

MINUTES OF MEETING NOVEMBER 6, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 6th day of November 2007, the Commissioners' Court convened the Voting Session at 9:17 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 12:25 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 2:09 PM and adjourned at 2:09 PM.

The Commissioners Court reconvened the Voting Session at 2:09 PM.

The Commissioners Court retired to Executive Session at 3:31 PM.

The Commissioners Court reconvened the Voting Session at 5:11 PM.

The Commissioners Court adjourned the Voting Session at 5:15 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 23 AND 24, BLOCK A, WATERFORD ON LAKE TRAVIS, SECTION ONE (2 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (ACTION ITEM #19) (9:21 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 19 for a summary of the action item.

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

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

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

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

2. RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT TWO: DESSAU BUSINESS PARK SECTION 1, RESUBDIVISION OF LOTS 13 AND 14, BLOCK B (4 TOTAL LOTS). (COMMISSIONER ECKHARDT) (ACTION ITEM #20) (9:22 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 20 for a summary of the action item.

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

Motion carried:

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

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

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

Motion carried:

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

- 3. RECEIVE COMMENTS REGARDING REVISIONS, INCLUDING PUBLIC ACCESS, TO THE BALCONES CANYONLANDS PRESERVE LAND MANAGEMENT PLAN FOR 2007. (COMMISSIONER DAUGHERTY) (ACTION ITEM #21) (9:52 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 21 for a summary of the action item.

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

Motion carried:

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

Members of the Court heard from: Kevin Connally, Senior Environmental Resource Management Specialist, TNR; John Hille, Assistant County Attorney; Willie Conrad, Land Manager, City of Austin, and Secretary, Balcones Canyonland Conservation Preserve (BCCP) Coordinating Committee; Dr. David Steed, Chair, Scientific Advisory Committee; Dr. Gary Rochelle, Friends of the Balcones Canyonland Preserve; John Southrey, Board Member, Austin Ridge Riders; Hill Abell, President, International Mountain Bicycling Association (IMBA); Cindy Weisinger, Secretary, Austin Ridge Riders; Terry Banks, Travis County Resident; Christy Rollins, Travis County Resident; Clifton Ladd, Scientific Advisory Committee; Barbara Wilson, Assistant County Attorney; Richard Viktorin, Travis County Resident; Skip Cameron, President, Bull Creek Foundation; Glen Hall, Travis County Resident; Sam Fason, Member, Board of Directors, Travis Audubon Society; Valerie Bristol, Habitat Conservation, Travis Audubon Society; Charles Zucker, Member, Travis Audubon Society; and Don Conklin, Committee Chair, Troop 164, Austin Boy Scouts.

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

Motion carried:

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

CITIZENS COMMUNICATION

Members of the Court heard from: Jimmy Castro, Travis County Resident; Gus Peña, Travis County Resident; Paul Reynolds, Chief, Travis County Emergency Services District 4; John Aleman, Firefighter Cadet Class 8; Michael Barnett, Firefighter Cadet Class 8; Dennis Billela, Firefighter Cadet Class 8; Sutton Buck, Firefighter Cadet Class 8; Adam Cantwell, Firefighter Cadet Class 8; Andrew Casarez, Firefighter Cadet Class 8; Shaye Driskill, Firefighter Cadet Class 8; Eric Flores, Firefighter Cadet Class 8; Megan Grier, Firefighter Cadet Class 8; Matthew Jonse, Firefighter Cadet Class 8; Joel Mace, Firefighter Cadet Class 8; Larry Marshall, Firefighter Cadet Class 8; Jessica Martinez, Firefighter Cadet Class 8; Robert McCray, Firefighter Cadet Class 8; Sean McNicholas, Firefighter Cadet Class 8; Christopher Pina, Firefighter Cadet Class 8; Jaron Pollard, Firefighter Cadet Class 8; Richard Prado, Firefighter Cadet Class 8; Matthew Selby, Firefighter Cadet Class 8; Carly Shufield, Firefighter Cadet Class 8; and Gadson Tarleton, Firefighter Cadet Class 8. (9:25 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C2 and Items 6, 7.A&B, 8, 9, 12, 13, 19, 20, 22.A&B, 25, 26, 27, 28, 31, A2, and A3. (9:38 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.

