

MINUTES OF MEETING – MARCH 13, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13th day of March 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 12:21 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 2:08 PM and adjourned at 2:11 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation; convened at 2:11 PM and adjourned at 2:12 PM.

The Commissioners Court reconvened the Voting Session at 2:12 PM.

The Commissioners Court retired to Executive Session at 2:28 PM.

The Commissioners Court reconvened the Voting Session at 4:00 PM.

The Commissioners Court adjourned the Voting Session at 4:04 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 13, RED WAGON RANCHETTES, SECTION 2 SUBDIVISIONS (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) (ACTION ITEM #16) (9:18 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 16 for a summary of the action item.

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

Motion carried:

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

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

Motion carried:

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

2. RECEIVE COMMENTS REGARDING 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) (ACTION ITEM #17) (9:19 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 17 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, 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

CITIZENS COMMUNICATION

Members of the Court heard from: Gavino Fernandez, Deputy Chairman, District 7, League of United Latin American Citizens (LULAC); and Rick Luna, Travis County Resident. (9:20 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C4 and Items 4, 5.B-E, 6, 7, 8, 9, 12, 14, 16, 17, 18, 21, 22, 25, 26.A-C, 27, 28, and A1. (9:26 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 FEBRUARY 20 AND 27, 2007.
- C4. APPROVE SETTING A PUBLIC HEARING DATE ON MARCH 27, 2007 TO RECEIVE COMMENTS REGARDING REQUEST FOR PROPOSED STREET NAME CHANGE FROM WANDA DRIVE TO "SANDUST WAY" IN PILOT KNOB ACRES SECTION 2, PHASE 1, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ)

SPECIAL ITEMS

- 3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY AND RELATED MATTERS. (9:30 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommendation to lift the outdoor burn ban.

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

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 4. CONSIDER AND TAKE APPROPRIATE ACTION TO REAPPOINT SANDRA LYNN BRILEY, PH.D. AS TRAVIS COUNTY REPRESENTATIVE ON THE CHILD CARE COUNCIL, EFFECTIVE IMMEDIATELY THROUGH MARCH 2009. (COMMISSIONERS COURT) (9:26 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.

PLANNING AND BUDGET DEPT. ITEMS

- 5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:31 AM)

- A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR VIOLENCE AGAINST WOMEN ACT FUND TO CONTINUE THE FAMILY VIOLENCE ACCELERATED PROSECUTION PROGRAM IN THE COUNTY ATTORNEY'S OFFICE;

Members of the Court heard from: Katy Peterson, Planning and Budget Office (PBO); Mack Martinez, Assistant County Attorney; Jennifer Berliner, Victim Witness Counselor, Travis County Attorney's Office; and John Hille, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 5.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

ITEM 5 CONTINUED

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:26 AM)
 - B. GRANT CONTRACT WITH CAPITAL AREA COUNCIL OF GOVERNMENTS, SOCIAL SERVICES BLOCK GRANT TO REIMBURSE THE COUNTY FOR A HEALTH AND HUMAN SERVICES STAFF MEMBER HIRED TO WORK WITH KATRINA EVACUEES;
 - C. GRANT CONTRACT AMENDMENT WITH TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS TO PROVIDE THE HEALTH AND HUMAN SERVICES DEPARTMENT FUNDING FOR WEATHERIZATION REPAIRS FOR LOW-INCOME HOUSEHOLDS;
 - D. PERMISSION TO CONTINUE THE LIHEAP WEATHERIZATION ASSISTANCE PROGRAM GRANT FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THROUGH THE HEALTH AND HUMAN SERVICES DEPARTMENT; AND
 - E. PERMISSION TO CONTINUE THE DOE/OIL OVERCHARGE WEATHERIZATION ASSISTANCE PROGRAM GRANT FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS THROUGH THE HEALTH AND HUMAN SERVICES DEPARTMENT.

Clerk's Note: Items 5.B-E 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:26 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.

ADMINISTRATIVE OPERATIONS ITEMS

7. 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 \$388,168.74 FOR THE PERIOD OF FEBRUARY 23 TO MARCH 1, 2007. (9:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:26 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RECOMMENDATION TO DENY LIABILITY CLAIM OF BILLY DALE CARTER. (9:26 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.

Clerk's Note: The County Judge noted that by passing Item 9 on Consent the Court was denying the liability claim.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:10 AM)

A. CREATE AN EMPLOYEE CATEGORY CALLED "PROJECT WORKER" DEFINED AS AN EMPLOYEE HIRED FOR ANY POSITION THAT IS NOT AN AUTHORIZED REGULAR POSITION WITHOUT LIMITATION AS TO DURATION OF EMPLOYMENT WHO IS REQUIRED TO PARTICIPATE IN THE TEXAS AND COUNTY DISTRICT RETIREMENT SYSTEM, BUT IS NOT ELIGIBLE FOR EMPLOYEE BENEFITS;

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Jessica Rio, Budget Analyst, PBO; Chris Broussard, Business System Consultant, PBO; Barbara Wilson, Assistant County Attorney; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Item 10.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: The Court noted that by approving Item 10.A the County is responding to the passing of House Bill 633.

Clerk's Note: The County Judge noted that there will be a memo circulated to the Staff impacted by the change.

ITEM 10 CONTINUED

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:23 AM) (2:28 PM) (4:00 PM)

B. CHANGE THE EMPLOYMENT STATUS OF 220 EMPLOYEES CURRENTLY DESIGNATED AS "TEMPORARY EMPLOYEES" TO "PROJECT WORKERS" AS DEFINED ABOVE, WHO ARE REQUIRED TO PARTICIPATE IN THE TEXAS AND COUNTY DISTRICT RETIREMENT SYSTEM, EFFECTIVE APRIL 1, 2007;

Clerk's Note: Judge Biscoe announced that Item 10.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Linda Moore Smith, Director, HRMD; Barbara Wilson, Assistant County Attorney; and Dana DeBeauvoir, Travis County Clerk.

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Item 10.B.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the recommendation with the implementation date of May 1, 2007. Also move approval of Item 10.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

Clerk's Note: Items 10.B-C are associated with one another.

Clerk's Note: The County Judge requested a generally worded item on the Agenda for March 20, 2007 to cover any unforeseen issues.

Clerk's Note: The Court expressed their appreciation to Dana DeBeauvoir, Travis County Clerk for working with Staff to resolve this issue.

ITEM 10 CONTINUED

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:28 AM) (2:38 PM) (4:00 PM)

C. CONSOLIDATE CERTAIN TEMPORARY EMPLOYEES CURRENTLY IDENTIFIED AS "TEMPS UP TO 6 MONTHS", "TEMPS UP TO 900 HOURS IN 12 MONTHS", AND "ELECTION DAY WORKERS" INTO ONE CATEGORY OF "TEMPORARY EMPLOYEES WHOSE EMPLOYMENT STATUS WILL NOT EXCEED SIX MONTHS"; AND

Clerk's Note: Judge Biscoe announced that Item 10.C would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney; Dana DeBeauvoir, Travis County Clerk; and Linda Moore Smith, Director, HRMD.

Clerk's Note: Items 10.B-C are associated with one another. Please refer to Item 10.B for a summary of the action taken by the Court.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(2:28 PM) (4:00 PM)

Clerk's Note: Judge Biscoe announced that Item 10.D would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

D. AUTHORIZE REVISION OF ALL PERSONNEL POLICIES, PROCEDURES AND GUIDELINES AFFECTED BY HOUSE BILL 633 REVISIONS.

Discussion only. No formal action taken.

Item 10.D to be reposted on March 20, 2007.

PURCHASING OFFICE ITEMS

11. APPROVE INTERLOCAL AGREEMENT WITH TRAVIS COUNTY HEALTHCARE DISTRICT FOR PURCHASING SERVICES. (PURCHASING OFFICE) (9:17 AM)

Item 11 postponed until March 27, 2007.

- 12. APPROVE ISSUANCE OF JOB ORDER NO. 9, WATER DAMAGE REMEDIATION, MOLD DAMAGE REMEDIATION AND DECONTAMINATION SERVICES, CONTRACT NO. 05K00155RV, BLACKMON MOORING STEAMATIC OF TEXAS, INC. (COUNTYWIDE) (9:26 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. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 05AE0176JJ, LOCKWOOD, ANDREWS AND NEWNAM, INC., FOR EASTSIDE SERVICE CENTER PROJECT. (FACILITIES MANAGEMENT) (COMMISSIONER DAVIS) (9:54 AM)

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Item 13.

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

- 14. APPROVE INTERLOCAL NO. IL070183RE, TEXAS DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES, FOR INTERPRETER SERVICES. (HHS&VS) (9:26 AM)

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

15. APPROVE CONTRACT AWARD FOR SOLID WASTE DISPOSAL SERVICE, IFB NO. B070141-LD, TO THE LOW BIDDER, TEXAS DISPOSAL SYSTEMS. (TRANSPORTATION AND NATURAL RESOURCES) (10:07 AM)

Members of the Court heard from: Bonnie Floyd, Assistant Purchasing Agent; and John Kuhl, Natural Resources Program Manager, TNR.

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

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION 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) (9:26 AM)

Clerk’s Note: Item 16 is the action item for the public hearing on Agenda Item 1.

Clerk’s Note: Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

17. CONSIDER AND TAKE APPROPRIATE ACTION 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) (9:26 AM)

Clerk’s Note: Item 17 is the action item for the public hearing on Agenda Item 2.

Clerk’s Note: Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: MASON ESTATES FINAL PLAT (SHORT FORM PLAT – 2 TOTAL LOTS: 2 SINGLE FAMILY LOTS – 6.381 ACRES – LIME CREEK ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC FACILITY – CITY OF CEDAR PARK ETJ). (COMMISSIONER DAUGHERTY) (9:26 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 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) (9:17 AM)

Item 19 postponed until March 20, 2007.

20. 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) (9:17 AM)

Item 20 postponed until March 20, 2007.

OTHER ITEMS

21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 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 MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FY '06 COUNTY-WIDE ANNUAL FINANCIAL AUDIT. (AUDITOR'S OFFICE) (9:26 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.

AT 11:00 A.M.

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

Clerk's Note: Items 23.A-L are associated with one another and were called for concurrent discussion.

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

A. HOUSE BILL 541: RELATING TO PROCEDURES FOR CERTAIN PERSONS CHARGED WITH AN ADMINISTRATIVE VIOLATION OF A CONDITION OF RELEASE FROM THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE ON PAROLE OR MANDATORY SUPERVISION;

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; Talia Gaster, Travis County Legislative Consultant; and Kimberly Pierce, Planning Manager, Criminal Justice Planning (CJP).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to show our support for HB 514.

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 23 CONTINUED

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

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

Clerk's Note: The Court noted that the draft bill has been filed and is now House Bill 3196.

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant.

Discussion only. No formal action taken.

Item 23.B to be reposted on March 20, 2007.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

C. DRAFT BILL: RELATING TO THE AUTHORITY OF A COUNTY TO ZONE, APPLY BUILDING STANDARDS, AND IMPOSE IMPACT FEES IN AN AREA NEAR CERTAIN TOLL PROJECTS; PROVIDING A PENALTY;

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to support the bill.

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

Discussion only. No formal action taken.

Clerk's Note: Item 23.C to be reposted on March 20, 2007 with SB 1688: Relating to the creation, powers, and duties of a transportation infrastructure services district created by a municipality; imposing taxes and authorizing bonds; and SB 1689: Relating to the municipalities that may annex an area for limited purposes, to be added to the Agenda for consideration.

ITEM 23 CONTINUED

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

D. HOUSE BILL 2391: RELATING TO THE APPEARANCE OF CERTAIN MISDEMEANOR OFFENDERS BEFORE A MAGISTRATE;

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 23.D.

Motion carried:

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

Clerk's Note: By approving Item 23.D, the Court is expressing its support for House Bill 2391.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

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

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve HB 937.

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 23 CONTINUED

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

F. SENATE BILL 669: RELATING TO ERECTING AN OFF-PREMISE SIGN ADJACENT TO AND VISIBLE FROM CERTAIN ROADS;

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

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to support HB 669 in Item 23.F.

Motion carried:

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

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

G. SENATE BILL 137: RELATING TO THE PROHIBITION OF SIGNS ON CERTAIN ROADS;

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 23.G

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: By approving Item 23.F, the Court is expressing its support for Senate Bill 137.

ITEM 23 CONTINUED

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

H. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED LEGISLATION RELATING TO REVENUE AND/OR APPRAISAL CAPS;

Members of the Court heard from: Bob Kamm, Travis County Legislative Consultant; and April Bacon, Assistant County Auditor.

Discussion only. No formal action taken.

Item 23.H to be reposted on March 20, 2007.

Clerk’s Note: The Court was requested to make calls to the Travis County Legislative Delegation to express their opposition to the revenue caps in HB 3534: Relating to certain limitations on the ad valorem tax rates of certain taxing units. The Court also directed Staff to write a one or two page letter containing these reasons to be sent to the delegation.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

I. HOUSE BILL 1193: RELATING TO THE IMPOSITION BY A COUNTY OR MUNICIPALITY OF FEES RELATED TO CERTAIN COLLECTION SERVICES;

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant; and Diana Ramirez, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 23.I.

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 County Judge directed Staff to submit a witness card to the Legislature showing the Court’s support of HB 1193.

ITEM 23 CONTINUED

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

J. DISCUSSION OF OTHER BILLS AND LEGISLATIVE ISSUES AS NECESSARY;

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

Discussion only. No formal action taken.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

K. ADDED ITEM: HOUSE BILL 3229: RELATING TO PERMITTING PROCEDURES OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR CONTROL OF AIR POLLUTION;

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

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to approve Item 23.K

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: By approving Item 23.K, the Court is expressing its support for House Bill 3229.

ITEM 23 CONTINUED

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:08 AM)

L. ADDED ITEM: SENATE BILL 1489: RELATING TO THE REGULATION OF FIREWORKS BY COUNTIES IN DENSELY POPULATED UNINCORPORATED AREAS; PROVIDING A CRIMINAL PENALTY; AND

Members of the Court heard from: Talia Gaster, Travis County Legislative Consultant.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 23.L.

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: By approving Item 23.L, the Court is expressing its support for Senate Bill 1489.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80TH TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (9:18 AM)

M. ADDED ITEM: SENATE BILL 1204: RELATING TO REORGANIZATION AND ADMINISTRATION OF, AND PROCEDURES RELATING TO, COURTS IN THIS STATE, INCLUDING PROCEDURES FOR APPEALS.

Item 23.M postponed until further notice.

24. RECEIVE STATUS REPORT ON NORTHRIDGE ACRES WATER IMPROVEMENT PROJECT AND TAKE APPROPRIATE ACTION. (JUDGE BISCOE) (10:41 AM)

Members of the Court heard from: Dan Smith, Executive Assistant, County Judge's Office; Cynthia C. Lancaster, P.E, Project Manager, Alan Plummer Associates, Inc.; and Nettie Brown, President, Northridge Acres Homeowners Association.

Discussion only. No formal action taken.

Clerk's Note: The Court thanked Dan Smith, Executive Assistant, County Judge's Office for all his hard work on this project.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING WITH ALLIANCE FOR BETTER LIVING TO PROVIDE A COGNITIVE BEHAVIORAL PROGRAM TO INMATES PARTICIPATING IN THE RAVE PROGRAM. (SHERIFF'S OFFICE) (9:26 AM)

Clerk's Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. RECEIVE RACIAL PROFILING REPORT FOR CALENDAR YEAR 2006 FROM:
(9:26 AM)

A. TRAVIS COUNTY SHERIFF'S OFFICE;

B. TRAVIS COUNTY CONSTABLE PRECINCT TWO; AND

C. TRAVIS COUNTY CONSTABLE PRECINCT FOUR;

Clerk's Note: Items 26.A-C 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 County Judge noted that by passing Items 26.A-C on Consent the Court is acknowledging receipt of the reports.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT ART CARDENAS, JERRY ESCHBERGER, JOACHIM SCHAMBACH, SARAH THOMS, EARL WELLBORN AND WESLEY WOLFF TO SERVE ON THE NEGOTIATION TEAM FOR THE PROPOSED 2008 WINDERMERE/HEATHERWILDE/PFLUGERVILLE NORTHWEST MUNICIPAL ANNEXATION PLAN BY THE CITY OF PFLUGERVILLE. (COMMISSIONER ECKHARDT) (9:26 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.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM KLEBERG COUNTY JUDGE FOR TEXAS COUNTIES TO URGE THE UNITED STATES GOVERNMENT TO INCREASE FUNDING FOR THE SOUTHWEST BORDER INITIATIVE PROGRAM, WHICH INVOLVES REIMBURSEMENT OF EXPENSES FOR THE DETENTION AND PROSECUTION OF CERTAIN OFFENDERS. (9:26 AM) (2:16 PM)

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.

Clerk's Note: The Court revisited Item 28 at 2:16 PM.

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

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.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LEASING ADDITIONAL PARKING AT THE 812 SAN ANTONIO PARKING GARAGE. ¹ AND ² (2:28 PM) (4:01 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 29 to be reposted on March 20, 2007.

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PERFORM FEASIBILITY STUDY FOR VALUATION ON THE PALM SCHOOL BUILDING. (COMMISSIONER GÓMEZ) ² (2:28 PM) (4:01 PM)

Clerk's Note: Judge Biscoe announced that Item 29 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 grant this authorization.

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

31. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ENTERTAINMENT BY J&J INC. V. CELIA PEREZ, VERONICA PEREZ GOVEA AND LUKE MERCER, CONSTABLE PRECINCT ONE, ET AL.
1 (2:28 PM) (4:02 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we authorize Staff to counter the counter to settle, in the amount of \$130,000.00, and that we have this Item back on the Court's Agenda on March 20, 2007 in case there is other action.

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

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT NEGOTIATIONS ON CLAIM RECEIVED ON CONTRACT NO. 04K00147JJ WITH RGM CONSTRUCTORS, L.P. FOR SCOFIELD RIDGE PARKWAY STREET AND DRAINAGE IMPROVEMENTS, IN PRECINCT ONE. (EXECUTIVE SESSION ALSO PURSUANT TO TEX. GOV'T CODE SECTION 551.071) (COMMISSIONER DAVIS) (2:28 PM) (4:03 PM)

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

Members of the Court heard from: John Hille, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the recommended settlement by Staff, in the amount of the total of \$690,000.00; that we negotiate with the City of Austin for appropriate reimbursement or contribution, depending on how Legal views that; that we try to expedite the situation with the City of Austin to the extent possible; but, as to the Contractor, the total settlement would be \$690,000.00.

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

Clerk's Note: The Court noted that by approving the Motion in Item 32, the County Judge is authorized to sign the settlement agreement, when it has been approved by all parties. The County Judge also noted that \$690,000.00 is the total amount due, and that partial settlement had already been made.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND CBS/PARAMOUNT TELEVISION, INC. TO FILM SCENES FOR TELEVISION SERIES PILOT ENTITLED "SWINGTOWN" IN WINDY POINT (BOB WENTZ) PARK ON MARCH 19, 20 AND 21, 2007. (9:26 AM)

Clerk's Note: Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- A2. APPROVE PROCLAMATION RECOGNIZING THE WEEK OF MARCH 18 THROUGH 24, 2007 AS “NATIONAL AGRICULTURE WEEK IN TRAVIS COUNTY.” (2:12 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez 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. (4:04 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