

MINUTES OF MEETING – FEBRUARY 20, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 20th day of February 2007, the Commissioners' Court convened the Voting Session at 9:20 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 12:04 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:44 PM and adjourned at 1:45 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:45 PM and adjourned at 1:45 PM.

The Commissioners Court reconvened the Voting Session at 1:46 PM.

The Commissioners Court retired to Executive Session at 4:54 PM.

The Commissioners Court reconvened the Voting Session at 6:07 PM.

The Commissioners Court adjourned the Voting Session at 6:10 PM.

PUBLIC HEARINGS

- 1. 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) (ACTION ITEM #10) (9:23 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 10 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 INPUT FROM RESIDENTS OF TRAVIS COUNTY REGARDING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN AFFAIRS, OFFICE OF COMMUNITY PLANNING AND DEVELOPMENT, THAT ARE REQUIRED TO BE USED IN UNINCORPORATED AREAS. (FIRST PUBLIC HEARING) (9:24 AM)

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

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: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Meg Poag, Planner, Travis County Health and Human Services (TCHHS); Kenneth Snyder, Northridge Acres Resident; and Nettie Brown, Northridge Acres Resident.

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

CITIZENS COMMUNICATION

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Deborah E. Britton, Director, Community Services Division, TCHHS&VS; and Jim Vonwolske, Travis County Resident. (9:46 AM)

Clerk’s Note: Precinct Four Commissioner Margaret Gómez welcomed intern Ludivina Garza to her office.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C4 and Items 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 18, 19, 21.A&D, 22, 23, 24, 28, 29, 35, 38, 39, 40, and A2. (10:03 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 SETTING A PUBLIC HEARING ON MARCH 13, 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 111 AND 112 CARDINAL HILLS ESTATES, UNIT 14, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF FEBRUARY 6, 2007.

JUSTICE & PUBLIC SAFETY ITEMS

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DANNY HOBBY AS THE TRAVIS COUNTY VOTING MEMBER SERVING ON THE COMBINED TRANSPORTATION, EMERGENCY AND COMMUNICATIONS CENTER (CTECC) GOVERNING BOARD. (COMMISSIONERS COURT) (10:03 AM)

Clerk’s Note: Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT DANNY HOBBY AS THE TRAVIS COUNTY VOTING MEMBER SERVING ON THE REGIONAL RADIO SYSTEM (RSS) GOVERNING BOARD. (COMMISSIONERS COURT) (10:03 AM)

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 REQUEST TO APPOINT DANNY HOBBY AS EMERGENCY SERVICES VOTING MEMBER ON TRAVIS COUNTY'S EMERGENCY AND WIRELESS COMMUNICATIONS COORDINATING BOARD (EWCCB). (COMMISSIONERS COURT) (10:03 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.

PURCHASING OFFICE ITEMS

6. APPROVE CONTRACT AWARD FOR PARK BROCHURES, IFB NO. B070115-RG, TO THE LOW BIDDER, REACTIVITY STUDIO. (TRANSPORTATION AND NATURAL RESOURCES) (10:03 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 ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ENGINEERING SERVICES FROM PROFESSIONAL SYSTEMS ENGINEERING, LLC FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A)(4) OF THE COUNTY PURCHASING ACT. (SHERIFF'S OFFICE) (10:03 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. APPROVE CONTRACT AWARD FOR A CUSTOMER FLOW MANAGEMENT SYSTEM FOR TRAVIS COUNTY, RFP NO. P050080-LC, TO THE HIGHEST RANKED PROPOSER, Q-MATIC CORPORATION. (TAX OFFICE) (10:03 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 CONTRACT AWARD FOR MECHANICAL, ELECTRICAL AND PLUMBING (MEP) ENGINEERING SERVICES FOR RENOVATIONS IN THE N. L. GAULT AND BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER BUILDINGS TO CARTER & BURGESS, INC. (FACILITIES MANAGEMENT) (10:03 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION 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) (10:03 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.

Clerk's Note: The Court noted that the correct name of the private easement should be "Tessa Heights Lane", not "Electric Avenue" as previously mentioned.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED CHANGES TO CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION JOINT POWERS AGREEMENT. (4:28 PM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Eckhardt to approve Item 11.

