

## **MINUTES OF MEETING MAY 15, 2007**

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

On Tuesday, the 15<sup>th</sup> day of May 2007, the Commissioners' Court convened the Voting Session at 9:18 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 record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 11:59 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:42 PM and adjourned at 1:45 PM.

The Commissioners Court reconvened the Voting Session at 1:45 PM.

The Commissioners Court retired to Executive Session at 2:39 PM.

The Commissioners Court reconvened the Voting Session at 4:56 PM.

The Commissioners Court retired to Executive Session at 4:56 PM.

The Commissioners Court reconvened the Voting Session at 5:06 PM.

The Commissioners Court adjourned the Voting Session at 5:14 PM.

**PUBLIC HEARINGS**

1. RECEIVE COMMENTS REGARDING REQUEST FOR PROPOSED STREET NAME CHANGE FROM "AMANTE DRIVE" TO "VERANO DRIVE" IN BARTON CREEK SECTION H, PHASE 4 SUBDIVISION, OFF BARTON CREEK BOULEVARD, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (ACTION ITEM #13) (9:19 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 13 for a summary of the action item.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis 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 | absent |

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

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis 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 | absent |

2. RECEIVE COMMENTS REGARDING THE PROPOSED ISSUANCE BY THE CAPITAL TRUST AGENCY OF ITS MULTIFAMILY HOUSING REVENUE BONDS IN THE AGGREGATE FACE AMOUNT NOT TO EXCEED \$70,000,000, THE PROCEEDS OF WHICH WILL BE LOANED TO THEOP, LLC TO FINANCE OR REFINANCE THE ACQUISITION, DEVELOPMENT, REHABILITATION AND OWNERSHIP OF AFFORDABLE HOUSING FACILITIES LOCATED WITHIN TRAVIS COUNTY, TEXAS. (ACTION ITEM #32) (9:19 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 32 for a summary of the action item.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis 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 | absent |

**Members of the Court heard from:** Harvey Davis, Manager, Travis County Corporations; Jeff Richards, Chief Financial Officer, American Housing Foundation; Tom E. Gibson, Senior Vice-President, Stern Bothers and Co.; Clifton Bowling, Attorney, Namen Howell Smith and Lee; Walter Moreau, Executive Director, Foundation Communities; and Steven Gauthier, Williamson County Resident.

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty 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 | absent |

## CITIZENS COMMUNICATION

**Members of the Court heard from:** The Honorable W. Jeanne Meurer, Judge, 98<sup>th</sup> District Court; Phyllis Milstead, Real Estate Council of Austin; and Ms. Philip A. Dick, Travis County Resident. (10:17 AM)

## CONSENT ITEMS

**Motion by Commissioner Daugherty and seconded by Commissioner Davis** to approve the following Consent Items: C1-C3 and Items 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 20, 21, 26, 27, 30, and 31. (10:37 AM)

|                        |  |        |
|------------------------|--|--------|
| <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 | absent |

- 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 SESSION OF MAY 1, 2007.

## RESOLUTIONS & PROCLAMATIONS

3. APPROVE RESOLUTION SALUTING PARTICIPANTS AND SUPPORTERS OF THE RIVER CITY YOUTH FOUNDATION. (COMMISSIONER GÓMEZ)  
(10:27 AM)

**Members of the Court heard from:** Mona Gonzalez, Founder and Executive Director, River City Youth Foundation.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the Resolution in Item 3.

|                        |  |        |
|------------------------|--|--------|
| <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 | absent |

**JUSTICE & PUBLIC SAFETY ITEMS**

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY FIRE MARSHAL: (11:55 AM)

- A. APPOINT MARK B. BEAUCHAMP FOR A TERM OF ONE YEAR COMMENCING MAY 22, 2007;

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe to approve Item 4.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 | absent |

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY FIRE MARSHAL: (4:56 PM) (5:06 PM)

- B. SET AN APPROPRIATE SALARY (THIS ITEM MAY BE CONSIDERED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.074, PERSONNEL MATTERS); AND

**Clerk's Note:** Judge Biscoe announced that Item 4 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to set the salary at the mid point of pay grade 24, which is \$80,712.32.

**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 | absent |

## ITEM 4 CONTINUED

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY FIRE MARSHAL: (11:56 AM)

C. APPROVE AN APPROPRIATE BOND.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 4.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 | absent |

5. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SUBMIT COMMENTS IN RESPONSE TO PROPOSED RULE 251.6 BY TEXAS COMMISSION ON STATE EMERGENCY COMMUNICATIONS REGARDING USE OF REVENUE. (11:56 AM) (2:32 PM) (2:39 PM) (5:07 PM)

**Clerk's Note:** Judge Biscoe announced that Item 5 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Danny Hobby, Executive Manager, Travis County Emergency Services; and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to direct the Travis County Attorney's Office to put together an appropriate comment letter to the Texas Commission on State Emergency Communications for Court consideration next week, May 22, 2007, and we will give either tentative or final approval to that letter and then send it over to the Commission.

**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 | absent |

6. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING FORENSIC LAB SERVICES AS FOLLOWS: (11:04 AM)
- A. AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY; AND
- B. ADDITIONAL STRATEGIES TO REDUCE BACKLOG OF LAB TESTS.

**Clerk's Note:** Items 6.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Kimberly Pierce, Planning Manager, Criminal Justice Planning (CJP); Erin Nelson, CJP Research Specialist, CJP; and Irma Guerrero, Division Director, Pretrial Services.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 6.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 6.B to be reposted on May 22, 2007.

## PURCHASING OFFICE ITEMS

7. APPROVE CONTRACT AWARD FOR PROFESSIONAL VOCATIONAL TRAINING FOR INMATES, RFS NO. S070137-ML, TO GOODWILL INDUSTRIES. (SHERIFF'S OFFICE) (10:37 AM)

**Clerk's Note:** Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS990164KW WITH DR. CYNTHIA BRINSON, M.D. FOR SPECIALIZED MEDICAL SERVICES (SHERIFF'S OFFICE) (10:37 AM)

**Clerk's Note:** Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. APPROVE CONTRACT AWARD FOR MOYA HIKE & BIKE TRAIL AND PEARCE LANE, IFB NO. B070208-JW, TO THE LOW BIDDER, PIATRA, INC. (TRANSPORTATION AND NATURAL RESOURCES) (10:37 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. APPROVE ISSUANCE OF JOB ORDER NO. 57, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 04K0203BRV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (FACILITIES MANAGEMENT) (10:37 AM)

**Clerk's Note:** Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. APPROVE ISSUANCE OF JOB ORDER NO. 58, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 04K0203BRV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (FACILITIES MANAGEMENT) (10:37 AM)

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

12. APPROVE CONTRACT AWARD TO PROVIDE DRAINAGE IMPROVEMENTS AT 5501 AIRPORT BLVD. BUILDING, IFB NO. B070207-JT, TO THE LOW BIDDER, CEDA-TEX SERVICES. (FACILITIES MANAGEMENT) (10:37 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.



**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

13. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED STREET NAME CHANGE FROM "AMANTE DRIVE" TO "VERANO DRIVE" IN BARTON CREEK SECTION H, PHASE 4 SUBDIVISION, OFF BARTON CREEK BOULEVARD, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:37 AM)

**Clerk's Note:** Item 13 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF TRAVIS COUNTY SMALL CITIES REPRESENTATIVE TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION BOARD (CAMPO). (10:47 AM)

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

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe that we appoint Jeffrey D. Mills, Sunset Valley, as the small city appointment from the Commissioners Court, and that Charles P. Laws, Mustang Ridge, would be the alternate.

**Motion carried:**

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|--|--------|
| 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 | absent |

15. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT ONE: THE ESTATES AT BELL FARMS, PRELIMINARY PLAN (TOTAL LOTS 762). (COMMISSIONER DAVIS) (10:37 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: PILKINTON SUBDIVISION FINAL PLAT (SHORT FORM PLAT – 1 LOT). (COMMISSIONER DAVIS) (10:37 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE AMENDMENT #1 TO TEXAS DEPARTMENT OF TRANSPORTATION ADVANCE FUNDING AGREEMENTS FOR BRIDGE REPLACEMENT OR REHABILITATION OFF THE STATE SYSTEM FOR BRIDGES 113 AND 154, IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:40 AM)

**Members of the Court heard from:** Steve Manilla, Director, Public Works, TNR; Tom Rummell, Bridge Division, Texas Department of Transportation (TXDOT); and Nicole Coronado, N. Austin Area Office, TXDOT.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve Item 17.

|  |        |
|--|--------|
| <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           | absent |

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT TWO, PARK AT BLACKHAWK IV (TOTAL LOTS 722). (COMMISSIONER ECKHARDT) (10:37 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 THE FOLLOWING:  
(10:51 AM)

- A. A PRELIMINARY PLAN IN PRECINCT TWO, RACEWAY CROSSING  
(TOTAL LOTS 10); AND
- B. A PHASING AGREEMENT BETWEEN TRAVIS COUNTY AND CYPRESS  
REAL ESTATE ADVISORS, INCORPORATED. (COMMISSIONER  
ECKHARDT)

