

MINUTES OF MEETING – FEBRUARY 27, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of February 2007, the Commissioners' Court convened the Voting Session at 9:14 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 12:15 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:53 PM and adjourned at 1:55 PM.

The Commissioners Court reconvened the Voting Session at 1:56 PM.

The Commissioners Court retired to Executive Session at 2:14 PM.

The Commissioners Court reconvened the Voting Session at 3:09 PM.

The Commissioners Court adjourned the Voting Session at 3:41 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 1-B-1, LEANDER HILLS SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 5.043 ACRES – RANCH ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITIES – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY) (ACTION ITEM #20) (9:17 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 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	absent
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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

2. 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) (ACTION ITEM #21) (9:18 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	absent
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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 3. 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) (ACTION ITEM #22) (9:19 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 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	absent
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	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Clerk’s Note: No speakers addressed the Court. (9:20 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C4 and Items 5, 6, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23.A&B, 26.A&B, 27, 28.A, 30, 33, and 34. (9:20 AM)

Motion carried: County Judge Samuel T. Biscoe yes
Precinct 1, Commissioner Ron Davis yes
Precinct 2, Commissioner Sarah Eckhardt absent
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 DATE FOR APRIL 3, 2007, TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT TWO: AMENDED PLAT OF LOTS 16-18, BLOCK A, SPRINGBROOK INDUSTRIAL PARK SECTION ONE SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 4.13 ACRES – PICADILLY COURT – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDEMERE UTILITY COMPANY – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER ECKHARDT)
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR SPECIAL VOTING SESSION OF FEBRUARY 12, 2007 AND REGULAR VOTING SESSION OF FEBRUARY 13, 2007.

SPECIAL ITEMS

- 4. RECEIVE PRESENTATION ON THE DOMAIN I PROJECT. (9:27 AM)

Members of the Court heard from: David Armbrust, Armbrust and Brown, LLP; and Kathy Shields, Simon Property Group.

Discussion only. No formal action taken.

ADMINISTRATIVE OPERATIONS ITEMS

5. 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 \$353,265.58 FOR THE PERIOD OF FEBRUARY 9 TO FEBRUARY 15, 2007. (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:20 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 ITEMS FOR THE DESIGN-BUILD PROJECT AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX: (9:48 AM)
 - A. AN UPDATED PROJECT BUDGET;
 - B. NEGOTIATION FOR DESIGN-BUILD PHASE SERVICES WITH HOK, DESIGN-BUILD CONSULTANT; AND
 - C. REQUEST FOR A BOND-FUNDED PROJECT INSPECTOR IN THE FACILITIES MANAGEMENT DEPARTMENT.

Clerk's Note: Items 7.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Ed Spooner, Vice-President, Hellmuth, Obata, and Kassabaum (HOK); Ken Gaede, Project Manager, Facilities Management; Roger El Khoury, Director, Facilities Management; Cyd Grimes, Travis County Purchasing Agent; Jessica Rio, Budget Analyst, Planning and Budget Office (PBO); Major David Balagia, Corrections Division; Travis County Sheriff's Office (TCSO); and Susan Spataro, Travis County Auditor.

ITEM 7 CONTINUED

Clerk’s Note: The Court discussed whether to approve a 3% or a 4.5% contingency on the budgeted amount for the design-build project. The Court noted that County Staff had recommended a 4.5% contingency.

Motion by Judge Biscoe and seconded by Commissioner Daugherty to approve the 3% contingency.

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

Motion by Judge Biscoe and seconded by Commissioner Daugherty to authorize Staff to negotiate an appropriate proposed contract with HOK.

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

Motion by Commissioner Daugherty and seconded by Judge Biscoe to approve Item 7.C.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe to approve the position and await a decision on a source of funding, and if it is not an appropriate bond-funded position we take the amount from Allocated Reserve.