RESOLUTIONS & PROCLAMATIONS

5. APPROVE RESOLUTION RECOGNIZING NOVEMBER 11, 2007 AS "VETERANS' DAY" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:40 AM)

Members of the Court heard from: Olie Pope, Director, Veterans' Services, Travis County Health and Human Services (TCHHS); and Bob Gibson, Veterans' Day Parade Committee.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez 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

ADMINISTRATIVE OPERATIONS ITEMS

6. 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 \$499,068.03 FOR THE PERIOD OF OCTOBER 19 TO OCTOBER 25, 2007. (9:38 AM)

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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:38 AM)
- A. ROUTINE PERSONNEL AMENDMENTS; AND
 - B. NON-ROUTINE PERSONNEL ACTION – JUVENILE COURT – VOLUNTARY JOB CHANGE - TRAVIS COUNTY CODE SECTION 10.03009.

Clerk's Note: Items 7.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

- 8. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (9:38 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. APPROVE INTERLOCAL AGREEMENT WITH DALLAS COUNTY FOR THE EMPLOYEE ASSISTANCE PROGRAM. (9:38 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. APPROVE CONTRACT AWARD FOR GASOLINE AND DIESEL FUEL, IFB NO. B070379LD, TO THE LOW BIDDER, SUNCOAST RESOURCES. (TRANSPORTATION AND NATURAL RESOURCES) (3:15 PM)

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 10.

Motion carried:

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

- 11. APPROVE CONTRACT AWARD FOR JURY IMPANELMENT SESSIONS, CONTRACT NO. LA080025ML, WITH NORRIS CONFERENCE CENTER. (DISTRICT CLERK) (9:17 AM)

Item 11 postponed until November 13, 2007.

- 12. APPROVE ORDER EXEMPTING THE PURCHASE OF SECURITY SYSTEMS COMPONENTS AND INSTALLATION FROM COMMERCIAL SECURITY INTEGRATION FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (a)(7)(D) OF THE COUNTY PURCHASING ACT. (FACILITIES MANAGEMENT) (9:38 AM)

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

- 13. APPROVE CONTRACT AWARD FOR A FLOOD WARNING SYSTEM, RFP NO. P070274LC, TO THE SOLE PROPOSER, HIGH SIERRA ELECTRONICS, INC. (TRANSPORTATION AND NATURAL RESOURCES) (9:38 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. APPROVE CONTRACT AWARD FOR LONG DISTANCE SERVICES, RFP NO. P070271VC, TO THE HIGHEST RANKED PROPOSER, SBC GLOBAL SERVICES D/B/A AT&T GLOBAL SERVICES, INC. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (3:16 PM)

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

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

- 15. REJECT ALL BIDS RECEIVED FOR IFB NO. B070319RV, PRECINCT TWO OFFICE BUILDING SECOND FLOOR EXPANSION. (FACILITIES MANAGEMENT) (9:17 AM)

Item 15 pulled from the Agenda.

16. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS PURSUANT TO SECTION 263.152 (a)(3) OF THE TEXAS LOCAL GOVERNMENT CODE AND AUTHORIZE DISPOSAL. (FIXED ASSETS) (2:53 PM)

Members of the Court heard from: Marvin Brice, Construction Procurement Manager, Purchasing.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 16.

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

17. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 07C00166OJ, FROST INSURANCE AGENCY, INC., FOR BENEFITS REVIEW SERVICES FOR TRAVIS COUNTY. (HUMAN RESOURCES) (2:09 PM)

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

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON SEARCH FOR NEW EXECUTIVE MANAGER, PLANNING AND BUDGET, INCLUDING THE FOLLOWING: (3:16 PM)

A. ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL EXECUTIVE SEARCH FIRM SERVICES FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT; AND

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 18.A.

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON SEARCH FOR NEW EXECUTIVE MANAGER, PLANNING AND BUDGET, INCLUDING THE FOLLOWING: (3:17 PM)

B. OTHER RECRUITING STRATEGY RECOMMENDATIONS.

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing.

Discussion only. No formal action taken.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 23 AND 24, BLOCK A, WATERFORD ON LAKE TRAVIS, SECTION ONE (2 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:38 AM)

Clerk’s Note: Item 19 is the action item for the public hearing on Agenda Item 1.

Clerk’s Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: DESSAU BUSINESS PARK SECTION 1, RESUBDIVISION OF LOTS 13 AND 14, BLOCK B (4 TOTAL LOTS). (COMMISSIONER ECKHARDT) (9:38 AM)

Clerk's Note: Item 20 is the action item for the public hearing on Agenda Item 2.

