

## **MINUTES OF MEETING DECEMBER 4, 2007**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 4<sup>th</sup> day of December 2007, the Commissioners' Court convened the Voting Session at 9:19 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 9:24 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 9:24 AM and recessed at 9:26 AM.

The Commissioners Court reconvened the Voting Session at 9:26 AM.

The Commissioners Court recessed the Voting Session at 12:06 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), reconvened the Road District Voting Session at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 1:56 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:57 PM and adjourned at 1:59 PM.

The Commissioners Court reconvened the Voting Session at 1:59 PM.

The Commissioners Court retired to Executive Session at 3:48 PM.

The Commissioners Court reconvened the Voting Session at 5:37 PM.

The Commissioners Court adjourned the Voting Session at 5:42 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PARTIAL VACATION OF LOT 1, BLOCK B, WATERFORD ON LAKE TRAVIS, SECTION 3-C AND A REPLAT OF LOT 1, BLOCK B, WATERFORD ON LAKE TRAVIS, SECTION 3-C, A PLAT FOR RECORDING IN PRECINCT THREE (3 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (ACTION ITEM #8) (9:21 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 8 for a summary of the action item.

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

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	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 REGARDING TRAVIS COUNTY ELECTING TO LEVY AN AD VALOREM TAX ON GOODS-IN-TRANSIT AS DEFINED IN TEXAS TAX CODE, SECTION 11.253 (A)(2), AND TO DENY THE EXEMPTION FROM AD VALOREM TAXATION ON SUCH GOODS-IN-TRANSIT AS PROVIDED IN TEXAS TAX CODE, SECTION 11.253(B), EFFECTIVE FOR TAX YEARS 2008 AND SUBSEQUENT YEARS. (ACTION ITEM #22) (9:22 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 22 for a summary of the action item.

**Motion by** Commissioner Gómez **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:** Christian Smith, Executive Manager, Planning and Budget Office (PBO).

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

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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); Dr. Lynn Stewart, MD, Health and Wellness Clinic; Kris Nilsen, Human Resources Specialist, HRMD; Glenn Gadbois, Travis County Resident; Ms. Phillip A. Dick, Travis County Resident; Scott Johnson, Travis County Resident; and Gus Peña, Travis County Resident. (9:29 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1 and Items 5, 6, 8, 10, 11, 14, 16, 17, 18, 21, 24, and 27. (9:50 AM)

<b>Motion carried:</b> 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.

**RESOLUTIONS & PROCLAMATIONS**

3. APPROVE RESOLUTION RECOGNIZING RONALD W. HOLLAND AND FRANCIS PARKS FOR SERVICE ON THE BOARD OF DIRECTORS OF CEN-TEX DEVELOPMENT CORPORATION AND THE DEDICATION OF THE HOLLAND-PARKS BUILDING IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:46 AM)

**Members of the Court heard from:** Rosario Valdez, Executive Director, CEN-TEX Development Corporation.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the Resolution in Item 3.

<b>Motion carried:</b> 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

**SPECIAL ITEM**

4. CONSIDER AND TAKE APPROPRIATE ACTION ON A DAY COUNSELING CENTER ON PROPERTY OWNED BY THE EBENEZER BAPTIST CHURCH FOR THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT. (9:52 AM) (3:48 PM) (5:37 PM)

**Clerk's Note:** Judge Biscoe announced that Item 4 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Dr Geraldine Nagy, Director, Adult Probation, Community Supervision and Corrections Department (CSCD); Lila Oshatz, CSCD; Buck McKinney, Board Member, Guadalupe Association for an Improved Neighborhood (GAIN); Michael Guajardo, President, GAIN; General Marshal, Member, East Austin Economic Corporation; Roger El Khoury, Director, Facilities Management; Van Dyke Johnson, Executive Director, East Austin Economic Corporation; Francisco Gamez, Travis County Resident; Ana Yañez-Correa, Executive Director, Texas Criminal Justice Coalition; Dr. Clay Shorkey Ph.D., Director, Social Work Learning Resource Center, University of Texas School of Social Work; Deacon E. Generes Dufour, Criminal Justice Ministry, Diocese of Austin; François Leavy, Travis County Resident; Bonnie Ramsey, Member, Anderson Hill Homeowners Association; Eden Davison, Texas Criminal Justice Coalition; Paige Warshaw, Travis County Resident; Sharon McKinney, Travis County Resident; Dr. Marvin C. Griffin, Pastor, Ebenezer Baptist Church; Dominic Gonzales, Travis County Resident; Robin Endershott, Travis County Resident; Molly Totman, Travis County Resident; and Estrella Gutierrez, Travis County Resident.