Acceptance of the Friendly Amendment was made by Commissioner Daugherty.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION FOR CONTRACT AWARD FOR DESIGN BUILD SERVICES FOR ADDITIONS AND ALTERATIONS TO THE TRAVIS COUNTY CORRECTIONAL COMPLEX (TCCC), RFP NO. P060273-MB, TO FAULKNERUSA. (10:53 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Ken Gaede, Project Manager, Facilities Management; Tenley Aldredge, Assistant County Attorney; Alicia Perez, Executive Manager, Administrative Operations; and Tim Garbutt, Director, Business Development and Corporate Communications, FaulknerUSA.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 8.

Clerk's Note: The Court did not Vote on the Previous Motion.

Discussion only. No formal action taken.

Item 8 to be reposted on March 6, 2007.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REIMBURSEMENT RESOLUTION FOR DESIGN-BUILD AGREEMENT BETWEEN TRAVIS COUNTY AND FAULKNERUSA, L.P. FOR NEW JAIL CONSTRUCTION AT DEL VALLE CORRECTIONAL COMPLEX. (11:05 AM)

Item 9 was pulled from the Agenda.

AT 2:00 P.M.

10. 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, AND RELATED ISSUES. (JUDGE BISCOE) (9:15 AM)

Item 10 postponed until March 6, 2007.

JUSTICE & PUBLIC SAFETY ITEMS

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR MODIFICATION OF MEDICAL EXAMINER ORGANIZATIONAL CHART. (9:44 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 11.

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

PURCHASING OFFICE ITEMS

12. APPROVE INTERLOCAL AGREEMENT WITH TRAVIS COUNTY HEALTHCARE DISTRICT FOR PURCHASING SERVICES. (PURCHASING OFFICE) (2:16 PM)

Item 12 postponed until March 6, 2007.

13. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 7) TO CONTRACT NO. 01T0068-OJ, CMI BARRON RISK MANAGEMENT SERVICES, INC., FOR THE THIRD PARTY ADMINISTRATION FOR COUNTY'S SELF-FUNDED PROGRAMS FOR WORKERS COMPENSATION AND AUTO LIABILITY. (HUMAN RESOURCES) (9:46 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 13.

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

14. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES, TRAVIS COUNTY DRAINAGE BASIN STUDY, RFQ NO. Q060239-JW, TO THE HIGHEST QUALIFIED RESPONDENT, HDR ENGINEERING, INC. (TRANSPORTATION NATURAL RESOURCES) (9:20 AM) (9:47 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

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.

Clerk's Note: The Court noted that Historically Underutilized Business (HUB) goals had been exceeded on this contract.

15. DECLARE CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (9:20 AM)

Clerk's Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. APPROVE CONTRACT AWARD FOR TASER SYSTEMS AND ACCESSORIES, IFB NO. B0700136-LD, TO THE SOLE BIDDER, GT DISTRIBUTORS. (SHERIFF'S OFFICE) (9:20 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. APPROVE MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT NO. IL040243RE, WITH AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR AFTER SCHOOL PROGRAM. (HHS&VS) (9:20 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. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES, EAST METRO PARK RAW WATER LINES PROJECT, IFB NO. B070108-LP, TO THE LOW BIDDER, AUSTIN UNDERGROUND, INC. (TRANSPORTATION NATURAL RESOURCES) (COMMISSIONER DAVIS) (9:20 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. APPROVE MODIFICATION NO. 10 TO CONTRACT NO. 04K00264JJ, BARECKY CONSTRUCTION COMPANY, FOR EAST METRO PARK (PHASE I, PROJECT II). (TRANSPORTATION NATURAL RESOURCES) (COMMISSIONER DAVIS) (9:20 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 1-B-1, LEANDER HILLS SUBDIVISION (SHORT FORM PLAT – 2 LOTS – 5.043 ACRES – RANCH ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEWAGE FACILITIES – NO MUNICIPAL JURISDICTION). (COMMISSIONER DAUGHERTY) (9:20 AM)

Clerk's Note: Item 20 is the action item for the public hearing on Agenda Item 1.

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 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) (9:20 AM)

Clerk's Note: Item 21 is the action item for the public hearing on Agenda Item 2.

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 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) (9:20 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 3.