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 REVISIONS, INCLUDING PUBLIC ACCESS, TO THE BALCONES CANYONLANDS PRESERVE LAND MANAGEMENT PLAN FOR 2007. (COMMISSIONER DAUGHERTY) (12:06 PM)

Clerk's Note: Item 21 is the action item for the public hearing on Agenda Item 3.

Item 21 postponed until November 20, 2007.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FOR VARIANCES FROM TITLE 30, AUSTIN/TRAVIS COUNTY SUBDIVISION REGULATIONS, FOR THE CANYONS AT LAKE TRAVIS PRELIMINARY PLAN, A SUBDIVISION IN PRECINCT THREE: (9:38 AM)
- A. REQUEST FOR VARIANCE FROM SECTION 30-3-191, WHICH REQUIRES SIDEWALKS FOR ALL NEW SUBDIVISIONS;
 - B. REQUEST FOR VARIANCE FROM SECTION 30-2-151, WHICH REQUIRES STREETS OF ALL NEW SUBDIVISIONS TO BE ALIGNED WITH EXISTING STREETS; AND

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.

ITEM 22 CONTINUED

22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FOR VARIANCES FROM TITLE 30, AUSTIN/TRAVIS COUNTY SUBDIVISION REGULATIONS, FOR THE CANYONS AT LAKE TRAVIS PRELIMINARY PLAN, A SUBDIVISION IN PRECINCT THREE: (3:19 PM)

C. REQUEST FOR VARIANCE FROM SECTION 30-2-158, WHICH REQUIRES A NEW SUBDIVISION TO HAVE AT LEAST TWO ACCESS STREETS. (COMMISSIONER DAUGHERTY)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 22.C.

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

23. RECEIVE AN UPDATE FROM AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER REGARDING MANAGEMENT OF TRAVIS COUNTY'S ALLOCATION OF PSYCHIATRIC BEDS AT AUSTIN STATE HOSPITAL, AND RELATED ISSUES. (2:54 PM)

Members of the Court heard from: David Evans, Executive Director, Austin/Travis County Mental Health Mental Retardation (A/TCMHMR); and Dr. Jim Van Norman, Austin/Travis County Mental Health Mental Retardation Center.

Discussion only. No formal action taken.

PLANNING AND BUDGET DEPT. ITEMS

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE GRANT APPLICATION TO THE TEXAS DEPARTMENT OF PUBLIC SAFETY, GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO PURCHASE AND ADDRESS REPETITIVE LOSS PROPERTIES IN THE FLOODPLAIN. (3:31 PM) (5:11 PM)

Clerk's Note: Judge Biscoe announced that Item 24 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 Gómez to approve this item and execute the agreement prepared by Staff, omitting the certification.

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

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:38 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.

OTHER ITEMS

- 26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:38 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.

- 27. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR SEPTEMBER 2007. (COUNTY AUDITOR) (9:38 AM)

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

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER APPROVING A TAX EXEMPT NOTE AND RELATED LOAN AGREEMENT TO BE UNDERTAKEN BY OGLESBY EDUCATION FACILITIES CORPORATION TO FINANCE A PROJECT FOR CHAPARRAL STAR ACADEMY, INC. D/B/A STAR CHARTER SCHOOL. (9:38 AM)

Clerk's Note: Item 28 is the action item for the public hearing on Agenda Item 4.

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 THE FOLLOWING: (2:09 PM)

- A. DONATION OF POSTERS FROM REAGAN NATIONAL ADVERTISING FOR THE TRAVIS COUNTY ROAD SHARE CAMPAIGN ON BICYCLE SAFETY; AND
- B. PUBLIC SERVICE AGREEMENT BETWEEN REAGAN NATIONAL ADVERTISING AND TRAVIS COUNTY FOR ROAD SHARE CAMPAIGN ON BICYCLE SAFETY. (SHERIFF'S OFFICE)

Clerk's Note: Items 29.A&B are associated with one another and were called for concurrent discussion.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Items 29.A&B.

