

MINUTES OF MEETING – FEBRUARY 6, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 6th day of February 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 10:45 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 10:45 AM and adjourned at 10:46 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 10:46 AM and adjourned at 10:47 AM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; and the Travis County Health Facilities Development Corporation; convened at 10:47 AM and adjourned at 10:47 AM.

The Commissioners Court, meeting as the Travis County Cultural Education Facilities Finance Corporation; and the Travis County Development Authority; convened at 10:47 AM and adjourned at 10:48 AM.

The Commissioners Court reconvened the Voting Session at 10:49 AM.

The Commissioners Court recessed the Voting Session at 12:00 PM.

The Commissioners Court reconvened the Voting Session at 1:43 PM.

The Commissioners Court retired to Executive Session at 1:55 PM.

The Commissioners Court reconvened the Voting Session at 4:01 PM.

The Commissioners Court adjourned the Voting Session at 4:05 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Greg Hamilton, Travis County Sheriff.
(9:19 AM)

Clerk's Note: Commissioner Davis noted his gratitude to the City of Austin for recognizing Captain Willy Ray Davis, Austin Fire Department and Captain Louie White by naming Southeast Metro Park after them.

Clerk's Note: The County Judge thanked the Emergency Services Staff for all their hard work during the recent ice storm.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C8 and Items 4, 6, 7, 8.A&B, 9.A&B, 11.A, 13, 14.A&B, 18, 19, 20, 21, 23, and A1. (9:22 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.
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF JANUARY 16 AND 23, 2007.
- C4. REAPPOINT JEANNE STAMP TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, EFFECTIVELY IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY)

CONSENT ITEMS CONTINUED

- C5. APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 27, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 10 FOOT PUBLIC UTILITY EASEMENT LOCATED WITHIN LOTS 1-3, BLOCK A OF THE BEE CAVE WEST SUBDIVISION, A SUBDIVISION IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY)

- C6. APPROVE SETTING A PUBLIC HEARING DATE OF FEBRUARY 20, 2007 TO RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO BE KNOWN AS "TESSA HEIGHTS LANE" OFF OF BEE CREEK ROAD, IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY)

- C7. APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 27, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 3 AND 4 WITHIN BLOCK UU OF TWIN LAKE HILLS, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

- C8. APPROVE SETTING A PUBLIC HEARING DATE FOR MARCH 13, 2007 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 13, RED WAGON RANCHETTES, SECTION 2 SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 33.582 ACRES – TRAILS END ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITIES – CEDAR PARK ETJ).
(COMMISSIONER DAUGHERTY)

3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

- B. RECOGNIZE THE THREE WINNING PUBLIC SERVICE ANNOUNCEMENTS CREATED BY LOCAL TEENS FROM THE RECENT AUSTIN FILM FESTIVAL AND TRAVIS COUNTY SHERIFF'S OFFICE COMPETITION; AND (9:27 AM)

Members of the Court heard from: Kelly Page, Community Services Director, TCSO; and Greg Hamilton, Travis County Sheriff.

Motion by Judge Biscoe and seconded by Commissioner Davis that we recognize the three winning Public Service Announcements.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

- C. REPORT ON UPCOMING JOINT TRAINING BETWEEN TRAVIS COUNTY SHERIFF'S OFFICE AND TRAVIS COUNTY HUMAN RESOURCES FOR COUNTY SUPERVISORS ON "DOMESTIC VIOLENCE: MANAGEMENT APPROACHES FOR THE WORKPLACE." (SHERIFF'S OFFICE) (9:32 AM)

Members of the Court heard from: James Sylvester, Chief Deputy, TCSO; Captain Bryce Miller, Domestic Violence Unit, TCSO; Greg Hamilton, Travis County Sheriff; Kelly Page, Community Services Director, TCSO; and Linda Moore Smith, Director, Human Resources Management Department (HRMD).

Discussion only. No formal action taken.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A DRAINAGE EASEMENT LOCATED ON LOT 3, BLOCK A OF BEE CAVE WEST, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:22 AM)

Clerk's Note: Item 4 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED CHANGES TO CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION JOINT POWERS AGREEMENT. (9:56 AM) (1:43 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Tom Nuckols, Assistant County Attorney; and Mike Aulick, Director, Capital Area Metropolitan Planning Organization (CAMPO).

Clerk's Note: The Court discussed new language for the Joint Powers Agreement.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez for inclusion of that language.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:22 AM)
- A. INDEMNIFICATION AGREEMENT WITH FALCONHEAD WEST, L.P. TO FUND THE PERMANENT TRAFFIC IMPROVEMENTS ON STATE HIGHWAY 71 AT FALCONHEAD WEST, IN PRECINCT THREE; AND
 - B. ADVANCED FUNDING AGREEMENT FOR VOLUNTARY TRANSPORTATION IMPROVEMENT PROJECTS WITH THE STATE OF TEXAS AND TRAVIS COUNTY FOR THE PERMANENT TRAFFIC IMPROVEMENTS ON STATE HIGHWAY 71 AT FALCONHEAD WEST, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 8.A&B 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 FOLLOWING:
(9:22 AM)
- A. A PLAT FOR RECORDING IN PRECINCT TWO, LAKESIDE AT BLACKHAWK II, PHASE 1-A FINAL PLAT (LONG FORM PLAT – 50 TOTAL LOTS: 47 SINGLE FAMILY LOTS, 2 DRAINAGE EASEMENT LOTS AND 1 COMMERCIAL LOT – 49.374 ACRES – SPEIDEL DRIVE – FULL FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WCID NO. 2C – CITY OF PFLUGERVILLE ETJ); AND
 - B. APPROVE A SUBDIVISION CONSTRUCTION AGREEMENT FOR LAKESIDE AT BLACKHAWK II, PHASE 1-A FINAL PLAT. (COMMISSIONER ECKHARDT)