Discussion only. No formal action taken.

**Clerk's Note:** The Court noted that no action needs to be taken, as the Director of the Community Supervision and Corrections Department has decided to withdrawal from this site, and will try to find a site where the program will be more accepted.

**PURCHASING OFFICE ITEMS**

5. APPROVE ISSUANCE OF JOB ORDER NO. 4, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (FACILITIES MANAGEMENT) (9:50 AM)

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

- 6. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS070002RV, CARTER AND BURGESS, INC., TO PROVIDE MECHANICAL, ELECTRICAL AND PLUMBING ENGINEERING SERVICES FOR THE TRANSPORTATION AND NATURAL RESOURCES EASTSIDE SERVICE CENTER, PHASE THREE. (FACILITIES MANAGEMENT) (9:50 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 CONTRACT NO. MA070380LC, HAMER ENTERPRISES, FOR A LICENSE AND MAINTENANCE AGREEMENT FOR EJUSTICE SOFTWARE SYSTEM. (TAX OFFICE, INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (3:41 PM)

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

**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**

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON A PARTIAL VACATION OF LOT 1, BLOCK B, WATERFORD ON LAKE TRAVIS, SECTION 3-C AND A REPLAT OF LOT 1, BLOCK B, WATERFORD ON LAKE TRAVIS, SECTION 3-C, A PLAT FOR RECORDING IN PRECINCT THREE (3 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:50 AM)

**Clerk’s Note:** Item 8 is the action item for the public hearing on Agenda Item 1.

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

9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RECOMMENDED REVISIONS, INCLUDING PUBLIC ACCESS, TO THE BALCONES CANYONLANDS PRESERVE LAND MANAGEMENT PLAN. (COMMISSIONER DAUGHERTY) (2:19 PM)

**Members of the Court heard from:** Rose Farmer, Resource Management Specialist, TNR; Mary Etta Gerhardt, Assistant County Attorney; Jon White, Environmental Quality Program Manager, TNR; Bob Moore, Executive Assistant, Commissioner Precinct 3 Office; and Dr. David Steed, Chair, Scientific Advisory Committee.

Discussion only. No formal action taken.

Item 9 to be reposted on January 8, 2008.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND LEANDER INDEPENDENT SCHOOL DISTRICT FOR SUPPLEMENTAL SALARY FOR SCHOOL CROSSING GUARDS. (COMMISSIONER DAUGHERTY) (9:50 AM)

**Clerk's Note:** Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: WATERFORD ON LAKE TRAVIS, SECTION 4A, FINAL PLAT (69 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:50 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.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (2:05 PM)

- A. RECEIVE THE RESULTS OF THE ENVIRONMENTAL ASSESSMENT FOR THE NORTHRIDGE ACRES WATER IMPROVEMENT PROJECT;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

Discussion only. No formal action taken.

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (2:06 PM)

- B. APPROVE THE ADVERTISEMENT OF THE FINDING OF NO SIGNIFICANT IMPACT AND REQUEST FOR RELEASE OF FUNDS FOR THE NORTHRIDGE ACRES WATER IMPROVEMENT PROJECT;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

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



**ITEM 12 CONTINUED**

12. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (2:08 PM)

C. RECEIVE PROJECT STATUS FOR PROGRAM YEAR 2006 PROJECTS;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

Discussion only. No formal action taken.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (2:14 PM)

D. APPROVE THE DRAFT OF THE PROGRAM YEAR 2006 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR PUBLIC COMMENT;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 12.D.

**Motion carried:**

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

**Clerk's Note:** The Court noted that the public comment period starts on December 5, 2007 and ends December 20, 2007. The public hearing is December 11, 2007 at 9:00 AM.

**ITEM 12 CONTINUED**

12. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (2:18 PM)

E. RECEIVE CDBG PROJECT IMPLEMENTATION SCHEDULE; AND

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

Discussion only. No formal action taken.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (2:19 PM)

F. OTHER RELATED ISSUES.

Item 12.F not needed.

