-AMERICAN AMENITIES, INC.;
 - B. TEXTILES-BOB BARKER COMPANY, INC.; AND
 - C. UNIFORMS-ROBINSON TEXTILES. (TRAVIS COUNTY SHERIFF'S OFFICE)

Clerk's Note: Items 5.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. APPROVE INTERLOCAL AGREEMENT WITH TRAVIS COUNTY HEALTHCARE DISTRICT FOR PURCHASING SERVICES. (PURCHASING OFFICE) (9:28 AM)

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

Discussion only. No formal action taken.

Item 6 to be reposted on February 27, 2007.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT FOR THE VACATION OF A PORTION OF RIGHT OF WAY OF TRAVIS COOKE ROAD IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

Clerk's Note: Item 7 is the action item for the public hearing on Agenda Item 1.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A DRAINAGE EASEMENT LOCATED ON A 9.651 ACRE TRACT OF LAND DESCRIBED IN A CORRECTION SPECIAL WARRANTY DEED TO LAS CIMAS ASSOCIATES, L.P., A TRACT OF LAND IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

Clerk's Note: Item 8 is the action item for the public hearing on Agenda Item 2.

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

9. CONSIDER AND TAKE APPROPRIATE ACTION 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) (9:24 AM)

Clerk's Note: Item 9 is the action item for the public hearing on Agenda Item 3.

Clerk's Note: Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (9:43 AM)
- 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: Anna Bowlin, Program Manager, Planning and Engineering, TNR; and Aaron C. Googins, P.E., Googins and Associates, LLC.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to accept the non-variance of both Items 10.A&B, that is to accept Transportation and Natural Resources' recommendation to deny the request for both variances.

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

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE DESIGN AND CONSTRUCTION OF PORTIONS OF HEATHERWILDE BOULEVARD AND WELLS BRANCH PARKWAY IN PRECINCTS ONE AND TWO. (COMMISSIONER DAVIS AND COMMISSIONER ECKHARDT) (9:49 AM)

Item 11 postponed until February 20, 2007.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE CONSTRUCTION OF THE EXTENSION OF PARMER LANE FROM US 290 TO STATE HIGHWAY 130, IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:15 AM)

Item 12 postponed until February 20, 2007.

13. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR SPANISH OAKS SECTION III-B, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

Clerk's Note: Item 13 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 RIDGEVIEW PRELIMINARY PLAN IN PRECINCT THREE (PRELIMINARY PLAN – 201 LOTS – 93.10 ACRES – US HIGHWAY 290 WEST AT SOUTHVIEW ROAD – SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY) (9:24 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 A PLAT FOR RECORDING IN PRECINCT THREE, BELVEDERE PHASE II FINAL PLAT (LONG FORM PLAT – 46 TOTAL LOTS: 43 SINGLE FAMILY LOTS, 2 GREENBELT LOTS AND 1 DRAINAGE LOT – 93.215 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) (9:24 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 RECOMMENDED CHANGES TO CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION'S BYLAWS. (9:17 AM)

Item 16 pulled from the Agenda.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTED AUTHORIZATION FOR USE OF \$340,000 FROM THE OPEN ALLOCATION FUNDING ACCOUNT OF THE 2005 BOND PROGRAM FOR CONTRACT EXPENSES ASSOCIATED WITH ENGINEERING DESIGN WORK FOR REIMER'S PEACOCK ROAD AND ACQUISITION OF RIGHT OF WAY FOR THE RM 2244 ROADWAY IMPROVEMENT PROJECT IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:50 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 17.

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

Clerk's Note: The Court noted the amounts requested were:

- 1) Reimers-Peacock - \$140,000.00 for Contract Engineering Design and;
- 2) RM 2244 - \$200,000.00 for Right-of-Way acquisition.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED USE OF THE ANTI-POVERTY ALLOCATED RESERVE. (9:54 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Staff recommendation, which is to fund these two agencies at a higher lever, and that means Capital Area Food Bank at \$43,627.00, and Meals-On-Wheels at \$41,630.00, and to direct PBO to move the \$85,257.00 from the anti-poverty reserve directly into the Health and Human Services Budget.

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED INTERLOCAL COOPERATION AGREEMENT WITH CITY OF AUSTIN FOR PUBLIC HEALTH AND HUMAN SERVICES. (9:16 AM)

Item 19 postponed until February 20, 2007.

PLANNING AND BUDGET DEPT. ITEMS

20. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:07 AM)

- A. GRANT APPLICATION WITH TEXAS ALCOHOL AND BEVERAGE COMMISSION TO PROVIDE FUNDING FOR EQUIPMENT AND EDUCATIONAL MATERIALS TO PREVENT UNDERAGE DRINKING VIOLATIONS;

Members of the Court heard from: Karen Maxwell, Research and Planning, Travis County Sheriff's Office (TCSO).

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

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

20. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:24 AM)

B. GRANT APPLICATION WITH U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION FOR A FAMILY DRUG TREATMENT COURT PROGRAM FOR SUBSTANCE ABUSING PARENTS IN CHILD WELFARE SYSTEM; AND

C. GRANT CONTRACT WITH EMERGENCY FOOD AND SHELTER BOARD FOR DIRECT EMERGENCY UTILITY ASSISTANCE.

Clerk's Note: Items 20.B&C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:16 AM)

Item 21 not needed.

ADMINISTRATIVE OPERATIONS ITEMS

22. 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 \$345,249.73 FOR THE PERIOD OF JANUARY 26 TO FEBRUARY 1, 2007. (9:24 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 THE FOLLOWING:
(9:24 AM)

- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
- B. NON-ROUTINE PERSONNEL ACTIONS – GREEN CIRCLED SLOTS –
AUDIT RESULTS AND RECOMMENDATIONS FROM HUMAN
RESOURCES.

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 REQUEST FROM THE
TRAVIS COUNTY FIRE ACADEMY FOR A REDUCED FEE TO USE THE
TRAVIS COUNTY EXPOSITION CENTER FOR CADET GRADUATION.
(COMMISSIONER DAVIS) (9:24 AM)

Clerk's Note: Item 24 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 County Judge noted that the fee would be reduced to \$275.00, as it has been historically.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:12 AM) (10:17 AM)

A. FY '06 EMPLOYEE HEALTH BENEFITS FUND ANNUAL REPORT; AND

B. FY '07 EMPLOYEE HEALTH BENEFITS FUND 1ST QUARTERLY REPORT.

Clerk's Note: Items 25.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Norman McRee, Financial Analyst, Lead, Human Resources Management Department (HRMD); and Cindy Purinton, Benefit Administrator, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 25.A.

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

Clerk's Note: Item 25.A was further discussed at 10:17 AM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item 25.A. Judge Biscoe instructed that the record show Commissioner Eckhardt voting in favor of the Motion on Item 25.A. The Commissioners' Court record does reflect the Corrected Vote.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 25.B.

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

OTHER ITEMS

26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 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.

REVISED LANGUAGE:

27. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (10:40 AM)

- A. DRAFT BILL: RELATING TO THE CRIMINAL AND CIVIL ENFORCEMENT OF THE REQUIRED PAYMENT OF A TOLL FOR THE USE OF CERTAIN TURNPIKE PROJECTS;

Members of the Court heard from: Bob Kamm, Legislative Consultant; and Chris Shields, Legislative Consultant.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the filing of this bill, with the understanding that Commissioners Court and Staff will work with other jurisdictions and other drafts, over the next few weeks or months, until we come up with a product that we think is better than this.

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

Item 27.A to be reposted on February 20, 2007.

ITEM 27 CONTINUED

27. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:05 AM)

B. TERMINATION OF CONSIDERATION OF PROPOSAL TO PROVIDE ALTERNATIVE HEALTHCARE COVERAGE TO EARLY RETIREES;

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we approve Item 27.B, that is to defer consideration of an action like this until the next session, because it seems to clash with our GASB 45 bill.

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

27. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:05 AM)

C. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR REGULATION OF LAND USE AUTHORITY FOR TRAVIS COUNTY AND/OR OTHER HILL COUNTRY COUNTIES;

Members of the Court heard from: Bob Kamm, Legislative Consultant; Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; and Chris Shields, Legislative Consultant.

ITEM 27 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Gómez to authorize Commissioners Eckhardt and Davis, and Joe Gieselman, Executive Manager, TNR to work with our consultants and legislators, and come up with a draft.

A Friendly Amendment to the previous Motion was offered by Commissioner Eckhardt that we as a Commissioners Court decide to approve the bill summary as a placeholder, as a starting point, at least from our perspective in our continued conversations with Senator Watson.

Acceptance of the Friendly Amendment was made by Judge Biscoe and Commissioner Gómez.

A Friendly Amendment to the previous Motion was offered by Commissioner Eckhardt that we are authorizing Bob Kamm, Legislative Consultant to work on the language with Senator Watson. Commissioner Eckhardt will be happy to be the point person aiding that effort, and that Commissioner Davis and Joe Gieselman, Executive Manager, TNR should be in contact with the Senator, as well.

Acceptance of the Friendly Amendment was made by Judge Biscoe and Commissioner Gómez.

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

Item 27.C to be reposted February 20, 2007.

ITEM 27 CONTINUED

27. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:32 AM)

D. DRAFT BILL: RELATING TO FEES FOR SERVICES PERFORMED BY A PEACE OFFICER; AND

Clerk's Note: The Court discussed raising the fees charged for executing a warrant from \$50.00 to \$75.00.

Members of the Court heard from: Bruce Elfant, Constable, Precinct 5.

Motion by Commissioner Daugherty **and seconded by** Commissioner Eckhardt that we do it for \$100.00.

Motion failed:	County Judge Samuel T. Biscoe	present but not voting
	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

Clerk's Note: The County Judge noted that according to our policy, to support this motion would require either a 5/0 or 4/1 vote.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve at \$75.00.

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

ITEM 27 CONTINUED

27. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:37 AM)

E. DRAFT BILL: RELATING TO THE POWERS AND DUTIES OF TRAVIS COUNTY HEALTHCARE DISTRICT'S BOARD OF MANAGERS AND TO EMPLOYEE BENEFITS FOR CERTAIN EMPLOYEES OF THAT DISTRICT.

Members of the Court heard from: Talia Gaster, Legislative Consultant.

Item 27.E postponed until February 20, 2007.

Clerk's Note: The Court discussed two legislative proposals, regarding GASB 45 and Appraisal Caps.

Members of the Court heard from: Bob Kamm, Legislative Consultant; Susan Spataro, Travis County Auditor; John Hille, Assistant County Attorney; Chris Shields, Legislative Consultant; and Talia Gaster, Legislative Consultant.

Discussion only. No formal action taken.

Item 27 to be reposted on February 20, 2007.

28. APPROVE SETTING A PUBLIC HEARING ON MARCH 6, 2007 REGARDING PETITIONS SUBMITTED BY VOTERS AND LANDOWNERS IN THE TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1 REQUESTING THE ORDERING OF AN ELECTION WITHIN THE DISTRICT TO APPROVE THE DISTRICT'S ISSUANCE OF BONDS TO FUND ROADWAY IMPROVEMENTS. (9:24 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 APPOINTMENTS TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS 911 TASK FORCE: (9:24 AM)

A. CHRIS WALLACE TO REPLACE CYRIL FRIDAY; AND

B. DANNY HOBBY TO REPLACE PETE BALDWIN. (COMMISSIONERS COURT)

Clerk's Note: Items 29.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY COMMITTEE TO ADDRESS NEW CIVIL COURTS BUILDING, INCLUDING CHARGE, PUBLIC HEARING, COMMUNICATION WITH TRAVIS COUNTY LEGISLATIVE DELEGATION. (JUDGE BISCOE) (9:18 AM)

Item 30 postponed until February 20, 2007.

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.

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING LONESTAR PRODUCTIONS EVENT SCHEDULED MAY 30 THROUGH JUNE 3, 2007. ¹ (10:17 AM) (2:02 PM) (3:23 PM)

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.

Members of the Court heard from: Jane McCrury, Texas Productions; Joe Flanagan, Texas Productions; Tenley Aldredge, Assistant County Attorney; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

32. 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 (2:02 PM) (3:24 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.

No action necessary on Item 32.

Item 32 to be reposted on February 27, 2007.

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TWO REAL ESTATE ISSUES IN CENTRAL AUSTIN. ² (2:02 PM) (3:24 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 and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 33 to be reposted on February 20, 2007.

34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. CORNELIUS ROBINSON (LYNN ASHLEY GADD RESALE DEED). ¹ (2:02 PM) (3:24 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to sign the tax resale deed prepared, to deed this property to Lynn Ashley Gadd, who has paid Travis County the sum of \$2,500.00 in cash.

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

35. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. USLIFE TITLE COMPANY OF AUSTIN AKA TITLE USA COMPANY OF AUSTIN (ANDRES FORERO RESALE DEED). ¹ (2:02 PM) (3:25 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to sign the prepared tax resale deed to Andres Forero, who has paid Travis County the sum of \$7,650.00 in cash.

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

36. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. TONY ALBA AND ROSA LEO AREABLO (MARIO ESTRADA RESALE DEED). ¹ (2:02 PM) (3:25 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to sign the prepared resale deed to Mario Estrada, who has paid Travis County the sum of \$5,300.00 in cash.

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

37. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET. AL. V. CARLOS ALEMAN ARJONA (CSE DEVELOPMENT, LLC RESALE DEED). ¹ (2:02 PM) (3:26 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to sign the first of two resale deeds, this one to CSE Development, LLC., which involves only one lot in Highland Lake Estates, in exchange for the \$9,181.00 in cash, that CSE Development, LLC., has paid Travis County.

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

38. CONSIDER AND TAKE APPROPRIATE ACTION ON OFFERS FROM CSE DEVELOPMENT, LLC FOR TAX RESALE DEEDS IN THE FOLLOWING TAX FORECLOSURE SALE PROPERTIES: (2:02 PM) (3:26 PM)

- A. TRAVIS COUNTY, ET. AL. V. BILLIE MACK EDWARDS;
- B. TRAVIS COUNTY, ET. AL. V. FRED W. & MAELINE E. ERNST;
- C. TRAVIS COUNTY, ET. AL. V. CHARLES A. & SANDRA DUNN;
- D. TRAVIS COUNTY, ET. AL. V. JEFFREY B. & SANDRA L. KOINM;
- E. TRAVIS COUNTY, ET. AL. V. JOHN & JOAN HAMMOND;
- F. TRAVIS COUNTY, ET. AL. V. MARTHA ISSAC DE SANCHEZ; AND
- G. TRAVIS COUNTY, ET. AL. V. ARCE GUILLERMO VIDRIO. ¹

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to execute this tax resale deed that involves seven pieces of property for CSE Development, LLC.:

- A) Lot 12151 - CSE Development, LLC has paid Travis County \$8,155.00
- B) Lot 9099 - Travis County has received \$10,922.00
- C) Lot 9100 - for which Travis County has received \$10,551.00
- D) Lot 15143 - for which Travis County has received \$7,945.00
- E) Lot 12086 - for which Travis County has received \$9,074.00
- F) Lot 30100 - for which Travis County has received \$10,284.00
- G) Lot 15037 - for which Travis County has received \$12,450.00 in cash, and these seven lots are all in one deed.

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

39. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TO TRAVIS COUNTY A .258 ACRE TEMPORARY CONSTRUCTION EASEMENT LOCATED ON PROPERTY NEAR CAMERON ROAD, IN PRECINCT ONE, REQUIRED FOR CONSTRUCTION OF THE HOWARD LANE EAST (GREGG LANE) ROADWAY IMPROVEMENT PROJECT AS PART OF THE 2005 BOND PROGRAM. (COMMISSIONER DAVIS) ^{1 AND 2} (2:02 PM) (3:29 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we accept the offer to sell for the sum of \$1,000.00.

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

40. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TO TRAVIS COUNTY AN APPROXIMATELY 1.83 ACRE PARCEL OF UNDEVELOPED LAND LOCATED ALONG BLUE BLUFF ROAD, IN PRECINCT ONE. (COMMISSIONER DAVIS) ^{1 AND 2} (2:02 PM) (3:29 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we accept the offer to sell Travis County the 1.83-acre parcel of undeveloped land, for the offer amount of \$7,320.00.

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

41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING HARLON MELTON V. TRAVIS COUNTY SHERIFF'S OFFICE. ^{1 and 3} (2:02 PM) (3:29 PM)

Clerk's Note: Judge Biscoe announced that Item 41 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 Eckhardt that we reject the offer to settle for the stated amount.

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. APPROVE PROCLAMATION RECOGNIZING FEBRUARY 14, 2006 AS "SURVIVOR AUSTIN DAY" IN THE AUSTIN-TRAVIS COUNTY COMMUNITY. (COMMISSIONER ECKHARDT) (9:24 AM)

Clerk's Note: Item A1 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 Judge Biscoe and seconded by Commissioner Gómez to adjourn the Voting Session. (3:30 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