

## **MINUTES OF MEETING – APRIL 17, 2007**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 17<sup>th</sup> day of April 2007, the Commissioners' Court convened the Voting Session at 9:16 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:09 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:38 PM and adjourned at 1:39 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; convened at 1:39 PM and adjourned at 1:41 PM.

The Commissioners Court reconvened the Voting Session at 1:41 PM.

The Commissioners Court retired to Executive Session at 2:55 PM.

The Commissioners Court reconvened the Voting Session 4:33 PM.

The Commissioners Court adjourned the Voting Session at 4:40 PM.



**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C6 and Items 4, 5, 6, 9, 12, 13, 14, 15, 16.A&B, 17, 19, 21, 22, 23, 24, 25, 26, 27, 28, and 29. (9:43 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 MARCH 27 AND APRIL 3, 2007.
- C4. REAPPOINT NANCY WILLIAMS TO SERVE AS A PRECINCT TWO APPOINTEE TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, EFFECTIVELY IMMEDIATELY THROUGH DECEMBER 2010. (COMMISSIONER ECKHARDT)
- C5. REAPPOINT RON HUBBARD TO SERVE AS A COUNTY JUDGE APPOINTEE TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, EFFECTIVELY IMMEDIATELY THROUGH MARCH 2010. (JUDGE BISCOE)
- C6. APPROVE SETTING A PUBLIC HEARING DATE FOR MAY 22, 2007 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 AND 7, BLOCK A, 11505 TEXAS 71, PHASE ONE (SHORT FORM PLAT – 2 LOTS – 0.876 ACRES – MONTE CARMELO PLACE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY THE LOWER COLORADO RIVER AUTHORITY – CITY OF BEE CAVE ETJ). (COMMISSIONER DAUGHERTY)

**RESOLUTIONS & PROCLAMATIONS**

- 2. APPROVE PROCLAMATION RECOGNIZING D'ANN UNDERWOOD ON HER RETIREMENT FROM TRAVIS COUNTY. (JUDGE BISCOE) (9:38 PM)

**Members of the Court heard from:** The Honorable Bob Perkins, Judge, 331<sup>st</sup> District; and D'Ann Underwood, Judicial Aide, 331<sup>st</sup> Court.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the Proclamation in Item 2.

**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**

- 3. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:47 AM)
  - A. GRANT APPLICATION TO THE COMMUTE SOLUTIONS COALITION FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO ENCOURAGE PEOPLE TO USE ALTERNATIVE TRANSPORTATION MODES.

**Members of the Court heard from:** Adele Noel, Air Quality Project Manager, TNR.

**Motion by Commissioner Gómez and seconded by Judge Biscoe** to approve Item 3.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

4. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:43 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.

### 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 \$575,363.47 FOR THE PERIOD OF MARCH 30 TO APRIL 5, 2007. (9:43 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. (9:43 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 COMPENSATION COMPRESSION DEFINITION, CRITERIA AND GUIDELINES FOR AFFECTED FY '06 JOB ANALYSIS PROJECT TITLES. (9:57 AM)

**Members of the Court heard from:** Linda Moore Smith, Director, Human Resources Management Department (HRMD); Luane Schull, Compensation Manager, HRMD; Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Alicia Perez, Executive Manager, Administrative Operations; Christian Smith, Executive Manager, PBO; Amalia Rodriguez-Mendoza, Travis County District Clerk; Dana DeBeauvoir, Travis County Clerk; and Greg Powell, Business Manager, Local 1624, American Federation of State, County and Municipal Employees (AFSCME).

Discussion only. No formal action taken.

Item 7 to be reposted when ready.

- 8. DISCUSS AND TAKE APPROPRIATE ACTION ON FOLLOW-UP ACTION REGARDING PARKING FOR COUNTY EMPLOYEES INCLUDING: (1:51 PM)
  - A. APPOINTMENT OF COMMITTEE;
  - B. CHARGE FOR COMMITTEE; AND
  - C. OTHER RELATED MATTERS.