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPROVAL OF ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR FOREST BLUFF SECTION 1, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:03 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE USE OF AN ALTERNATIVE FISCAL AGREEMENT FOR SENNA HILLS SECTION TEN, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:03 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 REQUEST TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE DESIGN AND CONSTRUCTION OF PORTIONS OF HEATHERWILDE BOULEVARD AND WELLS BRANCH PARKWAY IN PRECINCTS ONE AND TWO. (COMMISSIONER DAVIS AND COMMISSIONER ECKHARDT) (1:46 PM)

Clerk's Note: Items 14 and 15 are associated with one another and were called for concurrent discussion.

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

Discussion only. No formal action taken.

Items 14 and 15 to be reposted on March 6, 2007.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE CONSTRUCTION OF THE EXTENSION OF PARMER LANE FROM US 290 TO STATE HIGHWAY 130, IN PRECINCT ONE. (COMMISSIONER DAVIS) (1:46 PM)

Clerk's Note: Items 14 and 15 are associated with one another and were called for concurrent discussion. Please refer to Item 14 for a summary of the action taken by the Court.

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE PROCESS FOR APPOINTMENT OF PERSON TO FILL TRAVIS COUNTY VACANCY ON CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD. (JUDGE BISCOE) (4:35 PM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Eckhardt that we reopen the appointment process to look at the possibility of an elected official to throw into the mix as well.

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

Clerk’s Note: The Court discussed a strategy to interview the two applicants for the vacancy:

- 1) To schedule each of the two applicants for a 30 minute interview;
- 2) For the interviews to be held on February 27, 2007, and to start at 3:00 PM; and
- 3) The position will expire December 31, 2007.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve that strategy.

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

17. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENT WITH THE VILLAGE OF BRIARCLIFF RELATING TO HOUSE BILL 1445 AND SUBDIVISION APPROVAL WITHIN THE EXTRA-TERRITORIAL JURISDICTION. (COMMISSIONER DAUGHERTY) (4:34 PM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez 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 A PRELIMINARY PLAN IN PRECINCT TWO: CANTARRA (SMALL LOT) PRELIMINARY PLAN, (TOTAL NUMBER OF LOTS 1141 – 264.25 ACRES, 1130 SINGLE FAMILY LOTS, 1 COMMERCIAL, 4 LANDSCAPE, SIDEWALK LOTS, 6 PUE, DRAINAGE AND WATER QUALITY LOTS – GREGG LANE – NO FISCAL IS REQUIRED FROM TRAVIS COUNTY WITH THIS PRELIMINARY PLAN – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER ECKHARDT) (10:03 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.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE RESOLUTIONS COMMITTING TRAVIS COUNTY TO FOLLOW THE STATES PROVISION TO COMPLETE AN EQUIVALENT MATCH BRIDGE PROJECT IN LIEU OF PROVIDING 10% LOCAL FUNDING FOR THE REPLACEMENT OF BRIDGES 155 AND 109 IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:03 AM)

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 THE FOLLOWING:
(10:10 AM)

- A. REQUEST FROM GENESIS CAPITAL ADVISORS, LLC, THAT TRAVIS COUNTY SIGN AN APPLICATION FOR A REVISED PRELIMINARY PLAN THAT COVERS BOTH A PRIVATE TRACT AND THE COUNTY-OWNED BALCONES CANYONLANDS PRESERVE TRACT COMMONLY KNOWN AS THE NOOTSIE TRACT;
- B. COORDINATION WITH CITY OF AUSTIN AND U.S. FISH AND WILDLIFE SERVICE REGARDING THE REQUEST; AND
- C. GIVE PUBLIC NOTICE AND SET PUBLIC HEARING DATE OF APRIL 3, 2007 TO RECEIVE PUBLIC INPUT PURSUANT TO CHAPTER 26, PARKS AND WILDLIFE CODE. (COMMISSIONER DAUGHERTY)

Clerk’s Note: Items 20.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Rose Farmer, Resource Management Specialist, TNR; and Jerry Harris, Attorney, Brown McCarroll, LLP, representing the applicant.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 20.A-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

PLANNING AND BUDGET DEPT. ITEMS

21. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:03 AM)

A. GRANT APPLICATION WITH TEXAS HEALTH AND HUMAN SERVICES COMMISSION FOR JUVENILE PROBATION TO PARTICIPATE IN A PROGRAM THAT PROVIDES UNITED STATES DEPARTMENT OF AGRICULTURE DONATED COMMODITIES;

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

21. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:28 AM)

B. GRANT APPLICATION WITH TEXAS DEPARTMENT OF TRANSPORTATION TO CONTINUE THE UNDERAGE DRINKING PREVENTION PROGRAM IN COUNTY ATTORNEY'S OFFICE BY PROVIDING PREVENTION RESOURCES;

Members of the Court heard from: Gloria Souhami, Program Director, Travis County Underage Drinking Prevention Program.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 21.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 21 CONTINUED

- 21. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:32 AM)

- C. GRANT CONTRACT WITH RETIRED SENIORS VOLUNTEER PROGRAM (RSVP) ADVISORY COUNCIL FOR A PART-TIME EMPLOYEE IN HEALTH AND HUMAN SERVICES TO PROVIDE INFORMATION ON THE IMPORTANCE OF VACCINATING BABIES; AND

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 21.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

- 21. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:03 AM)

- D. GRANT CONTRACT WITH AUTO THEFT PREVENTION AUTHORITY FOR THE PURCHASE OF VEHICLES FOR THE 17 COUNTY AUTO THEFT TASK FORCE.

Clerk’s Note: Item 21.D 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:03 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.

ADMINISTRATIVE OPERATIONS ITEMS

23. 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 \$550,861.47 FOR THE PERIOD OF FEBRUARY 2 TO FEBRUARY 8, 2007. (10:03 AM)

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:03 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 THE FOLLOWING ITEMS FOR THE DESIGN-BUILD PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX: (9:20 AM)

A. AN UPDATED PROJECT BUDGET;

Item 25.A postponed until further notice.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR THE DESIGN-BUILD PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX: (4:54 PM) (6:07 PM)

B. NEGOTIATION FOR DESIGN-BUILD PHASE SERVICES WITH HOK, DESIGN-BUILD CONSULTANT; AND

Clerk's Note: Judge Biscoe announced that Item 25.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 25.B.

Item 25.B to be reposted on February 27, 2007.

ITEM 25 CONTINUED

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR THE DESIGN-BUILD PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX: (9:20 AM)

C. REQUEST FOR A BOND-FUNDED PROJECT INSPECTOR IN THE FACILITIES MANAGEMENT DEPARTMENT.

Item 25.C postponed until further notice.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON FY 2008 HEALTH CARE ISSUES: (10:40 AM)

A. EMPLOYEE BENEFITS COMMITTEE MEMBERSHIP; AND

B. CHARGE FOR THE EMPLOYEE BENEFITS COMMITTEE.

Clerk's Note: Items 26.A&B and 27.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve what Staff has recommended, with a name change to Employee Healthcare Committee. The charge is roughly what you all have been doing, and our goal would be to try to figure out what to pull out of what you have informally addressed in the past, if it makes sense to do so. We will get together, and at some point in the future we will address that, hopefully, in the next couple of weeks.

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 ON TRAVIS COUNTY WELLNESS COMMITTEE ISSUES: (10:40 AM)
- A. COMMITTEE MEMBERSHIP; AND
 - B. CHARGE AND GUIDANCE.

Clerk's Note: Items 26.A&B and 27.A&B are associated with one another and were called for concurrent discussion.

Discussion only on Items 27.A&B. No formal action taken.

Items 27.A&B to be reposted on March 6, 2007.

OTHER ITEMS

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:03 AM)

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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JANUARY 2007. (COUNTY AUDITOR) (10:03 AM)

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

REVISED LANGUAGE:

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:
- A. RESOLUTION SUPPORTING THE RESTRICTION OF CONSTRUCTION OF NEW BILLBOARDS ON STATE HIGHWAY 71 IN TRAVIS COUNTY;
(9:53 AM) (11:36 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Pepper Morris, Vice-President, Lick Creek Ranch Property Owners Association; Margaret Lloyd, Policy Director, Scenic Texas; and Chris Shields, Travis County Legislative Consultant.

ITEM 30 CONTINUED

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 30.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

Clerk's Note: Judge Biscoe noted that whenever the Commissioners Court takes an affirmative vote regarding pending legislation, the Court is authorizing the County's legislative consultants to support the bill at the Capitol. If there is no resolution, at least there should be a letter that generally indicates the Court's support for the bill.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:

B. DRAFT BILL: RELATING TO THE COLLECTION OF A PARKING FEE FOR MAINTENANCE OF DESIGNATED PARKING FACILITIES; (11:59 AM) (4:54 PM) (6:08 PM)

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

Discussion only. No formal action taken.

ITEM 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:

- C. DRAFT BILL: RELATING TO THE CRIMINAL AND CIVIL ENFORCEMENT OF THE REQUIRED PAYMENT OF A TOLL FOR THE USE OF CERTAIN TURNPIKE PROJECTS; (11:54 AM)

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

Discussion only. No formal action taken.

Item 30.C to be reposted on February 27, 2007.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:

- D. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR REGULATION OF LAND USE AUTHORITY FOR TRAVIS COUNTY AND/OR OTHER COUNTIES; (11:37 AM)

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

Discussion only. No formal action taken.

Item 30.D to be reposted on February 27, 2007.

Clerk's Note: At 11:39 AM, the Court received a briefing from April Bacon, Chief Assistant County Auditor, Travis County Auditor's Office, regarding House Bill 1517 (HB1517): Relating to the reporting of expenditures for legislative communication by local governmental entities.

ITEM 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:
- E. DRAFT BILL: RELATING TO THE POWERS AND DUTIES OF TRAVIS COUNTY HEALTHCARE DISTRICT'S BOARD OF MANAGERS AND TO EMPLOYEE BENEFITS FOR CERTAIN EMPLOYEES OF THAT DISTRICT; (11:52 AM)

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

Discussion only. No formal action taken.

Item 30.E to be reposted on February 27, 2007.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:
- F. DRAFT BILL: RELATING TO FINANCIAL ACCOUNTING AND REPORTING FOR THE STATE AND CERTAIN POLITICAL SUBDIVISIONS OF THE STATE; (11:52 AM)

No action necessary on Item 30.F

Item 30.F to be reposted on February 27, 2007.

ITEM 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:

G. RESOLUTION SUPPORTING SENATE BILL 133: RELATING TO THE APPRAISAL FOR AD VALOREM TAX PURPOSES OF CERTAIN LAND USED FOR WILDLIFE MANAGEMENT UNDER A CONSERVATION EASEMENT; (11:35 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 30.G and that we sign the prepared resolution.

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 CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:

H. SENATE BILL 12: RELATING TO PROGRAMS FOR THE ENHANCEMENT OF AIR QUALITY, INCLUDING ENERGY EFFICIENCY INITIATIVES; PROVIDING PENALTIES; (11:50 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 30.H.

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 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:

I. RELATING TO CERTAIN RECOMMENDED STATUTORY CHANGES TO TEXAS CODE OF CRIMINAL PROCEDURE, INCLUDING ARTICLES 16.22, 17.032 AND SUBSECTIONS OF ARTICLE 46B; AND (11:10 AM)

Members of the Court heard from: The Honorable Nancy Hohengarten, Judge, County Court-at-Law Number Five; and Chris Shields, Travis County Legislative Consultant.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the recommendation and authorize our consultants to not only get the bill filed, but try to get it enacted into law.

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 30 CONTINUED

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING:

J. SENATE BILL 668: RELATING TO THE OPERATION, POWERS AND DUTIES OF A TOLL PROJECT ENTITY. (11:45 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 30.J.

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 authorized Travis County's legislative consultants to submit a short letter in support of the bill, signed by the Court, to Sen. Watson, and submit a witness card in support of the bill at the hearing.

31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TOLL ROAD FEES CHARGED TO COUNTY VEHICLES. (4:46 PM)

Clerk's Note: The Court heard from Staff who recommended creating a committee consisting of: Danny Hobby, Executive Manager, Travis County Emergency Services; Christian Smith, Executive Manager, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; Cyd Grimes, Travis County Purchasing Agent; Greg Hamilton, Travis County Sheriff; and Joe Gieselman, Executive Manager, TNR to analyze the information and bring back a recommendation to the Court.

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to let Joe Gieselman, Executive Manager, TNR put together a subcommittee of people that he had made note of, and bring back a policy to the Court.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY COMMITTEE TO ADDRESS NEW CIVIL COURTS BUILDING, INCLUDING CHARGE, PUBLIC HEARING, COMMUNICATION WITH TRAVIS COUNTY LEGISLATIVE DELEGATION. (JUDGE BISCOE) (2:14 PM)

Clerk's Note: The Court discussed the possible use of two County owned sites for a new Civil Courthouse: The San Antonio Garage, and the USB site.

Members of the Court heard from: John Hille, Assistant County Attorney; The Honorable John K. Dietz, Judge, 250th District Court; Alicia Perez, Executive Manager, Administrative Operations; Stephen Coulston, Vice President, Planning, Broaddus & Associates; Chris Rice, Senior Associate, Broaddus & Associates; Edward D. Lee, Vice President, Technical Support Services, Broaddus & Associates; Roger El Khoury, Director, Facilities Management; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Eckhardt that we charge our consultants with fleshing out our options of working within the corridor for the block across the street, and for a further discussion two weeks from now.

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

Discussion only. No formal action taken.

Item 32 to be reposted on February 27, 2007 at 2:00 PM.

- 33. A. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE MANOR INDEPENDENT SCHOOL DISTRICT FOR 2006-2007 FOR LAW ENFORCEMENT SERVICES TO BE PROVIDED BY THE TRAVIS COUNTY SHERIFF’S OFFICE; AND
- B. AUTHORIZE THE RETENTION OF TWO VEHICLES IN THE TRAVIS COUNTY FLEET PURSUANT TO THE CONTRACT. (10:35 AM)

Clerk’s Note: Items 33.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Bill Derryberry, Senior Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Items 33.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

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM ENVISION CENTRAL TEXAS TO APPROVE AND RELEASE \$25,000 FUNDING FOR FY 2007. (10:08 AM)

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt that we transfer that money from Allocated Reserve.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The Motion authorized the Planning and Budget Office to release the requested \$25,000.00 to Transportation and Natural Resources.

35. RECEIVE RACIAL PROFILING REPORT FOR CALENDAR YEAR 2006 FROM TRAVIS COUNTY CONSTABLE PRECINCT FIVE. (10:03 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION TO ESTABLISH AND MAKE APPOINTMENTS TO A BILINGUAL VOTING ASSISTANCE OUTREACH COMMITTEE. (COUNTY CLERK) (9:22 AM) (10:07 AM)

Item 36 postponed until February 27, 2007.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REPORT OF MEETING WITH HOUSING AUTHORITY OF TRAVIS COUNTY AND STRATEGIC HOUSING FINANCE CORPORATION OFFICIALS CONCERNING DEVELOPING A COMPREHENSIVE POLICY FOR CONSIDERING PUBLIC-PRIVATE PARTNERSHIPS OF MULTIFAMILY HOUSING DEVELOPMENTS. (COMMISSIONER GÓMEZ) (1:49 PM)

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations.

Discussion only. No formal action taken.

Item 37 to be reposted on February 27, 2007.

38. APPOINT CLEMENTE A. ZABALZA TO REPLACE NOEL GEORGE JETT AS FIRE COMMISSIONER TO THE BOARD OF EMERGENCY SERVICES DISTRICT NO. 12, TERM EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2007. (COMMISSIONER DAVIS) (10:03 AM)

Clerk's Note: Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

39. APPOINT PAULA BARR TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 6, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY) (10:03 AM)

Clerk's Note: Item 39 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 40. APPOINT GARY CADENHEAD TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT BOARD NO. 6, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2008. (COMMISSIONER DAUGHERTY) (10:03 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.

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.

- 41. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT DEMAND REGARDING DEBORAH LOWERY V. COUNTY OF TRAVIS. ^{1 AND 3} (4:54 PM) (6:08 PM)

Clerk’s Note: Judge Biscoe announced that Item 41 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 reject the offer to settle this matter.

Motion carried:

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

- 42. 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 (4:54 PM) (6:08 PM)

Clerk's Note: Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action necessary on Item 42.

Item 42 to be reposted on February 27, 2007.

- 43. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TWO REAL ESTATE ISSUES IN CENTRAL AUSTIN. ² (4:54 PM) (6:08 PM)

Clerk's Note: Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize Facilities Management to retain an appropriate broker, to begin negotiations to purchase one of these tracts of land.

Motion carried:

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

Clerk's Note: The County Judge indicated that there would be another 2-3 weeks before there would be decision on the second tract of land.

ADDED ITEMS

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING JO CAROL BRADSHAW, EEOC CHARGE NO. 451-2006-01411. (THIS ITEM MAY BE CONSIDERED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION OF ATTORNEY AND GOV'T CODE ANN, 551.074, PERSONNEL MATTERS) (4:54 PM) (6:10 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 and Gov't Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to indicate to the Equal Employment Opportunity Commission (EEOC) our unwillingness to settle this matter on the terms suggested.

Motion carried:

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

- A2. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR SPRINGBROOK INDUSTRIAL PARK SECTION 1 AND SPRINGBROOK INDUSTRIAL PARK SECTION 2, TWO SUBDIVISIONS IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (10:03 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.

ADJOURNMENT

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to adjourn the Voting Session. (6:10 PM)

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
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