Clerk's Note: Items 9.A&B 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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED INTERLOCAL COOPERATION AGREEMENT WITH CITY OF AUSTIN FOR PUBLIC HEALTH AND HUMAN SERVICES. (9:17 AM)

Item 10 postponed until February 13, 2007 or February 20, 2007.

PLANNING AND BUDGET DEPT. ITEMS

- 11. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:22 AM)
 - A. GRANT CONTRACT AMENDMENT TO COMPREHENSIVE UNDERAGE DRINKING PREVENTION PROGRAM GRANT IN COUNTY ATTORNEY'S OFFICE AWARDING ADDITIONAL OPERATING FUNDS TO FY '07 GRANT BUDGET.

Clerk's Note: Item 11.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:40 AM)

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

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

- 13. 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 \$658,061.98 FOR THE PERIOD OF JANUARY 19 TO JANUARY 25, 2007. (9:22 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:22 AM)

- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
- B. NON-ROUTINE PERSONNEL ACTIONS – GREEN CIRCLE SLOTS – AUDIT RESULTS AND RECOMMENDATIONS FROM HUMAN RESOURCES.

Clerk’s Note: Items 14.A&B 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 AWARDING OF CONTRACT TO FROST INSURANCE TO REVIEW THE COUNTY’S GROUP BENEFITS PLAN. (10:31 AM)

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); and Kevin Brown, President, Group Services, Frost Insurance.

Motion by Judge Biscoe and seconded by Commissioner Gómez 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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TADA BUILDING L.P. TO AUTHORIZE EARTH RETENTION SYSTEM FOR NEW BUILDING AT 1108 LAVACA STREET, ADJACENT TO NED GRANGER BUILDING PARKING GARAGE. (10:37 AM)

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	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

20. APPROVE CONTRACT AWARD TO PROVIDE HVAC EQUIPMENT REPLACEMENT PHASE 2 AT THE HEMAN MARION SWEATT COURTHOUSE, IFB NO. B070118-RV, TO THE LOW BIDDER, THERMAL MECHANICAL CONTRACTORS, INC. (FACILITIES MANAGEMENT)
(9:22 AM)

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

OTHER ITEMS

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

Clerk's Note: Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (10:49 AM)
- A. DRAFT BILL: RELATING TO THE VIEW OF THE STATE CAPITOL;
 - B. DRAFT BILL: RELATING TO THE DUTIES AND LIABILITIES OF CONSTABLES;
 - C. DRAFT BILL: RELATING TO THE APPEARANCE OF CERTAIN MISDEMEANOR OFFENDERS BEFORE A MAGISTRATE; AND
 - D. PROPOSAL FOR LEGISLATION ADDRESSING LAND USE PLANNING AND INFRASTRUCTURE FINANCING IN THE STATE HIGHWAY 130 CORRIDOR.

Clerk’s Note: Items 22.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: John Hille, Assistant County Attorney; Joe Gieselman, Executive Manager, TNR; Laura Huffman, Assistant City Manager, Development and Environment Services, City of Austin; Bob Kamm, Legislative Consultant; Alicia Perez, Executive Manager, Administrative Operations; The Honorable John K. Dietz, Judge, 250th District Court; Bratton Thomason, Texas Historical Commission; Linda Team, Director, Heritage Society of Austin; and Roger El Khoury, Director, Facilities Management.

Clerk’s Note: The Court discussed Item 22.A relating to the proposed legislative bill regarding the Capital View Corridor.

Motion by Judge Biscoe and seconded by Commissioner Gómez to hold off on filing the document, but we perform the other due diligence including public input, formal and informal, and touching base with the legislative delegation, and at the appropriate time have this back on the Court’s agenda.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING HARLON MELTON V. TRAVIS COUNTY SHERIFF'S OFFICE. ^{1 and 3} (1:55 PM)

Clerk's Note: Judge Biscoe announced that Item 25 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.

Item 25 postponed until further notice.

26. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON CONTRACT NEGOTIATIONS WITH FAULKNER USA FOR NEW JAIL CONSTRUCTION AT DEL VALLE CORRECTIONAL COMPLEX (DESIGN-BUILD PROJECT). ¹ (1:55 PM) (4:03 PM)

Clerk's Note: Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 26 to be reposted February 13, 2007.

Clerk's Note: The County Judge noted that the County Attorney will inform the Court if Item 26 needs to be discussed before the Tuesday, February 13, 2007 deadline. If necessary there will be a hearing Monday, February 12, 2007.