**Clerk’s Note:** The Court discussed the following items:

- 1. The appointment of the following to the Parking Committee in addition to those previously listed in supporting documents:
  - a) Facilities Management slot - Rose Ryland, Facilities Management;
  - b) Bus Rider slot - Moses Guzman, Travis County Treasurer’s Office; and
  - c) Carpool slot - Lori Clyde, Purchasing;
- 2. Questions that have been submitted by the members of the Commissioners Court, and;
- 3. A work session to be set for July 25, 2007.

**Members of the Court heard from:** Lynn Harper, Executive Assistant, Administrative Operations.

**Motion by Judge Biscoe and seconded by** Commissioner Daugherty to put together one set of documents containing all of these, and deliver them to the Committee as soon as possible; that we notify the Committee Members that they have been appointed to serve on this Committee by the Commissioners Court and of the deadline of the work session; and if, as they work though this they run into unexpected obstacles, if they will let us know if they need an audience with the Court we can certainly accommodate that.

**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

**JUSTICE & PUBLIC SAFETY ITEMS**

- 9. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE A RESOLUTION REGARDING TRAVIS COUNTY COOPERATING WITH OTHER PARTICIPATING GOVERNMENTS AS THE "TEXAS RADIO COALITION" FOR THE PURPOSE OF PLANNING AND DEVELOPING A STATEWIDE WIRELESS INTEROPERABLE COMMUNICATION SYSTEM. (9:43 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.

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON ADDITION OF A FULL-TIME EMPLOYEE IN THE INFORMATION AND TELECOMMUNICATIONS SYSTEMS (ITS) DEPARTMENT TO SUPPORT THE MEDICAL EXAMINER'S OFFICE WINDOWS APPLICATION. (2:01 PM)

**Members of the Court heard from:** Danny Hobby, Executive Manager, Travis County Emergency Services; Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); Judy Pittsford, Project Manager, ITS; Katy Peterson-Gibson, PBO; Dr. Dolinak, Travis County Medical Examiner; Christian Smith, Executive Manager, PBO; Alicia Perez, Executive Manager, Administrative Operations; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve this request; that we ask ITS to monitor this work by this staff person between now and the first part of August, 2007, whenever we start having budget hearings; and thirdly, when we look at the overall annual Medical Examiner's budget, try to see where we are soft and where we are doing alright, and to try to make necessary adjustments if we need to.

**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

- 11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AUSTIN POLICE DEPARTMENT DRUG LAB STAFF. (2:49 PM)

Item 11 postponed until April 24, 2007.

**PURCHASING OFFICE ITEMS**

12. APPROVE TERMINATION OF CONTRACT NO. PS000228JW, HELPING HAND FOR CHILDREN, INC., FOR RESIDENTIAL TREATMENT SERVICES. (JUVENILE PROBATION DEPARTMENT) (9:43 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 TERMINATION OF CONTRACT NO. PS060211-JT, DR. RAY FERNANDEZ, FOR FORENSIC PATHOLOGIST SERVICES. (MEDICAL EXAMINER'S OFFICE) (9:43 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. APPROVE TERMINATION OF CONTRACT NO. PS040119-JW, CORNERSTONE COUNSELING, FOR TREATMENT AND RELAPSE PREVENTION SERVICES. (DISTRICT AND COUNTY CRIMINAL COURTS) (9:43 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO INTERLOCAL CONTRACT NO. IL040149ML, LIMESTONE COUNTY, FOR INMATE HOUSING SERVICES. (SHERIFF'S OFFICE) (9:43 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.

**Clerk's Note:** The County Judge noted that the per diem will increase from \$40.00 to \$44.00.



16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACT AWARD FOR THE FOLLOWING SIDEWALK MAINTENANCE PROJECTS:  
(9:43 AM)

A. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES, SIDEWALK MAINTENANCE PROJECT (GROUP A), IFB NO. B070153LP, CONTRACT NO. 07K00153LP, TO THE LOWEST BIDDER, PRISM DEVELOPMENT, INC.; AND

B. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES, SIDEWALK MAINTENANCE PROJECT (GROUP B, C AND D), IFB NO. B070153-LP, CONTRACT NO. 07K00249LP, TO THE LOWEST BIDDER, CEDA-TEX SERVICES. (TRANSPORTATION AND NATURAL RESOURCES)

**Clerk's Note:** Items 16.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. APPROVE CONTRACT AWARD FOR FIRE EXTINGUISHER/SPRINKLER SYSTEM SERVICES, IFB NO. B070182-RG, TO THE QUALIFIED LOW BIDDER, AAA FIRE AND SAFETY EQUIPMENT. (FACILITIES MANAGEMENT)  
(9:43 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.