**Clerk's Note:** Items 19.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, TNR; Fidel Acevera, Travis County Resident; and Nettie Brown, President, Northridge Acres Homeowners Association.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty to approve Items 19.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 | absent |

20. APPROVE THE USE OF ALTERNATIVE FISCAL FOR RANCHO ALTO, SECTION V, A SUBDIVISION, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:37 AM)

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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON GOODNIGHT RANCH SUBDIVISION PRELIMINARY PLAN, IN PRECINCT FOUR (TOTAL LOTS 566). (COMMISSIONER GÓMEZ) (10:37 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 AN APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A PASS THROUGH FINANCE PROJECT ON FM 1626 IN SOUTHWEST TRAVIS COUNTY. (1:57 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Wes Burford, Program Director, Planning and Development, Austin Area, TXDOT.

Discussion only. No formal action taken.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT WITH HORNSBY BEND WATER UTILITY COMPANY FOR PLAIN VIEW ESTATES NEIGHBORHOOD. (COMMISSIONER DAVIS) (10:39 AM)

Item 23 postponed until May 22, 2007.

**PLANNING AND BUDGET DEPT. ITEMS**

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(11:58 AM)
- A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION TO CREATE A FAMILY DRUG TREATMENT COURT PROGRAM IN THE CIVIL COURTS;
  - B. GRANT APPLICATION TO THE OFFICE OF ATTORNEY GENERAL TO CONTINUE THE VICTIM COORDINATOR AND LIAISON GRANT IN THE DISTRICT ATTORNEY'S OFFICE;
  - C. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR CRIMINAL COURTS TO ENHANCE THE SERVICES OF THE DRUG DIVERSION COURT PROGRAM;
  - D. GRANT APPLICATION TO THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION FOR JUVENILE PROBATION DEPARTMENT FOOD SERVICES TO CONTINUE THE NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAMS; AND
  - E. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR DIVISION OF EMERGENCY MANAGEMENT TO CONTINUE THE EMERGENCY MANAGEMENT PERFORMANCE GRANT IN THE EMERGENCY SERVICES DEPARTMENT.

**Clerk's Note:** Items 24.A-E are associated with one another and were called for concurrent discussion.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve Items 24.A-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 | absent |

25. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:04 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis 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 | absent |

### ADMINISTRATIVE OPERATIONS ITEMS

26. 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 \$600,567.34 FOR THE PERIOD OF APRIL 27 TO MAY 3, 2007. (10:37 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 ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:37 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 CITY OF AUSTIN TO APPOINT A TRAVIS COUNTY REPRESENTATIVE TO THE DOWNTOWN AUSTIN PLAN TECHNICAL ADVISORY GROUP. (11:54 AM)

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis that we appoint both Belinda Powell, Capital Planning Coordinator, PBO, and Charles Vaughan, Chief Assistant County Auditor, Travis County Auditor's Office.

**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 | absent |

29. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT WITH THE REPUBLIC OF TEXAS BIKER RALLY. (COMMISSIONER DAVIS) (11:53 AM)

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 29.

**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 | absent |

## OTHER ITEMS

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:37 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. RATIFY AGREEMENT WITH NORTHEASTERN UNIVERSITY FOR FEDERAL WORK-STUDY PROGRAM OR TAKE OTHER APPROPRIATE ACTION. (COUNTY ATTORNEY'S OFFICE) (10:37 AM)

**Clerk's Note:** Item 31 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 ratifying the agreement in Item 31 they are giving authorization to pay \$921.72 to Northeastern University.

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION APPROVING A TAX EXEMPT BOND FINANCING TO BE UNDERTAKEN BY CAPITAL TRUST AGENCY TO FINANCE PROPERTIES OWNED BY THEOP, LLC. (9:52 AM)

**Clerk's Note:** Item 32 is the action item for the public hearing on Agenda Item 2.

Item 32 postponed until further notice.

33. RECEIVE PRESENTATION OF CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY'S ANNUAL REPORT FOR FISCAL YEAR 2006. (1:45 PM)

**Members of the Court heard from:** Mario Espinoza, Director, Community Development, Central Texas Regional Mobility Authority (CTRMA); and Bill Chapman, Chief Financial Officer, CTRMA.

Discussion only. No formal action taken.

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE. (11:18 AM)

**A. HOUSE BILL 2006:** RELATING TO THE USE OF EMINENT DOMAIN AUTHORITY;

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

Discussion only. No formal action taken.

Item 34.A to be reposted on May 22, 2007.



34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE.  
(11:21 AM)

B. 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:** Bob Kamm, Travis County Legislative Consultant; and Chris Shields, Travis County Legislative Consultant.

Discussion only. No formal action taken.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE.  
(11:22 AM)

C. HOUSE BILL 937: RELATING TO THE DEFINITION OF CERTAIN AUTHORIZED EMERGENCY VEHICLES AND TO AN EXEMPTION FROM THE PAYMENT OF A TOLL FOR THOSE VEHICLES;

Discussion only. No formal action taken.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE.  
(11:22 AM)

D. HOUSE BILL 1892: RELATING TO THE AUTHORITY OF CERTAIN COUNTIES AND OTHER ENTITIES WITH RESPECT TO CERTAIN TRANSPORTATION PROJECTS; PROVIDING PENALTIES;

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

Discussion only. No formal action taken.

Item 34.D to be reposted on May 22, 2007.

**ITEM 34 CONTINUED**

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE.  
(11:25 AM) (11:37 AM)

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

**Clerk's Note:** Item 34.E was revisited at 11:37 AM.

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

Discussion only. No formal action taken.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE ISSUES AND PROPOSED BILLS BEFORE THE 80<sup>TH</sup> TEXAS LEGISLATURE.  
(11:25 AM)

**F. ADDED ITEM: SENATE BILL 1638: RELATING TO THE CALCULATION OF CERTAIN TAX RATES AND CERTAIN NOTICE REQUIREMENTS FOR LOCAL TAXING JURISDICTIONS.**

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to oppose SB 1628, that we communicate our opposition to the two Senators who represent Travis County: Senator Kirk Watson and Senator Jeff Wentworth.

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| <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           | absent |

## 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.

35. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON SELECTION OF EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY. <sup>1 AND 3</sup> (2:39 PM) (5:08 PM)

**Clerk's Note:** Judge Biscoe announced that Item 35 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.

Discussion only. No formal action taken.

Item 35 to be reposted on May 22, 2007.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON AN COUNTER-OFFER TO SELL TRAVIS COUNTY A 0.043 ACRE (1,873 SQ. FT.) TRACT OF LAND (PARCEL #15) AND A 0.014 ACRE (618 SQ. FT.) TRACT OF LAND (PARCEL #16) 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> (2:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 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.

No action required on Item 36.

37. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON THE EXPANSION APPLICATION AND RELATED DOCUMENTATION OF BFI-ALLIED WASTE FILED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. <sup>1</sup> (2:26 PM) (2:39 PM) (5:08 PM)

**Clerk's Note:** Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Trek English, Northeast Action Group; John Kuhl, Natural Resources Program Manager, TNR; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Item 37 to be reposted on May 22, 2007.

**Clerk's Note:** The Court directed that further work be done on a letter to be sent to the Texas Commission for Environmental Quality (TCEQ). The letter will be brought back for Court consideration on May 22, 2007, to be released for review, consideration, and then comment on May 29, 2007 by the public.

38. RECEIVE UPDATE REGARDING SECURITY ISSUES AT THE NORTHWEST RURAL COMMUNITY CENTER IN JONESTOWN AND TAKE APPROPRIATE ACTION. <sup>1, 2 AND 4</sup> (2:39 PM) (5:12 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, Gov't. Code Ann. 551.072, Real Property, and Gov't. Code Ann. 551.076, Security.

No action required on Item 38.

Item 38 to be reposted as necessary.

39. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POTENTIAL PURCHASE OF PROPERTY ALONG AIRPORT BLVD. IN CENTRAL AUSTIN.  
<sup>2</sup> (2:39 PM) (5:12 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 that we authorize Staff to conduct due diligence at this location, including a summary of possible uses of the due diligence matters that are appropriate.

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| <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           | absent |

Item 39 to be reposted on May 29, 2007.

### ADDED ITEMS:

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON THE SALE OF REAL PROPERTY AT 6701 BURNET ROAD. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY, AND GOV'T. CODE ANN. 551.072, REAL PROPERTY) (2:39 PM) ((5:13 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.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Daugherty that we reject the counter-offer proposed.

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| <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           | absent |

- A2. APPROVE EXEMPTION ORDER AND CONTRACT AWARD FOR THE PURCHASE OF A CHILLER MOTOR FROM JOHNSON CONTROLS, INC., FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(3) OF THE COUNTY PURCHASING ACT. (FACILITIES MANAGEMENT) (11:51 AM)

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

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

**Motion carried:**

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| 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 | absent |

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (5:14 PM)

**Motion carried:**

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| 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 | absent |

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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