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.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:20 AM)
- A. A PLAT FOR RECORDING IN PRECINCT TWO: FINAL PLAT STAR RANCH, SECTION 3 (TOTAL NUMBER OF LOTS 37 – 8.311 ACRES, 37 SINGLE FAMILY LOTS – ASHBURNHAM DRIVE – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY WILLIAMSON COUNTY WATER, SEWER, IRRIGATION DISTRICT #3 – HUTTO ETJ); AND
- B. APPROVE A CONSTRUCTION AGREEMENT FOR STAR RANCH, SECTION 3. (COMMISSIONER ECKHARDT)

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

- 24. APPROVE LICENSE AGREEMENT WITH ESTATES OF BRENTWOOD HOMEOWNERS ASSOCIATION, INC. FOR A 36 INCH OAK TREE AND FENCES OR WALLS IN THE RIGHT OF WAY OF ANDERSON MILL ROAD, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (2:07 PM) (2:14 PM) (3:09 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.

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR; Alison Kasner, Brentwood Resident; and Tom Nuckols, Assistant County Attorney.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 24.

Clerk’s Note: The Court did not Vote on the Previous Motion.

Discussion only. No formal action taken.

Item 24 to be reposted on March 6, 2007.

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON A ROADWAY IMPROVEMENT AGREEMENT WITH KEITH CRAWFORD FOR MCKENZIE ROAD, IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:25 AM) (2:02 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 25.

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

26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:20 AM)
- A. A PLAT FOR RECORDING IN PRECINCT FOUR: FINAL PLAT, STONEY RIDGE, PHASE B – SECTION 2 (TOTAL NUMBER OF LOTS 148 – 28.58 ACRES, 146 SINGLE FAMILY LOTS AND 2 LANDSCAPE LOTS – HEINE FARM ROAD – FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – CITY OF AUSTIN ETJ); AND
- B. APPROVE A CONSTRUCTION AGREEMENT FOR STONEY RIDGE, PHASE B – SECTION 2. (COMMISSIONER GÓMEZ)

Clerk's Note: Items 26.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FIRST AMENDMENT TO LICENSE AGREEMENT FOR ROB ROY SUBDIVISION, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:20 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.

PLANNING AND BUDGET DEPT. ITEMS

28. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:20 AM)
- A. GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE FOR A PROJECT SAFE NEIGHBORHOOD GRANT IN THE DISTRICT ATTORNEY'S OFFICE TO CONTINUE PROGRAM THAT WAS STARTED IN FY '01.

Clerk's Note: Item 28.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (2:14 PM)

No action necessary on Item 29.

OTHER ITEMS

- 30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:20 AM)

Clerk’s Note: Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON REVISED BY-LAWS FOR THE TRAVIS COUNTY HISTORICAL COMMISSION. (9:45 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 31.

Motion carried:

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

AT 11:00 A.M.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:16 AM)

- A. HOUSE BILL 1517: RELATING TO THE REPORTING OF EXPENDITURES FOR LEGISLATIVE COMMUNICATION BY LOCAL GOVERNMENTAL ENTITIES;

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant; and Susan Spataro, Travis County Auditor.

Discussion only. No formal action taken.

Item 32.A to be reposted on March 6, 2007.

ITEM 32 CONTINUED

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:32 AM)

B. HOUSE JOINT RESOLUTION 61: PROPOSING A CONSTITUTIONAL AMENDMENT ALLOWING A STATE MANDATE IMPOSED ON A COUNTY TO HAVE EFFECT ONLY IF THE STATE PROVIDES FOR PAYMENT TO THE COUNTY OF THE COST OF THE MANDATE;

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 32.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

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:30 AM)

C. DRAFT BILL: RELATING TO THE CRIMINAL AND CIVIL ENFORCEMENT OF THE REQUIRED PAYMENT OF A TOLL FOR THE USE OF CERTAIN TURNPIKE PROJECTS;

Members of the Court heard from: Chris Shields, Travis County Legislative Consultant.

Discussion only. No formal action taken.

Item 32.C to be reposted on March 6, 2007.

ITEM 32 CONTINUED

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:32 AM)

D. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR REGULATION OF LAND USE AUTHORITY FOR TRAVIS COUNTY AND/OR OTHER COUNTIES;

Discussion only. No formal action taken.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:21 AM)

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;

Members of the Court heard from: Trish Young, President and Chief Executive Officer, Travis County Healthcare District.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 32.E.

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 County Judge noted that by approving Item 32.E the Court shows its support for the legislation.

ITEM 32 CONTINUED

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:33 AM)
- F. DRAFT BILL: RELATING TO FINANCIAL ACCOUNTING AND REPORTING FOR THE STATE AND CERTAIN POLITICAL SUBDIVISIONS OF THE STATE;

Discussion only. No formal action taken.

Item 32.F to be reposted on March 6, 2007.

ITEM 32 CONTINUED

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:33 AM)

G. RECONSIDERATION OF VOTE TO SUPPORT SENATE BILL 12: RELATING TO PROGRAMS FOR THE ENHANCEMENT OF AIR QUALITY, INCLUDING ENERGY EFFICIENCY INITIATIVES; PROVIDING PENALTIES;

Members of the Court heard from: Adele Noel, Air Quality Project Manager, TNR; Talia Gaster, Travis County Legislative Consultant; Chris Shields, Travis County Legislative Consultant; and Jon White, Environmental Quality Program Manager, TNR.

Motion by Judge Biscoe and seconded by Commissioner Gómez to support this approach, but also to support any changes recommended by the Clean Air Force and the Clean Air Coalition, both of which will have this their on their agenda very soon; along with our encouragement that we communicate our position, and theirs, to the sponsor of the bill as well as other senators and members of the Travis County Delegation.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe that the Commissioners Court also work with the Texas Working Clean Air Group; and that the following be added to the letter of support: "That Travis County has worked with the Texas Emissions Reduction Plan (TERP) program for three years and Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) for the last two years and this bill is welcome. However, we would like to recommend some minor changes."

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

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 32 CONTINUED

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:49 AM)

H. DRAFT BILL: RELATING TO THE COLLECTION OF A PARKING FEE FOR MAINTENANCE OF DESIGNATED PARKING FACILITIES;

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant; John Hille, Assistant County Attorney; and Chris Shields, Travis County Legislative Consultant.

Discussion only. No formal action taken.

Item 32.H to be reposted on March 6, 2007.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:52 AM)

I. HOUSE BILL 937: RELATING TO AN EXEMPTION FROM THE PAYMENT OF A TOLL FOR AN AUTHORIZED EMERGENCY VEHICLE.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and David Escamilla, Travis County Attorney.

Discussion only. No formal action taken.

Item 32.I to be reposted on March 6, 2007.

ITEM 32 CONTINUED

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:59 AM)

J. **ADDED ITEM:** HOUSE BILL 345 RELATING TO THE COLLATERALIZATION OF CERTAIN PUBLIC FUNDS; AND

Members of the Court heard from: Mary Mayes, Investment Manager, Cash/Investment Management; Delores Ortega-Carter, Travis County Treasurer; Chris Shields, Travis County Legislative Consultant; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office.

Discussion only. No formal action taken.

Item 32.J to be reposted on March 6, 2007.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (12:14 PM)

K. **ADDED ITEM:** HOUSE BILL 934 AND SENATE BILL 437 RELATING TO REQUIRING THE USE OF AN IGNITION INTERLOCK DEVICE ON CONVICTION OF CERTAIN INTOXICATION OFFENSES.

Item 32.K postponed until March 6, 2007.

Clerk's Note: The Court was updated on a Resolution supporting the restriction of construction of new billboards on State Highway 71 in Travis County.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON ACCEPTANCE OF A DONATION OF \$10,000 FROM THE DOWNTOWN AUSTIN ALLIANCE FOR THE DISTRICT ATTORNEY'S OFFICE. (DISTRICT ATTORNEY) (9:20 AM)

Clerk's Note: Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON CANCELLATION OF MASTERCARD/VISA CREDIT CARD ACCOUNT. (DISTRICT CLERK) (9:20 AM)

Clerk's Note: Item 34 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 by passing Item 34 on Consent the County Judge was authorized to send a notice of cancellation to the appropriate credit card company. The client number and the terminal number will be in the letter.