**Clerk's Note:** The County Judge noted that approval is subject to the stipulation that there be no award in group 17.E, but there would be awards in 17.A-D and 17.F-H.

## TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT OFF CUERNAVACA DRIVE TO BE KNOWN AS "BROWN DOG LANE" IN PRECINCT THREE.  
(COMMISSIONER DAUGHERTY) (9:20 AM)

**Clerk's Note:** Item 18 is the action item for the public hearing on Agenda Item 1.

Item 18 postponed until April 24, 2007.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: REVISED PLAT OF LOTS 1 AND 2, BLOCK A MAGNOLIA RANCH ESTATES (REVISED PLAT – 2 LOTS – 8.049 ACRES – CAMERON ROAD AT MAGNOLIA RANCH COVE – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY MANVILLE WATER SUPPLY – NO JURISDICTION ETJ). (COMMISSIONER DAVIS) (9:43 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.

**Clerk’s Note:** The County Judge noted that by approving Item 19 the Court is setting the public hearing and action for May 22, 2007 at 9:00 AM.

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS: (1:42 PM)
  - A. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR BRIARCREEK SECTION 1, SECTION 2 AND SECTION 3, THREE SUBDIVISIONS IN PRECINCT ONE; AND
  - B. LICENSE AGREEMENT WITH THE BRIARCREEK OWNERS ASSOCIATION, INC. (COMMISSIONER DAVIS)

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

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

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Items 20.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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A REVISED PRELIMINARY PLAN, SPRING BROOK CENTER IN PRECINCT TWO: (3 LOTS – 23.317 ACRES – PICADILLY DRIVE AT GRAND AVENUE PARKWAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE WATER – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER ECKHARDT) (9:43 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 A PLAT FOR RECORDING IN PRECINCT TWO: PICADILLY ESTATES (SHORT FORM PLAT – 3 LOTS – 23.317 ACRES – PICADILLY DRIVE AT GRAND AVENUE PARKWAY – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY WINDERMERE WATER – CITY OF PFLUGERVILLE ETJ). (COMMISSIONER ECKHARDT) (9:43 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.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON A SUBDIVISION CONSTRUCTION AGREEMENT FOR LAKE VIEW ESTATES FINAL PLAT IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:43 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 REQUEST TO APPROVE ADVANCED FUNDING AGREEMENTS WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR THE FEDERAL OFF-SYSTEM BRIDGE FUNDING FOR BRIDGES 109 AND 155 IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:43 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 SPANISH OAKS SECTION NINE PRELIMINARY PLAN IN PRECINCT THREE (38 TOTAL LOTS: 32 SINGLE FAMILY LOTS, 2 PRIVATE STREET LOTS, 2 PRIVATE PARK LOTS, 1 MULTI-FAMILY LOT AND 1 DRAINAGE LOT – 87.979 ACRES – SPANISH OAKS CLUB BOULEVARD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY LOWER COLORADO RIVER AUTHORITY – CITY OF BEE CAVES ETJ). (COMMISSIONER DAUGHERTY) (9:43 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: SPANISH OAKS SECTION NINE FINAL PLAT (LONG FORM PLAT - 38 TOTAL LOTS: 32 SINGLE FAMILY LOTS, 2 PRIVATE STREET LOTS, 2 PRIVATE PARK LOTS, 1 MULTI-FAMILY LOT AND 1 DRAINAGE LOT – 87.979 ACRES – SPANISH OAKS CLUB BOULEVARD – FULL FISCAL HAS BEEN POSTED WITH TRAVIS COUNTY – SEWAGE SERVICE TO BE PROVIDED BY LOWER COLORADO RIVER AUTHORITY – CITY OF BEE CAVES ETJ). (COMMISSIONER DAUGHERTY) (9:43 AM)