**PLANNING AND BUDGET DEPT. ITEMS**

13. CONSIDER AND TAKE APPROPRIATE ACTION ON SPECIAL EMPLOYMENT AGREEMENT WITH EXECUTIVE MANAGER, PLANNING AND BUDGET THAT PRECLUDES HIS RECEIPT OF COUNTY RETIREMENT ANNUITY WHILE WORKING PART-TIME. (9:19 AM)

Item 13 postponed until December 11, 2007.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE 2007 STATE CRIMINAL ALIEN ASSISTANCE GRANT IN THE SHERIFF'S OFFICE. GRANT PROVIDES REIMBURSEMENT FOR PRIOR YEAR EXPENDITURES. (9:50 AM)

**Clerk's Note:** Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (2:04 PM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 15.

**Motion carried:**

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

**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 \$288,502.78 FOR THE PERIOD OF NOVEMBER 16 TO NOVEMBER 22, 2007. (9:50 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. (9:50 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. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION TO SETTLE LIABILITY CLAIM FROM JANE JONES. (9:50 AM)

**Clerk’s Note:** Item 18 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 the figure would be \$15,000.00 in exchange for a full settlement and release.

19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPROVAL OF A REIMBURSEMENT RESOLUTION TO PERMIT THE PROCUREMENT OF CONTRACTS TO PROCEED WITH THE FOLLOWING PROJECTS FUNDED BY FY '08 CERTIFICATES OF OBLIGATION: (2:03 PM)

A. EASTSIDE SERVICE CENTER;

B. CRIMINAL JUSTICE CENTER AND GAULT BUILDING RENOVATIONS;  
AND

C. SMART TREATMENT FACILITY.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 19.A-C.

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

**Clerk's Note:** The Court noted that the funding will be from the Unallocated Reserve until the FY' 08 Certificates of Obligation are funded.

**JUSTICE & PUBLIC SAFETY ITEMS**

20. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED APPOINTMENTS TO THE TRAVIS COUNTY COMMUNITY JUSTICE CENTER ADVISORY COMMITTEE. (2:01 PM)

**Clerk’s Note:** The Court discussed the following names for appointment to the advisory committee:

- 1) Frank Ringer, Jr.;
- 2) Gerald Cunningham; and,
- 3) Terra James.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve these three.

**Motion carried:**

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

**OTHER ITEMS**

21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:50 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 TO LEVY AN AD VALOREM TAX ON GOODS-IN-TRANSIT AS DEFINED IN TEXAS TAX CODE, SECTION 11.253 (A)(2), AND TO DENY THE EXEMPTION FROM AD VALOREM TAXATION ON SUCH GOODS-IN-TRANSIT AS PROVIDED IN TEXAS TAX CODE, SECTION 11.253(B), EFFECTIVE FOR TAX YEARS 2008 AND SUBSEQUENT YEARS. (2:00 PM)

**Clerk’s Note:** Item 22 is the action item for the public hearing on Agenda Item 2.

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Item 22, to sign the order prepared for the Commissioners Court’s signatures.

**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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ASSISTANCE FROM THE CITY OF MANOR FOR THE PLANNING FOR FUTURE GROWTH ALONG THE CAPITAL METRO RAIL CORRIDOR. (3:14 PM)

**Members of the Court heard from:** Phil Tate, Manager, City of Manor; and Joe Gieselman, Executive Manager, TNR.

Discussion only. No formal action taken.

Item 23 to be reposted on December 11, 2007 at 1:45 PM.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FY '08 INTERLOCAL COOPERATION AGREEMENTS BETWEEN TRAVIS COUNTY AND THE CITY OF MANOR, THE CITY OF JONESTOWN, THE CITY OF SUNSET VALLEY, THE CITY OF ROLLINGWOOD AND THE CITY OF MUSTANG RIDGE FOR EMERGENCY LAW ENFORCEMENT DISPATCH SERVICES TO BE PROVIDED BY THE TRAVIS COUNTY SHERIFF’S OFFICE. (SHERIFF’S OFFICE) (9:50 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.

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON A LEASE AGREEMENT BY THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR A NEW COMMUNITY HEALTH CENTER TO BE LOCATED AT IH-35 AND WILLIAM CANNON DRIVE. (9:52 AM)

Item 25 postponed until December 11, 2007.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON COMMENTS TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ON PROPOSED RULES TO IMPLEMENT HOUSE BILL 2714, THE TEXAS ELECTRONICS TAKE BACK LAW. (3:43 PM)

**Clerk's Note:** The Court discussed sending a letter to the Texas Commission on Environmental Quality (TCEQ) regarding the Court's comments in relation to House Bill 2714.

**Members of the Court heard from:** Jon White, Environmental Quality Program Manager, TNR.

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

**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

- 27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING COMMISSIONERS COURT MEETING SCHEDULE DURING THE HOLIDAY SEASON. (9:50 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.

**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.

- 28. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING MARAVILLA DEVELOPMENT (PRIMERA HOMES) IN CARDINAL HILLS ESTATE UNIT 15 AND THE STATUS OF THE BOND FROM THE HARTFORD, INCLUDING CONSIDERATION OF AN AGREEMENT, AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAUGHERTY) <sup>1</sup> (3:48 PM) (5:38 PM)

**Clerk's Note:** Judge Biscoe announced that Item 28 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 ask Staff to proceed to secure appropriate professional help; that it be put back on the Court's Agenda next week, December 11, 2007, to identify a source of funding and execute an appropriate contract.

**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 28 to be reposted on December 11, 2007.



29. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. BANCROFT WOODS, LTD., A DEFUNCT DOMESTIC LIMITED PARTNERSHIP (KELLY LAMPHEAR-DASH RESALE DEED). <sup>1</sup> (3:48 PM) (5:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize the County Judge to sign the prepared tax resale to Kelly Lamphear-Dash, who has paid Travis County the sum of \$1,446.16.

**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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. SHERYL A. LILLIE (JAMILEH NOSHARI RESALE DEED). <sup>1</sup> (3:48 PM) (5:39 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize the County Judge to sign the proposed tax resale deed to Jamileh Noshari, who has paid Travis County the sum of \$6,300.00 in cash

**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

- 31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. DITTMAR, INC. (76 ARTLAND INVESTMENTS, LLC RESALE DEED). <sup>1</sup> (3:48 PM) (5:40 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize the County Judge to sign the deed which conveys Lot 36, Block H Heritage Park to 76 Artland Investments, LLC., which has paid the sum of \$4,101.00; and Lot 34, Block H, Heritage Park to 76 Artland Investments, LLC., which has paid Travis County for this tract of land \$10,201.00 in cash.

**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

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING ONGOING LITIGATION IN NORTHWEST AUSTIN M.U.D. V. ALBERTO GONZALES IN THE U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA. <sup>1</sup> (9:20 AM)

**Clerk's Note:** Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 32 pulled from the Agenda.

- 33. CONSIDER AND TAKE APPROPRIATE ACTION FOR THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. <sup>1 AND 2</sup>  
(3:48 PM) (5:41 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize Staff to continue to negotiate terms and conditions for a final contract for us to sign to purchase this property.

**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

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO LEASE OR SELL COUNTY OWNED LAND ADJACENT TO TRAVIS COUNTY COMMUNITY JUSTICE CENTER. <sup>1 AND 2</sup> (3:48 PM) (5:41 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to ask Staff to pursue various legal issues for us, as well as to contact the interested party, the broker, and any legal counsel as well as the City of Austin, to do more fact gathering on this, and have it back on the Court’s Agenda December 18, 2007.

**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 34 to be reposted on December 18, 2007.

- 35. CONSIDER AND TAKE APPROPRIATE ACTION ON NEXT STEPS TO SELECT EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY. <sup>1 AND 3</sup>  
(3:48 PM) (5:41 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 and Gov’t. Code Ann. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we select Monday December 17, 2007 as an appropriate day to try to interview the top three candidates for this position, and the top three candidates are Nancy Levine, Roger Jeffries, and Joseph Lassard; and that next week we have a proposed draft process that we can look at containing any particulars that we wish to consider, but that we go ahead and place the short list of applicants on notice of interviews for that day and next week try to provide more specifics.

**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

**ADDED ITEM**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING 2007 COMBINED CHARITIES CAMPAIGN. (3:48 PM) (5:37 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.

Discussion only. No formal action taken.

**Clerk’s Note:** The Court directed Staff continue to negotiate for a contract that is acceptable to the agent and Travis County.

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:42 PM)

<b>Motion carried:</b> 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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**