- 35. CONSIDER AND TAKE APPROPRIATE ACTION TO ESTABLISH AND MAKE APPOINTMENTS TO A BILINGUAL VOTING ASSISTANCE OUTREACH COMMITTEE. (COUNTY CLERK) (1:56 PM)

Clerk's Note: The Court discussed a list of candidates for the Bilingual Voting Assistance Outreach Committee.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the list in Item 35.

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

36. CONDUCT INTERVIEWS OF TWO APPLICANTS FOR MEMBERSHIP ON CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD AND TAKE APPROPRIATE ACTION, NAMELY: (3:14 PM)

A. JAIME LYNN ALLEN; AND

B. NIKELLE S. MEADE.

Clerk's Note: The Court noted that candidate Jaime Lynn Allen had withdrawn her name from consideration, as she will be running for public office.

Members of the Court heard from: Nikelle S. Meade, Candidate for the Central Texas Regional Mobility Authority Board.

Motion by Judge Biscoe and seconded by Commissioner Davis that:

- 1) We appoint Nikelle S. Meade to represent Travis County on the Central Texas Regional Mobility Authority (CTRMA);
- 2) We authorize the County Judge to send appropriate notification to the CTRMA Chair and Executive Director, and;
- 3) We authorize the County Judge to send Ms.. Zmud, outgoing member of the CTRMA board an appropriate letter of appreciation, and if Court members will give me any wording that you have by 5:00 PM, Thursday March 1, 2007.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	abstain
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.

- 37. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM EXECUTIVE MANAGER, EMERGENCY SERVICES REGARDING CHANGES IN JOB DUTIES FOR CERTAIN EMPLOYEES WITHIN EMERGENCY SERVICES. ³ (2:14 PM) (3:09 PM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez that as to Ms. Kovar, we take three specific actions:

- 1) To approve the request for an ad hoc classification change from Administrative Associate to Executive Assistant, and a pay grade increase from 14 to 16, slot 26 in Emergency Services;
- 2) That we approve the request to provide a salary adjustment in which the salary increases from \$40,528.62 to \$45,151.39, and appropriate benefits;
- 3) That we indicate our intention to approve the additional \$5,478.00 in the Emergency Services target 2008 Budget.

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 37 CONTINUED

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

- 1) Approve the recommended salary adjustment for Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services from \$73,389.32, his current salary, to \$80,728.25, plus benefits, and the total adjustment would be \$8,696.00;
- 2) That we indicate our intention for the new salary, including the increase, to be part of the Emergency Services target 2008 Budget.

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 expressed their appreciation to Ms. Kovar, Executive Assistant, Emergency Services; and Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services for being such dedicated and outstanding public servants.

- 38. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TO TRAVIS COUNTY A 0.070 ACRE (3,036 SQUARE FEET) TRACT OF LAND LOCATED ON GATTIS SCHOOL ROAD, IN PRECINCT TWO, REQUIRED FOR CONSTRUCTION OF THE GATTIS SCHOOL ROADWAY IMPROVEMENT PROJECT AS PART OF THE 2005 BOND PROGRAM. ¹AND ² (2:14 PM) (3:12 PM)

Clerk's Note: Judge Biscoe announced that Item 38 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 Gómez to approve the recommendation for Travis County to purchase this land for the amount of \$9,000.00.

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

- 39. 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 (2:14 PM) (3:13 PM)

Clerk’s Note: Judge Biscoe announced that Item 39 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 March 6, 2007.

ADDED ITEMS

- A.1 CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RE-OPEN APPOINTMENT PROCESS TO FILL TRAVIS COUNTY VACANCY ON CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD. (COMMISSIONER ECKHARDT) (2:14 PM)

Item A1 was pulled from the Agenda.

- A.2 CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE THE FIRST AMENDMENT TO THE PARMER LANE PARTICIPATION AGREEMENT APPROVED OCTOBER 31, 2006 BETWEEN TRAVIS COUNTY AND PRIVATE DEVELOPERS FOR IMPROVEMENTS TO PARMER LANE IN PRECINCT ONE. (COMMISSIONER DAVIS) (2:01 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item A2.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (3:41 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge