

MINUTES OF MEETING MAY 1, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 1st day of May 2007, the Commissioners' Court convened the Voting Session at 9:07 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 County Judge Samuel T. Biscoe was not present during this Voting Session.

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

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 11:58 AM, recessed at 11:59 AM, reconvened at 1:34 PM and adjourned at 2:01 PM.

The Commissioners Court reconvened the Voting Session at 2:07 PM.

The Commissioners Court recessed the Voting Session at 2:08 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; and the Capital Industrial Development Corporation; convened at 2:09 PM and adjourned at 2:10 PM.

The Commissioners Court reconvened the Voting Session at 2:10 PM.

The Commissioners Court retired to Executive Session at 2:19 PM.

The Commissioners Court reconvened the Voting Session at 3:39 PM.

The Commissioners Court adjourned the Voting Session at 3:49 PM.

ADDITIONAL MOTION AND VOTE

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to authorize Commissioner Gómez to sign on the behalf of Judge Biscoe for any of the business that comes before the Court.

Motion carried: County Judge Samuel T. Biscoe	absent
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

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF ANDERSON MILL ROAD RIGHT OF WAY AND TO APPROVE A LICENSE AGREEMENT WITH THE ESTATES OF BRENTWOOD HOMEOWNERS ASSOCIATION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #6) (9:08 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 6 for a summary of the action item.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to open the public hearing.

Motion carried:

County Judge Samuel T. Biscoe	absent
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 Ruth Sturdivant, Travis County Resident.

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

Motion carried:

County Judge Samuel T. Biscoe	absent
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

2. RECEIVE COMMENTS REGARDING THE FOLLOWING: (9:13 AM)
- A. THE PROPOSED ISSUANCE BY THE TRAVIS COUNTY HOUSING FINANCE CORPORATION OF ONE OR MORE SERIES OF SINGLE FAMILY MORTGAGE REVENUE BONDS IN AN AGGREGATE FACE AMOUNT NOT TO EXCEED \$20,000,000; AND
 - B. THE PROPOSED EXTENSION OF THE MATURITY DATE OF \$10,297,972 PRINCIPAL AMOUNT OF THE TRAVIS COUNTY HOUSING FINANCE CORPORATION'S SINGLE FAMILY MORTGAGE REVENUE NOTES SERIES 2001-1. (ACTION ITEM #42)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 42 for a summary of the action item.

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

Motion carried:

County Judge Samuel T. Biscoe	absent
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: Cliff Blount, Attorney for the Travis County Corporations.

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

Motion carried:

County Judge Samuel T. Biscoe	absent
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: Jimmy Castro, Travis County Resident; and Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD). (9:16 AM)

Clerk's Note: Citizens Communication was revisited at 10:58 AM.

Members of the Court heard from: Brenner Donohue, Travis County Resident; and Dolores Donohue, Travis County Resident. (10:58 AM)

CONSENT ITEMS

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C5 and Items 7, 8, 9, 10, 16, 17, 20.A&B, 21, 22, 25, 27.A&B, 30, 31, 32, 33, 34, 36, 37, 38.A-C, and 40. (9:23 AM)

Motion carried: County Judge Samuel T. Biscoe	absent
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. APPROVE SETTING A PUBLIC HEARING DATE ON MAY 14, 2007 TO RECEIVE COMMENTS REGARDING REQUEST FOR PROPOSED STREET NAME CHANGE FROM "AMANTE DRIVE" TO "VERANO DRIVE" IN BARTON CREEK SECTION H, PHASE 4 SUBDIVISION, OFF BARTON CREEK BOULEVARD, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

CONSENT CONTINUED

- C4. APPROVE SETTING A PUBLIC HEARING DATE ON JUNE 5, 2007 TO RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT THREE: THE VISTAS AT PEDERNALES CANYON TRAIL, A REVISED PLAT OF LOT 13 PEDERNALES CANYON RANCH PHASE 2 (LONG FORM PLAT – 11 LOTS – 24.86 ACRES – PEDERNALES CANYON TRAIL – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – PARKLAND FEES (\$1,400) HAVE BEEN PAID TO TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – NO CITY'S ETJ), AND APPROVE CONSTRUCTION AGREEMENT FOR VISTAS AT PEDERNALES CANYON TRAIL SUBDIVISION. (COMMISSIONER DAUGHERTY)
- C5. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF APRIL 17, 2007.