**Clerk's Note:** Item 26 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 CONCERNING A CONSERVATION EASEMENT AGREEMENT COVERING A TOTAL OF 250.65 ACRES FROM CONCORDIA UNIVERSITY AS PART OF THE BALCONES CANYONLANDS PRESERVE. (COMMISSIONER DAUGHERTY) (9:43 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 A REQUEST FOR A VARIANCE TO TITLE 30-2-151 (STREET ALIGNMENT) THAT REQUIRES STREETS OF A NEW SUBDIVISION TO BE ALIGNED WITH EXISTING STREETS ON ADJOINING PROPERTIES (CADOZ DRIVE, MEADOW LANE AND SUMMIT DRIVE) FOR A SUBDIVISION IN PRECINCT TWO: RACEWAY CROSSING PRELIMINARY PLAN. (COMMISSIONER ECKHARDT) (9:43 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.

**Clerk's Note:** The County Judge noted that the variance is being granted as the connection will cause undesirable traffic circulation.

### OTHER ITEMS

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:43 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.

**TO BE TAKEN UP AT 11:00 A.M.**

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:27 AM)

A. HOUSE BILL 539: RELATING TO THE REGULATION OF FIREWORKS AND FIREWORKS DISPLAYS;

B. HOUSE BILL 1167: RELATING TO THE REGULATION OF FIREWORKS BY COUNTIES DURING DROUGHT CONDITIONS; PROVIDING A CRIMINAL PENALTY;

C. HOUSE BILL 3786: RELATING TO THE REGULATION OF FIREWORKS BY COUNTIES;

**Clerk's Note:** Items 30.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Brad Beauchamp, Acting Travis County Fire Marshal; and Chris Shields, Travis County Legislative Consultant.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we support HB 1167, but indicate to the bill's sponsor reservations about the exemptions in a letter, and make the Travis County Fire Marshal available in the event that the sponsor wishes to chat with an official from Travis County.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
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 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:33 AM) (2:55 PM) (4:33 PM)

E. SENATE CONCURRENT RESOLUTION 42: GRANTING MARIA ISABEL GUERRERO-MCDONALD AND GUERRERO-MCDONALD & ASSOCIATES, INC., PERMISSION TO SUE TRAVIS COUNTY;

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

**Clerk’s Note:** Judge Biscoe announced that Item 30.E 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 Daugherty** that we indicate our opposition to this Resolution.

<b>Motion carried:</b> 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 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:34 AM)

F. SENATE BILL 1164: RELATING TO THE COMPENSATION OF OFFICIAL COURT REPORTERS FOR DISTRICT COURTS;

Item 30.F postponed until April 2, 2007.



**ITEM 30 CONTINUED**

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

G. HOUSE BILL 3612: RELATING TO THE AUTHORITY OF ISSUERS TO ENTER INTO CONTRACTS FOR SERVICES IN CONNECTION WITH THE ISSUANCE OF PUBLIC SECURITIES;

H. HOUSE BILL 3616: RELATING TO THE SELECTION OF FINANCIAL ADVISORS BY GOVERNMENTAL ENTITIES;

I. HOUSE BILL 3282: RELATING TO THE AUTHORITY OF ISSUERS TO ENTER INTO CONTRACTS FOR SERVICES IN CONNECTION WITH THE ISSUANCE OF PUBLIC SECURITIES;

J. HOUSE BILL 3539: RELATING TO INTEREST RATE MANAGEMENT AGREEMENTS RELATED TO FINANCING CERTAIN PUBLIC IMPROVEMENTS;

**Clerk’s Note:** Items 30.G-J are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Ladd Pattillo, Travis County Financial Adviser.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we support the substitute for HB 3282, and as long it stay substantially the same we will be supportive, but if there are significant change that support may well change.

<b>Motion carried:</b> 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

Items 30.G-J to be reposted April 24, 2007.

**ITEM 30 CONTINUED**

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:40 AM)

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

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

Discussion only. No formal action taken.