Motion carried:

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

30. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED STAFF ANALYSIS TO DETERMINE WHETHER THE CITY OF AUSTIN PROPERTY ON FM 969, NEAR THE VILLAGE OF WEBBERVILLE, MEETS THE CRITERIA OF CHAPTER 62, TRAVIS COUNTY CODE, FOR THE SITING OF A SOLID WASTE FACILITY. (COMMISSIONER DAVIS) (12:08 PM) (2:10 PM) (3:31 PM) (5:12 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Dave Gunlock, Travis County Resident; John Williams, President, Park Springs Neighborhood Association; Germaine Swenson, Vice-President, Park Springs Neighborhood Association; and Eve Williams, Travis County Resident.

Clerk's Note: Item 30 was revisited at 2:10 PM.

Members of the Court heard from: Claud Bramblett, Travis County Resident; Helen Lee-Khan, League for Environmental Justice; Adrian Fowler, Travis County Resident; Sharon Bramblett, Travis County Resident; John Hille, Assistant County Attorney; Nancy Tieman, Travis County Resident; Stacey Fenton, Travis County Resident; and Joanne Gunlock, Travis County Resident.

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 30 to be reposted on November 20, 2007 at 9:30 AM.

31. RATIFY COMMENTS TO NEW PROPOSED REGULATIONS UNDER INTERNAL REVENUE SERVICE CODE SECTION 125 CAFETERIA PLANS. (9:38 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AGREEMENT BETWEEN EVERCOM, INC. AND TRAVIS COUNTY RELATED TO REFUND FROM INTERNAL REVENUE SERVICE FOR OVERPAYMENT OF FEDERAL EXCISE TAX. (3:26 PM)

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 32.

Motion carried:

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

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

33. CONSIDER AND TAKE APPROPRIATE ACTION FOR THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2}
(3:31 PM) (5:12 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 November 6, 2007.

- 34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE APPOINTMENT OF COMMISSIONER OF SALE FOR 0.31 ACRE TRACT AS SURPLUS RIGHT OF WAY OFF OF LAKE PLACE LANE. ^{1 AND 2} (3:31 PM) (5:13 PM)

Clerk's Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

No action required on Item 34.

Item 34 to be reposted on November 13, 2007.

- 35. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. MARVIN L. ERNESTINE GIBSON (JIN SONG WU RESALE DEED). ¹ (3:31 PM) (5:13 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 proposed tax resale deed to Jin Song Wu, who has paid Travis County the sum \$4,306.54 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. A. RECEIVE BRIEFING ON SECURITY REVIEW AT THE 1213 SABINE STREET WORK LOCATION OF THE TRAVIS COUNTY MEDICAL EXAMINER'S OFFICE; ⁴ AND

Clerk's Note: Judge Biscoe announced that Item 36.A would be considered in Executive Session pursuant to Gov't. Code Ann. 551.076, Security.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve the agreement with Texas Motor Transportation Association for the lease of the thirteen parking slots at \$50.00 per month for up to the pilot of six months, and then we will review the situation.

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

- B. CONSIDER AND TAKE APPROPRIATE ACTION ON PARKING SPACE CONTRACTS AND OTHER PARKING RELATED OPTIONS FOR THE TRAVIS COUNTY MEDICAL EXAMINER'S OFFICE. ^{1 AND 2} (3:31 PM) (5:14 PM)

Clerk's Note: Judge Biscoe announced that Item 36.B 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 to approve the license agreement the Daughters of Charity Health Services of Austin dba Brackenridge Hospital for lease of five parking spaces at \$50.00 per space.

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 that there will be a review in six months and that the funding for Items 32.A&B will be from the Allocated Reserve.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE A PARTICIPATION AGREEMENT BETWEEN TRAVIS COUNTY AND CLUB DEAL 120 WHISPER VALLEY, L.P., FOR IMPROVEMENTS TO BRAKER LANE (FM 973 TO TAYLOR LANE), IN PRECINCT ONE. (COMMISSIONER DAVIS) (3:27 PM)

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR; and Douglas Gilliland, Managing Partner, Taurus Investments Holdings LLC.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item A1.

Motion carried:

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

- A2. APPROVE SETTING A PUBLIC HEARING ON NOVEMBER 27, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO SECTIONS OF BUMBLE BEE DRIVE WITHIN THE BEE CREEK HILL, SECTION ONE SUBDIVISION, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:38 AM)

Clerk’s Note: Item A2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- A3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRINT 5000 FLYERS FOR 2007 BROWN SANTA PROGRAM AND APPROVE DISTRIBUTION WITH PAYROLL CHECKS ON NOVEMBER 15, 2007. (9:38 AM)

Clerk’s Note: Item A3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:15 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