RESOLUTIONS & PROCLAMATIONS

3. APPROVE PROCLAMATION DESIGNATING MAY 1, 2007 AS "LAW DAY" IN TRAVIS COUNTY. (COMMISSIONER ECKHARDT) (9:27 AM)

Members of the Court heard from: Kat Hinson, Travis County Bar Association.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to approve the Proclamation in Item 23.

Motion carried: County Judge Samuel T. Biscoe	absent
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

4. APPROVE PROCLAMATION DESIGNATING THE MONTH OF MAY 2007 AS "HISPANIC CULTURAL AWARENESS MONTH" IN TRAVIS COUNTY; AND RECOGNIZE THE TWENTY-FIRST ANNUAL "CINCO DE MAYO" CELEBRATION IN TRAVIS COUNTY AND THE 12TH ANNUAL COMBINED CITY/COUNTY CINCO DE MAYO CELEBRATION. (COMMISSIONER GÓMEZ) (9:30 AM)

Members of the Court heard from: Virginia Aleman, HRMD.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the Proclamation in Item 4.

Motion carried: County Judge Samuel T. Biscoe	absent
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

5. APPROVE RESOLUTION RECOGNIZING THE MONTH OF MAY 2007 AS "MENTAL HEALTH MONTH" AND MAY 8, 2007 AS "CHILDREN'S MENTAL HEALTH AWARENESS DAY" IN TRAVIS COUNTY. (9:33 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the Resolution in 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF ANDERSON MILL ROAD RIGHT OF WAY AND TO APPROVE A LICENSE AGREEMENT WITH THE ESTATES OF BRENTWOOD HOMEOWNERS ASSOCIATION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:01 AM)

Clerk's Note: Item 6 is the action item for the public hearing on Agenda Item 1.

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR.

Motion by Commissioner Daugherty **and seconded by** Commissioner Eckhardt to approve the vacation and the license agreement, but direct Staff to hold off on recording the vacation with the Travis County Clerk, until we receive all of the easements signed.

Motion carried:

County Judge Samuel T. Biscoe	absent
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. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE LICENSE AGREEMENTS WITH THE HEATHERWILDE AND WINDERMERE HOMEOWNERS ASSOCIATIONS ALLOWING THE COUNTY TO CONSTRUCT AND MAINTAIN PORTIONS OF GILLELAND CREEK TRAIL, PHASE III ON THEIR PROPERTY. (COMMISSIONER ECKHARDT) (9:23 AM)

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 ON REQUEST TO ALLOW THE MEADOWS OF BLACKHAWK SECTION 8 TO UTILIZE THE TRAVIS COUNTY ALTERNATIVE FISCAL POLICY, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (9:23 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.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPROVAL OF ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR BRIARCREEK SECTION 4, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:23 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.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE CONSTRUCTION OF IMPROVEMENTS TO A COUNTY LOW WATER CROSSING ON THAXTON ROAD IN CONJUNCTION WITH THE COUNTY'S 2001 BOND PROJECT TO EXTEND MCKINNEY FALLS PARKWAY FROM WILLIAM CANNON PARKWAY TO THAXTON ROAD, IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:23 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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO ADULT PROTECTIVE SERVICES IN TRAVIS COUNTY: (9:38 AM)

Clerk's Note: Items 11.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; and Kez Wold, Regional Director, Region 7, Adult Protective Services.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO ADULT PROTECTIVE SERVICES IN TRAVIS COUNTY: (9:38 AM)
 - A. PRESENTATION FROM TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES ON ADULT PROTECTIVE SERVICES IN TRAVIS COUNTY;

Discussion only. No formal action taken.

ITEM 11 CONTINUED

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING
RELATED TO ADULT PROTECTIVE SERVICES IN TRAVIS COUNTY:
(9:38 AM)

B. RESOLUTION FOR CREATION OF TRAVIS COUNTY REPRESENTATIVES TO ADULT PROTECTIVE SERVICES SPECIAL TASK UNIT;

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve the Resolution in Item 11.B.

Motion carried:	County Judge Samuel T. Biscoe	absent
	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

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING
RELATED TO ADULT PROTECTIVE SERVICES IN TRAVIS COUNTY:
(9:38 AM)

C. RECOMMENDATIONS ON APPOINTMENT OF TRAVIS COUNTY REPRESENTATIVES TO ADULT PROTECTIVE SERVICES SPECIAL TASK UNIT; AND

Clerk's Note: The Court reviewed recommendations for the representatives for the Adult Protective Services Special Task Force Unit from the following disciplines:

- 1) Mental Health professional – Phyllis Wolff
- 2) Legal - Barbara Misle
- 3) Law Enforcement – Detective Erica Westling, Sergeant Kitty Hicks, and Steve Manley
- 4) Medical – Funmi Ogunleye, RN
- 5) Domestic Violence – Wendy H. Abramson

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve the recommendations in Item 11.C.

Motion carried:	County Judge Samuel T. Biscoe	absent
	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 11 CONTINUED

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO ADULT PROTECTIVE SERVICES IN TRAVIS COUNTY:
(9:38 AM)

D. RESOLUTION FOR ELDER ABUSE PREVENTION MONTH IN TRAVIS COUNTY.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the Resolution in Item 11.D.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

12. DISCUSS AND TAKE APPROPRIATE ACTION ON REQUEST TO AMEND THE TIMELINE FOR APPOINTMENT OF TRAVIS COUNTY HEALTHCARE DISTRICT BOARD MEMBERS. (2:10 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty to approve Item 12.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

13. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (11:54 AM)
- A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION TO PROVIDE FUNDING FOR THREE NEW STAFF POSITIONS TO SUPPORT THE JUVENILE PROBATION DEPARTMENT'S SANCTIONS SUPERVISION PROGRAM; AND
 - B. GRANT CONTRACT WITH THE LOWER COLORADO RIVER AUTHORITY FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO ENHANCE THE EXISTING FLOOD DETECTION AND WARNING DEVICES ON HAMILTON POOL ROAD AT PEDERNALES RIVER.

Clerk's Note: Items 13.A&B are associated with one another and were called for concurrent discussion.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to approve Items 13.A&B.

Motion carried:

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:55 AM)

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

Motion carried:

County Judge Samuel T. Biscoe	absent
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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FROM THE CITY OF AUSTIN (COA) REGARDING THE WALLER CREEK TUNNEL PROJECT: (2:13 PM)

Clerk's Note: Items 15.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Mary Etta Gerhardt, Assistant County Attorney.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FROM THE CITY OF AUSTIN (COA) REGARDING THE WALLER CREEK TUNNEL PROJECT: (2:13 PM)

A. WAIVE 60-DAY NOTICE REQUIREMENT FOR HOLDING A PUBLIC HEARING;

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that we waive the sixty day notice, and in lieu of sixty days require a three-week notice.

Motion carried: County Judge Samuel T. Biscoe	absent
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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FROM THE CITY OF AUSTIN (COA) REGARDING THE WALLER CREEK TUNNEL PROJECT: (2:13 PM)

B. AGREE TO A JOINT FORMAL PRESENTATION ON TAX INCREMENT FINANCING (TIF) TO TRAVIS COUNTY AND AUSTIN INDEPENDENT SCHOOL DISTRICT;

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty that we agree to joint formal presentation.