Item 30.K to be reposted on April 24, 2007.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:43 AM)

**L. ADDED ITEM: HOUSE BILL 3003: RELATING TO THE INVESTMENT OF PUBLIC FUNDS IN WAYS THAT BENEFIT THE STATE AND LOCAL ECONOMIES AND TO THE SELECTION OF LOCAL FINANCIAL INSTITUTIONS FOR THE DEPOSIT OF PUBLIC FUNDS;**

**M. ADDED ITEM: HOUSE BILL 3004: RELATING TO THE INVESTMENT OF PUBLIC FUNDS, INCLUDING MAKING INVESTMENTS IN WAYS THAT BENEFIT THE STATE AND LOCAL ECONOMIES, AND TO THE SELECTION OF LOCAL FINANCIAL INSTITUTIONS FOR THE DEPOSIT OF PUBLIC FUNDS;**

**Clerk's Note:** Items 30.L&M are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Harvey Davis, Manager, Travis County Corporations; and Talia Gaster, Travis County Legislative Consultant.

Discussion only. No formal action taken.

Items 31.L&M to be reposted on April 24, 2007.

**ITEM 30 CONTINUED**

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:46 AM)

**N. ADDED ITEM: HOUSE BILL 3767: RELATING TO STATE FISCAL MATTERS;**

**O. ADDED ITEM: SENATE BILL 1848: RELATING TO STATE FISCAL MATTERS;**

**Clerk’s Note:** Items 30.N&O are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Chris Shields, Travis County Legislative Consultant; Carolyn Damron, Travis County Auditor’s Office; and Talia Gaster, Travis County Legislative Consultant.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez for vigorous opposition to section 2 in HB 3767 and SB 1848.

**A Friendly Amendment to the previous Motion was offered by** Judge Biscoe that a letter be signed by the Court expressing their opposition.

**Acceptance of the Friendly Amendment was made by** Commissioner Eckhardt.

**A Further Addition to the previous Motion was made by** Commissioner Eckhardt that she will contact Representative Jim Keffer, author of the bill, or the Chairman of the committee on HB 3767.

<b>Motion carried:</b> 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 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:52 AM)

**P. ADDED ITEM: HOUSE BILL 1959: RELATING TO DISPOSITION OF STATE TRAFFIC FINES; AND**

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

**Clerk's Note:** The Court was informed that HB 1959 has been pulled down in the House.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON CERTAIN LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE, INCLUDING THE FOLLOWING: (11:53 AM)

**Q. ADDED ITEM: SENATE BILL 12: RELATING TO PROGRAMS FOR THE ENHANCEMENT OF AIR QUALITY, INCLUDING ENERGY EFFICIENCY STANDARDS IN STATE PURCHASING AND ENERGY CONSUMPTION; PROVIDING PENALTIES.**

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

Discussion only. No formal action taken.

31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING OPTIONS AVAILABLE TO ADDRESS POTENTIAL INMATE POPULATION INCREASE DURING THE SUMMER OF 2007. (SHERIFF'S OFFICE) (11:04 AM)

**Members of the Court heard from:** Major David Balagia, Corrections Division, Travis County Sheriff's Office (TCSO); and Bill Derryberry, Senior Budget Analyst, PBO.

**Clerk's Note:** The Court discussed various options regarding inmate population increases:

- 1) Option 1 - Out-of-County (OOC) Housing at \$44 per day;
- 2) Option 2 - add 84 Variance Beds in Buildings 1 and the Travis County jail;
- 3) Option 2A - add another 36 Variance Beds in Community Correctional building A (CCA);
- 4) Option 3 - lease 4 – 24 Bed Modular Dormitory Structures (96 beds);
- 5) Option 4 - add 48 Variance Beds and lease 2 – 24 Bed Modular Dormitory Structures (96 beds), and;
- 6) Option 5 - lease empty Austin State Hospital (ASH) as a day reporting center.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to go with the Planning and Budget Office recommendation of Option 2A in Item 31, as 2A gives us the 120 beds.

**Withdrawal of the Previous Motion was made by** Commissioner Daugherty **and Seconded by** Commissioner Gómez.

Discussion only. No formal action taken.

Item 31 to be reposted on April 24, 2007.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CAPITAL AREA COUNCIL OF GOVERNMENTS (CAPCOG) TO APPOINT THREE ELECTED OFFICIALS TO THE CAPITAL AREA REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CARTPO). (2:49 PM)

Discussion only. No formal action taken.

Item 32 to be reposted on May 1, 2007.

**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.

- 33. CONSIDER AND TAKE APPROPRIATE ACTION ON A SECOND OFFER TO SELL TRAVIS COUNTY A 0.083 ACRE (3,604 SQ. FT.) PARCEL OF LAND NEEDED FOR USE AS RIGHT OF WAY IN CONSTRUCTION OF THE GATTIS SCHOOL ROAD IMPROVEMENT PROJECT AS PART OF THE 2005 BOND PROGRAM. <sup>1 AND 2</sup> (2:55 PM) (4:33 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 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 Daugherty to accept the third offer to settle this matter, in the amount of \$21,624.00, with the owner being responsible for all costs associated with the improvements.

<b>Motion carried:</b> 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







38. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. CENTER HILL JOINT VENTURE (REZA REZAEI RESALE DEED AND FRANK YI RESALE DEED). <sup>1</sup> (2:55 PM) (4:36 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.

Discussion only. No formal action taken.

Item 38 to be reposted on April 24, 2007.

39. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. DEBRA LYNN KIN (RICHARD T. WALICKE, JR. RESALE DEED). <sup>1</sup> (2:55 PM) (4:37 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 and Gov't. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to authorize the County Judge to sign the prepared tax resale deed to Richard Walicke, Jr., who has paid Travis County the sum of \$5,000.00.

**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

- 40. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. WILLIAM W. CARTER (THE CITY OF JONESTOWN, TEXAS RESALE DEED). <sup>1</sup> (2:55 PM) (4:37 PM)

**Clerk's Note:** Judge Biscoe announced that Item 40 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** to authorize the County Judge to sign the prepared tax resale deed to the City of Jonestown, Texas, who has paid Travis County the sum of \$5,000.00 in cash.

**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

- 41. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. NRC, INC. (ROBERT C. DUNN RESALE DEED). <sup>1</sup> (2:55 PM) (4:38 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.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** to authorize the County Judge to sign the prepared tax resale deed to Robert C. Dunn, who has paid Travis County the sum of \$5,700.00 in cash.

**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

- 42. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. LARRY W. PHILLIPS (CHRISTOPHER AND KRISTINA WYNN RESALE DEED). <sup>1</sup> (2:55 PM) (4:38 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.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize the County Judge to sign the prepared tax resale deed to Christopher and Kristina Wynn, who have paid Travis County the sum of \$8,500.00 in cash.

**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

- 43. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THAT CERTAIN REQUEST BY LANDMARK SURVEYING, LP FOR RIGHT OF ENTRY AUTHORIZATION ON TRAVIS COUNTY LAND. <sup>2</sup> (2:55 PM) (4:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 43 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** that we approve the request for authorization for right of entry to this County owned property, in exchange for a release of liability, which I understand has already been signed.

**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

- 44. CONSIDER AND TAKE APPROPRIATE ACTION ON ONE MONTH EXTENSION OF LEASE AT 4920 IH 35 FOR MONTH OF MAY 2007. <sup>2</sup>  
(2:55 PM) (4:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 44 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 Davis that we approve the request, a one month extension, with a payment to be made to our landlord. That is for the property located at 4920 IH 35 N.

**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

- 45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR TRAVIS COUNTY SHERIFF'S OFFICE EMPLOYEE, SLOT 1694. <sup>1</sup>  
<sup>AND 3</sup> (2:55 PM) (4:40 PM)

**Clerk's Note:** Judge Biscoe announced that Item 45 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 that we approve the request for an extension of administrative leave with pay for an additional five days for the employee in the Sheriff's Office, slot 1694.

**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 OF MEETING – APRIL 17, 2007**

**NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3**

On Tuesday, the 17<sup>th</sup> day of April 2007, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:38 PM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:39 PM.

- 1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:38 PM)

No action necessary on Item 1.

- 2. APPROVE N.W.T.C.R.D.#3 MINUTES FOR VOTING SESSION OF MARCH 27, 2007. (1:39 PM)

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 2.

**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 Gómez **and seconded by** Commissioner Davis to adjourn the Voting Session of the Northwest Travis County Road District No. 3. (1:39 PM)

<b>Motion carried:</b>	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 ROAD DISTRICT BOARD**

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**