

MINUTES OF MEETING – OCTOBER 4, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Wednesday, the 4th day of October 2006, the Commissioners' Court convened the Voting Session at 6:12 PM 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 retired to Executive Session at 9:13 PM.

The Commissioners Court reconvened the Voting Session at 9:41 PM.

The Commissioners Court adjourned the Voting Session at 9:54 PM.

PUBLIC HEARING

1. PUBLIC HEARING PURSUANT TO CHAPTER 26 OF THE PARKS AND WILDLIFE CODE TO RECEIVE INPUT AND DISCUSS A PROPOSED CHANGE OF USE BY THE CITY OF AUSTIN, TEXAS, OF THE CORTANA TRACT, AND WHETHER THE COUNTY SHOULD APPROVE AN AMENDMENT TO THE BALCONES CANYONLANDS PRESERVE HABITAT CONSERVATION PLAN AND THE U.S. FISH AND WILDLIFE 10(A) PERMIT GRANTED TO TRAVIS COUNTY AND THE CITY OF AUSTIN. (6:12 PM)

Clerk's Note: This Item is a public hearing to receive comments.

Motion by Commissioner Sonleitner **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 Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 1 CONTINUED

Members of the Court heard from: John Kuhl, Natural Resources Program Manager, Transportation and Natural Resources (TNR); Juan Garza, General Manager, Austin Energy, City of Austin; Lisa O'Donnell, Biologist, City of Austin; Willie Conrad, Land Manager, City of Austin; Melody Lytle, Former Balcones Canyonland Preserve (BCP) Biologist; Jackie Davis, Wildlife Biologist, City of Austin, 1993-2004; Joe Lucas, Travis County Resident; Pat McCluskey, Travis County Resident; Ed Moore, Travis County Resident; Valerie Bristol, Nature Conservancy of Texas; Jeff Franzell, Director, Land Protection, Nature Conservancy of Texas ; Bob Ayres, Managing Partner, Shield Ranch; Dale Bula, Travis County Resident; Laurie Dries, Travis County Resident; Elizabeth McGreevey-Syler, Landscape Architect; Jeff Mundt, Travis Audubon Society; Bruce Bigelow, Director, Blazier Christensen Bigelow and Virr, PC; Mr. Singleton, Travis County Resident; Gardner Sumner MD, Travis County Resident; Bill Bunch, Save Our Springs Alliance (SOS); Peter Tarleton, Chair, 2222 Coalition of Neighborhoods; David Steed, Scientific Advisory Committee; Steven. Beers, Travis County Resident; John Hille, Assistant County Attorney; Mary Arnold, Travis County Resident; and Ted Sift, Chair, BCP Citizens Advisory Committee.

Motion by Commissioner Davis **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 Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

VOTING SESSION

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CITY OF AUSTIN TO APPROVE A PROPOSED CHANGE OF USE OF THE CORTANA TRACT BY AMENDMENT TO THE BALCONES CANYONLANDS PRESERVE HABITAT CONSERVATION PLAN AND THE U.S. FISH AND WILDLIFE 10(A) PERMIT GRANTED TO TRAVIS COUNTY AND THE CITY OF AUSTIN. (THE COURT MAY VOTE ON THIS MATTER AFTER AN EXECUTIVE SESSION DISCUSSION WITH LEGAL COUNSEL BASED ON COMMENTS RECEIVED, READINESS FOR ACTION AND THE COURT'S SCHEDULE.) (9:13 PM) (9:41 PM)

Clerk's Note: Judge Biscoe announced that Item 2 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez that Travis County is unable to make an affirmative finding and that we not join in with the City of Austin in seeking the permit amendment, and that we very respectfully urge our partners in the Balcones Canyonlands at the Austin City Council to rescind their actions related to Bull Creek, and that we all join collaboratively in the community to help the City of Austin find a feasible and prudent alternative to get them Water Treatment Plant Number 4.

Clerk's Note: The Court did not take a vote on the Standing Motion and Second at this time.

A Substitute Motion was made by Judge Biscoe to take no action tonight but that we take up to 30 days to work on specific amendment language with the City of Austin and that we address alternate sites to Bull Creek, completion of the BCP, the recommendations and conditions from the advisory committees, and other relevant issues.

Clerk's Note: The Substitute Motion died for lack of a Second.

Clerk's Note: The Court took a vote on the Standing Motion and Second at this time.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	no
Precinct 4, Commissioner Margaret J. Gómez	yes

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Sonleitner to adjourn the Voting Session. (9:54 PM)

Motion carried: County Judge Samuel T. Biscoe yes
Precinct 1, Commissioner Ron Davis yes
Precinct 2, Commissioner Karen Sonleitner 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