Motion carried: County Judge Samuel T. Biscoe	absent
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 15 CONTINUED

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FROM THE CITY OF AUSTIN (COA) REGARDING THE WALLER CREEK TUNNEL PROJECT: (2:13 PM)

C. DESIGNATE COUNTY REPRESENTATIVE TO SERVE AS POINT OF CONTACT; AND

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Leroy Nellis, Budget Manager, PBO as a point of contact.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FROM THE CITY OF AUSTIN (COA) REGARDING THE WALLER CREEK TUNNEL PROJECT: (2:13 PM)

D. NOTIFY COA ON WHETHER TRAVIS COUNTY WANTS TO MEMBERSHIP ON THE TIF BOARD.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt that we ask for a seat.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

ADMINISTRATIVE OPERATIONS ITEMS

16. 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 \$455,251.03 FOR THE PERIOD OF APRIL 13 TO APRIL 19, 2007. (9:23 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:23 AM)

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

18. RECEIVE AND DISCUSS REPORT ON THE COUNTY'S GROUP BENEFITS PLAN FROM FROST INSURANCE CONSULTANT. (10:02 AM)

Clerk's Note: Items 18 and 19.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Kevin Brown, President, Frost Insurance; Brad Gowan, Senior Actuary, Frost Insurance; John Bauerlein, Actuary, Milliman Actuaries; Dan Mansour, Risk and Benefits Manager, HRMD; and Cindy Purinton, Benefit Administrator, HRMD.

Discussion only. No formal action taken.

Items 18 and 19.A-D to be reposted on May 8, 2007.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON GROUP BENEFITS HEALTH PLAN: (10:02 AM)

- A. MAINTAINING OR ELIMINATING EPO (EXCLUSIVE PROVIDER ORGANIZATION) FOR FY '08;
- B. EMPLOYEE HEALTH INSURANCE RATES AND SUBSIDIES;
- C. HEALTH REIMBURSEMENT ACCOUNT; AND
- D. GROUP LIFE INSURANCE:
 - 1. INCREASE BASIC LIFE FROM \$25,000 TO \$50,000;
 - 2. INCREASE IN RETIREE LIFE FROM \$10,000 TO \$15,000; AND
 - 3. INCREASE MAXIMUM SUPPLEMENTAL LIFE FROM \$200,000 TO \$250,000.

Clerk's Note: Items 18 and 19.A-D are associated with one another and were called for concurrent discussion. Please refer to Item 18 for a summary of the action taken by the Court.

JUSTICE & PUBLIC SAFETY ITEMS

20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE FOLLOWING FORM INTERLOCAL AGREEMENTS BETWEEN TRAVIS COUNTY AND MUNICIPALITIES IN TRAVIS COUNTY FOR ENFORCEMENT OF THE TRAVIS COUNTY FIRE CODE: (9:23 AM)

- A. INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND CITY; AND
- B. INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND VILLAGE.

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

PURCHASING OFFICE ITEMS

21. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. CM070106, MARK III SYSTEMS INC., TO INCLUDE THE SUPPLY AND INSTALLATION OF A FLOOR DISTRIBUTION CABINET AND AN UPGRADE TO THE ELECTRICAL WIRING. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:23 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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. IL030144RE, CITY OF AUSTIN, FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM. (HHS & VS) (9:23 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. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. PS970315LB, VINSON & ELKINS L.L.P., FOR PROFESSIONAL SERVICES RELATED TO GASB 45. (COUNTY AUDITOR) (11:52 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Item 23.

Motion carried: County Judge Samuel T. Biscoe	absent
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

24. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS070186RE, THE WRIGHT HOUSE WELLNESS CENTER, INC., FOR CLIENT ADVOCACY SERVICES. (HHS & VS) (11:52 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO).

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 24.

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

25. APPROVE MODIFICATION NO. 11 TO CONTRACT NO. 04K00147JJ, RGM CONSTRUCTORS, LP, FOR SCOFIELD RIDGE PARKWAY STREET AND DRAINAGE IMPROVEMENTS IN PRECINCT ONE. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAVIS) (9:23 AM)

Clerk's Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE OLD KIMBRO ROAD PROJECT, IFB NO. B070020-LP, CONTRACT NO. 07K00020LP, TO THE LOWEST BIDDER, AUS-TEX DEVELOPMENT, INC. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAVIS) (11:51 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Item 26.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

27. APPROVE CONTRACT AWARDS FOR IFB NO. B070220-DR, NEWSPAPER ADVERTISING, TO THE FOLLOWING BIDDERS: (9:23 AM)

- A. AUSTIN CHRONICLE - NEWSPAPER WITH A DAILY OR WEEKLY CIRCULATION WITHIN TRAVIS COUNTY UNDER 400,000; AND
- B. ARRIBA: ART AND BUSINESS NEWS - MINORITY OR SMALL BUSINESS NEWSPAPER WITH GENERAL CIRCULATION IN TRAVIS COUNTY.

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

28. APPROVE MODIFICATION NO. 1, AN ASSIGNMENT OF CONTRACT NO. PS040114JW, FROM STEPHEN A. THORNE, PH. D. LICENSED PSYCHOLOGIST TO STEPHEN A. THORNE, PH. D., INC. FOR PSYCHOLOGICAL SERVICES. (JUVENILE PROBATION) (11:55 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Item 28.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

29. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT MODIFICATION NO. 2 TO CONTRACT NO. PS050216MB, HOK, FOR PROFESSIONAL CONSULTING SERVICES FOR TRAVIS COUNTY CORRECTIONAL COMPLEX DESIGN-BUILD PROJECT. (FACILITIES MANAGEMENT) (9:16 AM)

Item 29 was pulled from the Agenda.

30. REJECT ALL BIDS RECEIVED FOR IFB NO. B070162-RG, PRINTING AND MAILING SERVICES, AND RE-BID. (RECORDS MANAGEMENT) (9:23 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. APPROVE CONTRACT AWARD FOR PARK CONCESSION OPERATIONS, RFS NO. S070156-RG, TO R AND R EVENTS, REVENUE GENERATION CONTRACT. (TRANSPORTATION AND NATURAL RESOURCES) (9:23 AM)

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

32. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. CM040145LC, VISTA SOLUTIONS GROUP, FOR THE DOCUMENT IMAGING SYSTEM FOR THE COUNTY CLERK AND DISTRICT CLERK. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS, DISTRICT CLERK, COUNTY CLERK) (9:23 AM)

Clerk's Note: Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. APPROVE CONTRACT AWARD FOR AVIATION FUEL, IFB NO. B070216-LD, TO THE LOW BIDDER, ARROW ENERGY, INC. (EMERGENCY SERVICES, STAR FLIGHT) (9:23 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. APPROVE CONTRACT AWARD FOR AUCTIONEER SERVICES, RFS NO. S070175-LD, TO THE SOLE PROPOSER, GASTON AND SHEEHAN AUCTIONEERS, INC. (PURCHASING - FIXED ASSETS) (9:23 AM)

Clerk's Note: Item 34 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

35. APPROVE CONTRACT AWARD FOR COPY PAPER, IFB NO. B070172-LD, TO THE LOW BIDDER, WESTERN PAPER. (RECORDS MANAGEMENT) (11:55 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 35.

Motion carried:

County Judge Samuel T. Biscoe	absent
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 encouraged the practice of making double-sided copies in an effort to save paper.

36. APPROVE TERMINATION OF CONTRACT NO. 06T00307LD WITH IRON AGE CORPORATION FOR PROTECTIVE FOOTWEAR. (TRANSPORTATION AND NATURAL RESOURCES) (9:23 AM)

Clerk's Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

37. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 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.

38. RECEIVE AUDIT REPORTS FOR THE FOLLOWING EMERGENCY SERVICES DISTRICTS: (9:23 AM)

- A. FY '04 REPORT FOR ESD #1 AND ESD #9;
- B. FY '05 REPORT FOR ESD #14; AND
- C. FY '06 REPORT FOR ESD #3 AND ESD #4. (COUNTY AUDITOR)

Clerk's Note: Items 38.A-C 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.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE. (11:21 AM)

- A. SENATE BILL 1164: RELATING TO THE COMPENSATION OF OFFICIAL COURT REPORTERS FOR DISTRICT COURTS;

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant.

Discussion only. No formal action taken.

Item 39.A to be reposted on May 8, 2007.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE. (11:23 AM)

- B. HOUSE BILL 15: RELATING TO MAKING SUPPLEMENTAL APPROPRIATIONS AND REDUCTIONS IN APPROPRIATIONS. (REGARDING REIMBURSEMENT OF MAY 12, 2007 CONSTITUTIONAL AMENDMENT ELECTION EXPENSES);

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant.

Discussion only. No formal action taken.

ITEM 39 CONTINUED

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:23 AM)

C. HOUSE BILL 1: GENERAL APPROPRIATIONS BILL (ESPECIALLY REGARDING THE JUVENILE PROBATION COMMISSIONS REQUEST FOR APPROPRIATIONS);

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

Discussion only. No formal action taken.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:25 AM)

D. SENATE BILL 1295: RELATING TO THE ESTABLISHMENT OF COMMUNITY-BASED PROGRAMS ADMINISTERED BY THE JUVENILE BOARDS OF CERTAIN COUNTIES;

Clerk's Note: Items 39.D&E are associated with one another.

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; and John Hille, Assistant County Attorney.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty that we support SB 1295 and HB 3746 regarding the Juvenile Justice System, both the Alternative Education Program and other programs administered by the Juvenile Board.

Motion carried: County Judge Samuel T. Biscoe	absent
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 39 CONTINUED

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:27 AM)

E. HOUSE BILL 3746: RELATING TO STATE AID FOR CERTAIN JUVENILE JUSTICE ALTERNATIVE EDUCATION PROGRAMS THAT ENTER INTO CERTAIN REVENUE SHARING AGREEMENTS;

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

Clerk's Note: Items 39.D&E are associated with one another. Please refer to Item 39.D for a summary of the action taken by the Court.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:28 AM)

F. HOUSE BILL 8: RELATING TO THE CREATION OF CRIMINAL DISTRICT COURTS IN CERTAIN COUNTIES (INCLUDING TRAVIS COUNTY);

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

Discussion only. No formal action taken.

ITEM 39 CONTINUED

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:30 AM)

G. HOUSE BILL 1886: RELATING TO THE PROCUREMENT METHODS OF CERTAIN POLITICAL SUBDIVISIONS AND CERTAIN OTHER ENTITIES FOR THE CONSTRUCTION, REHABILITATION, ALTERATION, OR REPAIR OF CERTAIN PROJECTS;

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to oppose HB 1886 and to work on amendments regarding the following:

- 1) Stipends to losing proposals
- 2) Binding arbitration provision
- 3) Shifting of costs from “design-build” to the tax payer
- 4) Indemnification language

Motion carried: County Judge Samuel T. Biscoe	absent
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 39 CONTINUED

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:33 AM)

H. HOUSE BILL 3516: RELATING TO PUBLICATION OF NOTICE FOR CERTAIN TRANSACTIONS INVOLVING LOCAL GOVERNMENTAL ENTITIES;

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

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty that we sally forth and support HB 3516.

Motion carried:

County Judge Samuel T. Biscoe	absent
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

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:35 AM)

I. HOUSE BILL 3517: RELATING TO COMPETITIVE PURCHASING REQUIREMENTS FOR LOCAL GOVERNMENTS;

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

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty that we support HB 3517.

Motion carried:

County Judge Samuel T. Biscoe	absent
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 39 CONTINUED

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

J. SENATE CONCURRENT RESOLUTION 42: GRANTING MARIA ISABEL GUERRERO-MCDONALD AND GUERRERO-MCDONALD & ASSOCIATES, INC., PERMISSION TO SUE TRAVIS COUNTY;

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant.

Discussion only. No formal action taken.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:38 AM)

K. HOUSE BILL 3870: RELATING TO SALES AND USE TAXES IN EMERGENCY SERVICES DISTRICTS; AND

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; Jim Linardos, Fire Chief, Hudson Bend Fire Department, ESD # 6; and Don Smith, Chief, Travis County Fire Control, ESD # 4.

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis that we support HB 3870.

Motion carried: County Judge Samuel T. Biscoe	absent
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 39 CONTINUED

39. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE.
(11:46 AM)

L. 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.

Discussion only. No formal action taken.

Item 39.L to be reposted on May 8, 2007.

40. APPROVE BOND FOR DENISE BLACKMORE LOZANO TO SERVE AS RESERVE DEPUTY CONSTABLE PRECINCT 5 IN TRAVIS COUNTY.
(CONSTABLE PRECINCT 5) (9:23 AM)

Clerk's Note: Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER APPROVING THE ISSUANCE BY THE LA VERNIA HIGHER EDUCATION FINANCE CORPORATION OF A TAX-EXEMPT LOAN TO CEDARS ACADEMY D/B/A CEDARS INTERNATIONAL ACADEMY TO FINANCE AND REFINANCE THE COST OF EDUCATIONAL FACILITIES AND WITH RESPECT TO A PUBLIC HEARING AND OTHER MATTERS RELATING THERETO. (2:08 PM)

Members of the Court heard from: Cliff Blount, Attorney for the Travis County Corporations.

Motion by Commissioner Daugherty **and seconded by** Commissioner Eckhardt to approve Item 41.

Motion carried: County Judge Samuel T. Biscoe	absent
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

42. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER APPROVING:
(9:15 AM)
- A. THE ISSUANCE OF SINGLE FAMILY MORTGAGE REVENUE BONDS IN AN AGGREGATE FACE AMOUNT NOT TO EXCEED \$20,000,000 BY TRAVIS COUNTY HOUSING FINANCE CORPORATION; AND
 - B. THE PROPOSED EXTENSION OF THE MATURITY DATE OF \$10,297,972 PRINCIPAL AMOUNT OF THE TRAVIS COUNTY HOUSING FINANCE CORPORATION'S SINGLE FAMILY MORTGAGE REVENUE NOTES SERIES 2001-1.

Clerk's Note: Item 42 is the action item for the public hearing on Agenda Item 2.

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Items 42.A&B.

Motion carried:

County Judge Samuel T. Biscoe	absent
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.

43. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPOINTMENT OF TRAVIS COUNTY FIRE MARSHAL AND TAKE APPROPRIATE ACTION. ¹
^{AND 3} (2:19 PM) (3:39 AM)

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.

No action required on Item 43.

Item 43 to be reposted on May 8, 2007.

ADDED ITEM

- A1. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON THE EXPANSION APPLICATION AND RELATED DOCUMENTATION OF BFI-ALLIED WASTE FILED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (11:08 AM) (2:19 PM) (3:39 PM)

Clerk's Note: Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: John Hille, Assistant County Attorney; Trek English, Northeast Action Group; Tom Nuckols, Assistant County Attorney; Joyce Best Travis County Resident; and Robin Schneider, Texas Campaign for the Environment.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt that we oppose the expansion application filed by BFI-Allied Waste before the Texas Commission on Environmental Quality (TCEQ).

A Friendly Amendment to the previous Motion was offered by Commissioner Eckhardt to pursue a contested case hearing by submitting formal comments, including a comprehensive list of legal and policy concerns with the permit amendment request of BFI-Allied Waste and Giles Holdings.

Acceptance of the Friendly Amendment was made by Commissioner Davis.

Withdrawal of the Acceptance of the Friendly Amendment was made by Commissioner Davis.

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

ITEM A1 CONTINUED

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to pursue a contested case hearing by submitting formal comments, including a comprehensive list of our legal and policy concerns with the permit amendment request of BFI-Allied Waste and Giles Holding.

Motion carried: County Judge Samuel T. Biscoe	absent
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 A1 to be reposted on May 8, 2007.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (3:49 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge