

MINUTES OF MEETING – MARCH 27, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of March 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 recessed the Voting Session at 12:12 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:54 PM and adjourned at 1:54 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:55 PM and adjourned at 1:56 PM.

The Commissioners Court reconvened the Voting Session at 1:56 PM.

The Commissioners Court retired to Executive Session at 5:00 PM.

The Commissioners Court reconvened the Voting Session at 6:11 PM.

The Commissioners Court adjourned the Voting Session at 6:18 PM.

PURCHASING OFFICE ITEMS

- 6. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS070058RE, AMERICAN YOUTHWORKS, FOR WORKFORCE DEVELOPMENT SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS SERVICES) (9:22 AM)

Clerk's Note: Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 7. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL070171RE, AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, FOR MENTAL HEALTH SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS SERVICES) (4:19 PM)

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 7.

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

- 8. APPROVE CONTRACT AWARD FOR 290 EAST LANDFILL OPERATIONS AND MAINTENANCE, IFB NO. 07T0145-LD, TO THE LOW BIDDER, SCS FIELD SERVICES. (TRANSPORTATION AND NATURAL RESOURCES) (9:22 AM)

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.

Clerk's Note: The Court noted that this contract is for the old, closed landfill and the delay was regarding compliance history.

9. APPROVE CONTRACT AWARD FOR TRANSPORTATION AND EXTRADITION SERVICES, RFS S070146-OJ, TO THE QUALIFIED PROPONENT, TRANSCOR AMERICA. (SHERIFF'S OFFICE) (9:22 AM)

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.

Members of the Court heard from: Bonnie Floyd, Assistant Purchasing Agent.

Clerk's Note: The Court approved the replacement of two revised pages of the contract when ready.

10. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 05C00287BF, AMERICAN EUROCOPTER, INC., FOR PURCHASE OF HELICOPTERS. (STARFLIGHT/EMERGENCY SERVICES) (9:22 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. APPROVE A SOLE SOURCE EXEMPTION AND CONTRACT FOR WEST GROUP FOR ON-LINE RESEARCH SERVICES, WESTPACK PRINT AND CD-ROM PRODUCTS. (RECORDS MANAGEMENT AND COMMUNICATION RESOURCES) (9:22 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. APPROVE CONTRACT NO. PS070215RE, WORKSOURCE-GREATER AUSTIN AREA WORKFORCE BOARD, FOR CHILD-CARE RELATED SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS SERVICES) (9:22 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.

19. A. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN SHADOWGLEN PHASE 1, SECTION 10; SHADOWGLEN PHASE 2 SHADOWGLEN TRACE; SHADOWGLEN PHASE 2, SECTION 14A; SHADOWGLEN PHASE 2, SECTION 15A; AND SHADOWGLEN PHASE 2 SECTION 15B – FIVE SUBDIVISIONS IN PRECINCT ONE; AND
- B. APPROVE PROPOSED AMENDMENT TO LICENSE AGREEMENT WITH THE SHADOWGLEN HOMEOWNERS ASSOCIATION FOR IMPROVEMENTS IN PUBLIC RIGHT OF WAY. (COMMISSIONER DAVIS) (9:22 AM)

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 REGARDING THE USE OF ALTERNATIVE FISCAL FOR GREENRIDGE PHASE 5, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (9:22 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.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT IN PRECINCT TWO: STAR RANCH, SECTION 4 (TOTAL NUMBER OF LOTS 7 – 5.991 ACRES, 3 SINGLE FAMILY AND 4 COMMERCIAL LOTS – MUIRFIELD BEND DRIVE – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON COUNTY WATER, SEWER, IRRIGATION DISTRICT #3 – HUTTO ETJ). (COMMISSIONER ECKHARDT) (9:22 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:22 AM)
- A. INDEMNIFICATION AGREEMENT WITH EASTBOURNE CROSSING, L.P. TO FUND PERMANENT TRAFFIC IMPROVEMENTS ON STATE HIGHWAY 71 AT STATE HIGHWAY 130, IN PRECINCT FOUR; AND
 - B. ADVANCED FUNDING AGREEMENT FOR VOLUNTARY TRANSPORTATION IMPROVEMENT PROJECTS WITH THE STATE OF TEXAS AND TRAVIS COUNTY FOR PERMANENT TRAFFIC IMPROVEMENTS ON STATE HIGHWAY 71 AT STATE HIGHWAY 130, IN PRECINCT FOUR. (COMMISSIONER GÓMEZ)

Clerk's Note: Items 22.A&B 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 INTERLOCAL AGREEMENT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) TO PURCHASE LIGHT DETECTION AND RANGING (LIDAR) DATA FOR FEMA COMPLIANT FLOODPLAIN PROCESSING INTO TWO FOOT CONTOURS OF UNINCORPORATED AREAS IN EASTERN AND SOUTHWESTERN TRAVIS COUNTY AND AUTHORIZE FOR ALLOCATION OF FY '07 BUDGET FUNDING. (9:22 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 LICENSE AGREEMENT WITH USL AUSTIN RESERVE, L.P. FOR ACCESS TO A 250 ACRE TRACT FOR BALCONES CANYONLAND PRESERVE RESEARCH. (COMMISSIONER DAUGHERTY) (9:22 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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (1:57 AM)
- A. UPDATE ON PROGRAM YEAR 2006;
 - B. RESULTS OF PUBLIC HEARING PROCESS FOR PROGRAM YEAR 2007;
 - C. STRATEGIC DIRECTION FOR 2007 THROUGH 2010;
 - D. RECOMMENDED SCORING MATRIX FOR 2007; AND
 - E. OTHER RELATED ISSUES.

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

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

Discussion only. No formal action taken.

Items 25.A-E to be reposted on April 10, 2007.

ADMINISTRATIVE OPERATIONS ITEMS

30. 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 \$305,846.50 FOR THE PERIOD OF MARCH 9 TO MARCH 15, 2007. (9:22 AM)

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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:22 AM)
- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
 - B. NON-ROUTINE PERSONNEL ACTIONS – COUNTY CLERK – TEMPORARY ASSIGNMENT - TRAVIS COUNTY CODE SECTION 10.03012.

Clerk's Note: Items 31.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. DISCUSS AND TAKE APPROPRIATE ACTION ON ISSUES, POLICIES AND RECOMMENDATIONS REGARDING PARKING FOR COUNTY EMPLOYEES
(4:22 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Lynn Harper, Executive Assistant, Administrative Operations; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office.

Discussion only. No formal action taken.

Item 32 to be reposted on April 3, 2007.

JUSTICE & PUBLIC SAFETY ITEMS

- 33. CONSIDER AND TAKE APPROPRIATE ACTION TO AUTHORIZE EXECUTIVE MANAGER OF EMERGENCY SERVICES TO EXECUTE THE FCC 800 MHZ RECONFIGURATION "WAIVER OF PRIVILEGE AND CONFIDENTIALITY" FORM REGARDING THE RECONFIGURATION OF THE 800 MHZ BAND MANDATED BY THE FEDERAL COMMUNICATIONS COMMISSION. (9:22 AM)

Clerk's Note: Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON THE 2008 RESOLUTION FOR THE TRAVIS COUNTY MENTAL HEALTH PUBLIC DEFENDERS OFFICE. (4:13 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 34.

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

OTHER ITEMS

- 35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:22 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO JOIN ALLIANCE FOR PUBLIC TRANSPORTATION. (4:14 PM)

Discussion only. No formal action taken.

Item 36 to be reposted on April 3, 2007.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT CARL JOHNSON TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 9, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY) (9:22 AM)

Clerk's Note: Item 37 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

TO BE TAKEN UP AT 11:00 A.M.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

A. SENATE BILL 1204: RELATING TO REORGANIZATION AND ADMINISTRATION OF, AND PROCEDURES RELATING TO, COURTS IN THIS STATE, INCLUDING PROCEDURES FOR APPEALS;

Item 38.A was pulled from the Agenda.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:17 AM)

B. SENATE BILL 1688: RELATING TO THE CREATION, POWERS AND DUTIES OF A TRANSPORTATION INFRASTRUCTURE SERVICES DISTRICT CREATED BY A MUNICIPALITY; IMPOSING TAXES AND AUTHORIZING BONDS;

Clerk's Note: Items 38.B-D and 38.H are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; Chris Shields, Travis County Legislative Consultant; Carol Joseph, Assistant Director, TNR; and Sheryl Cole, Austin City Council Member.

ITEM 38 CONTINUED

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve HB 1688, HB 1689, and HB 1690.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe that his support is contingent on the following:

- 1) In exchange for the Court's support and willingness to work for HB 1688 and HB 1689, the City of Austin should agree to support Travis County on HB 1690, and work to get it passed, and;
- 2) The implementation of a strategy to get all three bills passed, if we support them, that involves working with the Conference of Urban Counties.

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

A Division of the Vote was requested by Judge Biscoe on House Bills 1688, 1689, and 1690.

First Division of the Vote:

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve HB 1688.

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

Second Division of the Vote:

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve HB 1689.

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 38 CONTINUED

Third Division of the Vote:

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve HB 1690.

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: By approving House Bills 1688, 1689, and 1690, the Court is expressing its support for, and working for the passage of, House Bills 1688, 1689, and 1690.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:17 AM)

C. SENATE BILL 1689: RELATING TO THE MUNICIPALITIES THAT MAY ANNEX AN AREA FOR LIMITED PURPOSES;

Clerk’s Note: Items 38.B-D and 38.H are associated with one another and were called for concurrent discussion. Please refer to Item 38.B for a summary of the action taken by the Court.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:17 AM)

D. SENATE BILL 1690: RELATING TO THE AUTHORITY OF A COUNTY TO ZONE, APPLY BUILDING STANDARDS, AND IMPOSE IMPACT FEES IN AN AREA NEAR CERTAIN TOLL PROJECTS; PROVIDING A PENALTY;

Clerk’s Note: Items 38.B-D and 38.H are associated with one another and were called for concurrent discussion. Please refer to Item 38.B for a summary of the action taken by the Court.

ITEM 38 CONTINUED

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:36 AM)

E. HOUSE BILL 3305 AND SENATE BILL 1553: RELATING TO PERSONAL AND MONETARY BAIL BOND REQUESTS;

Members of the Court heard from: Irma Guerrero, Division Director, Pretrial Services; Ron Morgan, Training and Education Coordinator, Pretrial Services; and Chris Shields, Travis County Legislative Consultant.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to oppose HB 3305 and SB 1553, but to put together an explanation of why and share that with the bill's sponsors and the other Counties and ask them to take the same position.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	present but not voting
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:47 AM)

F. HOUSE BILL 3738: RELATING TO THE ESTABLISHMENT AND OPERATION OF PERSONAL BOND OFFICES;

Members of the Court heard from: Ron Morgan, Training and Education Coordinator, Pretrial Services.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to oppose HB 3738.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	present but not voting
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 38 CONTINUED

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (12:03 PM)

G. DISCUSSION OF OTHER BILLS AND LEGISLATIVE ISSUES AS NECESSARY;

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

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:17 AM) (11:51 AM)

H. ADDED ITEM: HOUSE BILL 3447: RELATING TO THE AUTHORITY OF CERTAIN COUNTIES TO REGULATE LAND DEVELOPMENT; AND

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, TNR; John White, Environmental Quality Program Manager, TNR; and Bob Kamm, Travis County Legislative Consultant.

Discussion only. No formal action taken.

Item 38.H to be reposted on April 3, 2007.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (12:02 PM)

I. ADDED ITEM: HOUSE BILL 1: GENERAL APPROPRIATIONS.

Item 38.I postponed until April 3, 2007.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ELECTION PRECINCT REALIGNMENTS AND SET A PUBLIC HEARING ON APRIL 10, 2007 REGARDING POSSIBLE ELECTION PRECINCT REALIGNMENTS. (TAX ASSESSOR COLLECTOR) (2:44 PM)

Members of the Court heard from: Dolores Diaz Lopez, Director, Voter Registration, Tax Assessor Collector's Office; and Gail Fisher, Manager, Elections Division, Travis County Clerk's Office.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we set a Public Hearing on April 10, 2007, regarding the election Precinct realignments.

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

40. CONSIDER AND TAKE APPROPRIATE ACTION ON COMPENSATION AND EQUITY ISSUES THAT AFFECT COUNTY OFFICES INCLUDING THE TAX ASSESSOR COLLECTOR AND COUNTY CLERK. (COUNTY CLERK) (2:53 PM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; Nelda Wells Spears, Travis County Tax Assessor Collector; David Escamilla, Travis County Attorney; Susan Bell, Chief Deputy, Travis County Clerk's Office; Dusty Knight, Chief Operating Officer, Tax Assessor Collector's Office; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Amalia Rodriguez-Mendoza, Travis County District Clerk; Christian Smith, Executive Manager, PBO; and Travis Gatlin, Budget Analyst, PBO.

Discussion only. No formal action taken.

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.

- 41. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LEASING ADDITIONAL PARKING AT THE 812 SAN ANTONIO PARKING GARAGE. ^{1 AND}
² (5:00 PM) (6:11 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. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the leasing of the offered forty spaces by the Central Parking System, in the amount of \$19,200.00 for the rest of the fiscal year; and that we authorize Facilities Management to take this amount from unspent lease savings, from the Facilities Department.

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

- 42. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON COUNTER-OFFER RECEIVED ON CLAIM ON CONTRACT NO. 04K00147JJ WITH RGM CONSTRUCTORS, L.P. FOR SCOFIELD RIDGE PARKWAY STREET AND DRAINAGE IMPROVEMENTS, IN PRECINCT ONE, AND TAKE APPROPRIATE ACTION. ¹ (5:00 PM) (6:12 PM)

Clerk's Note: Judge Biscoe announced that Item 42 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 Davis to approve the proposed changes, both theirs and ours.

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

- 43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE FOR TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT, PAMELA JOHNSTON. ^{1 AND 3} (5:00 PM) (6:14 PM)

Clerk's Note: Judge Biscoe announced that Item 43 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 to approve the requested additional eight days of leave, which would cover February 21, 2007 to March 2, 2007.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	present but not voting
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

46. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TO TRAVIS COUNTY 0.012 ACRES (541 SQ. FT.) OF LAND LOCATED ON HOWARD LANE, IN PRECINCT ONE, REQUIRED FOR CONSTRUCTION OF THE HOWARD LANE EAST (II) ROADWAY IMPROVEMENT PROJECT AS PART OF THE 2005 BOND PROGRAM. ^{1 AND 2} (5:00 PM) (6:15 PM)

Clerk's Note: Judge Biscoe announced that Item 46 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 Davis to authorize County Staff to purchase the property in question for \$2,000.00, which was offered by the property owner.

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

47. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TO TRAVIS COUNTY A 0.097 ACRE (4,242 SQ. FT.) DRAINAGE AND SLOPE EASEMENT AND A 0.158 ACRE (6,870 SQ. FT.) TEMPORARY CONSTRUCTION EASEMENT AREA LOCATED ON HOWARD LANE, IN PRECINCT ONE, REQUIRED FOR CONSTRUCTION OF THE HOWARD LANE EAST (II) ROADWAY IMPROVEMENT PROJECT AS PART OF THE 2005 BOND PROGRAM. ^{1 AND 2} (5:00 PM) (6:15 PM)

Clerk's Note: Judge Biscoe announced that Item 47 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 Davis to authorize the purchase of this tract of land for the Howard Lane East II Project, and pay the property owner the requested \$13,000.00.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 48. CONSIDER AND TAKE APPROPRIATE ACTION ON NEGOTIATIONS OF SALARY AND EMPLOYMENT TERMS AND CONDITIONS WITH JEANNETTE KINARD, NEW DIRECTOR OF MENTAL HEALTH PUBLIC DEFENDERS OFFICE. ^{1 AND 3} (5:00 PM) (6:15 PM)

Clerk’s Note: Judge Biscoe announced that Item 48 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.

Members of the Court heard from: John Hille, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we:

- 1) Authorize the employment of Jeanette Kinard, as the Director of the Travis County Mental Health Public Defender’s Office, to commence April 1, 2007 at a salary of \$92,824.99;
- 2) Further, as pointed out by the County Attorney’s Office, that we appoint this office to serve as a Travis County Office, and as the Mental Health Public Defender’s Office;
- 3) That the duties of the Mental Health Public Defender’s Office are the same as those set out in the proposal submitted by the Criminal Justice Planning Department of Travis County;
- 4) That the types of cases to which the Mental Health Public Defender may be appointed, and the Courts in which the Mental Health Public Defender may be requested to appear, are as specified in the County’s submitted proposal, and that this Director is to serve at the pleasure of the Travis County Commissioners Court;
- 5) That the court otherwise try to expedite acquisition of furniture, office equipment, space etc.; that in the meantime we secure appropriate temporary furniture, equipment and space to enable the Ms. Kinard to begin working, and;
- 6) Before that all becomes effective, Jim Connolly, Assistant County Attorney will arrange for one of the District or County Court-at-Law Judges to sign off on an order to help this as condition of this employment.

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

ADDED ITEMS

- A1. RECEIVE UPDATE ON THE SALE OF REAL PROPERTY AT 6701 BURNET ROAD. (COMMISSIONER ECKHARDT) (THIS ITEM MAY 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) (5:00 PM) (6:11 PM)

Discussion only. No formal action taken.

Item A1 to be reposted on April 3, 2007.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (6:18 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge