

## MINUTES OF MEETING – SEPTEMBER 11, 2007

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 11<sup>th</sup> day of September 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.

**Clerk's Note:** The Court observed a moment of silence in memory of 09/11/2001.

The Commissioners Court recessed the Voting Session at 11:38 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; convened at 11:38 AM and adjourned at 11:39 AM.

The Commissioners Court reconvened the Voting Session at 1:43 PM.

The Commissioners Court retired to Executive Session at 1:43 PM.

The Commissioners Court reconvened the Voting Session 2:55 PM.

The Commissioners Court adjourned the Voting Session at 3:01 PM.

**PUBLIC HEARINGS**

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 2, 3, 4, 5, 6 AND 7, AND THE PARTIAL CANCELLATION OF PART OF MOON DANCE DRIVE, SIESTA SHORES SUBDIVISION, SECTION 1 (2 LOTS TOTAL). (COMMISSIONER DAUGHERTY) (ACTION ITEM #10) (9:20 AM) (10:09 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 10 for a summary of the action item.

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

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

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

**Clerk's Note:** Item 1 was revisited at 10:09 AM.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Anna Bowlin, Program Manager, Planning and Engineering, TNR; Renee White, Siesta Shores Resident; John Hille, Assistant County Attorney; Homer Leonard, Siesta Shores Resident; and Rex Rivers, Siesta Shores Resident.

**ITEM 1 CONTINUED**

**Motion by** Judge Biscoe **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:** Charles Williams, Conservation Coordinator, TNR; Anita Mennucci, Executive Director, Colorado River Foundation; Brian Block, Executive Director, Keep Austin Beautiful; John Pena, Lower Colorado River Authority (LCRA); Gus Peña, Travis County Resident; Kip Garth, Travis County Resident; and Tomas Ybarra, Travis County Resident. (9:21 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C4 and Items 3, 4, 5.B-F, 6, 7, 8, 11.A-C, 12, 14.A&B, 18, 19, 20, 21, 22, 25, 27, 28, 29, 31, and A1. (10:06 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 AUGUST 21 AND 28, 2007.
- C4. APPROVE SETTING A PUBLIC HEARING ON OCTOBER 2, 2007 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF A 10 FOOT PUBLIC UTILITY EASEMENT CENTERED ALONG THE COMMON LOT LINE OF LOTS 556 AND 890 OF APACHE SHORES, SECTION TWO, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

**RESOLUTIONS & PROCLAMATIONS**

- 2. APPROVE PROCLAMATION RECOGNIZING THE BEGINNING OF RAMADAN 2007. (JUDGE BISCOE) (SHERIFF’S OFFICE) (9:35 AM)

**Members of the Court heard from:** Darren Long, Major, Travis County Sheriff’s Office (TCSO).

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

**PURCHASING OFFICE ITEMS**

- 3. APPROVE MODIFICATION NO. 1 TO INTERLOCAL NO. IL070290JW, CAPITAL AREA COUNCIL OF GOVERNMENTS, FOR FEMA COMPLIANT LIGHT DETECTION AND RANGING (LIDAR) DATA SERVICES. (TRANSPORTATION AND NATURAL RESOURCES) (10:06 AM)

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

- 4. APPROVE MODIFICATION NO. 11 TO CONTRACT NO. PS960275JG, THE COMMITTEE FOR WILD BASIN WILDERNESS, INC., FOR MANAGEMENT OF WILD BASIN WILDERNESS PRESERVE. (TRANSPORTATION AND NATURAL RESOURCES) (10:06 AM)

**Clerk’s Note:** Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACT AWARDS FOR PSYCHOLOGICAL/COUNSELING SERVICES, AS FOLLOWS: (9:18 AM)

A. CONTRACT PS070345VR, MICHAEL BROOKS, PHD.;

Item 5.A pulled from the Agenda.

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACT AWARDS FOR PSYCHOLOGICAL/COUNSELING SERVICES, AS FOLLOWS: (10:06 AM)

B. CONTRACT PS070346VR, SANDRA CORMIER, PHD.;

C. CONTRACT PS070347VR, LAURA GUILI, PHD.;

D. CONTRACT PS070348VR, TERRY CARVAJAL, LCSW;

E. CONTRACT PS070349VR, AUSTIN FAMILY INSTITUTE; AND

F. CONTRACT PS070350VR, SAMARITAN CENTER FOR THE (COPE) /MENTAL HEALTH YOUTH PROGRAM AND FAMILIES. (JUVENILE PROBATION)

**Clerk's Note:** Items 5.B-F approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE 2007 HMAC OVERLAY PROGRAM, GROUP F, IFB NO. B070170-LP, TO THE LOW BIDDER, JD RAMMING PAVING COMPANY. (TRANSPORTATION AND NATURAL RESOURCES) (10:06 AM)

**Clerk's Note:** Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. APPROVE MODIFICATION NO. 13 TO CONTRACT NO. 04K00264JJ, BARECKY CONSTRUCTION COMPANY, FOR EAST METRO PARK (PHASE I, PROJECT II). (TRANSPORTATION AND NATURAL RESOURCES) (10:06 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 ORDER EXEMPTING THE PURCHASE OF CELL DOOR LOCKS FROM CORRECTIONS PRODUCTS COMPANY FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (a) (7) (D) OF THE COUNTY PURCHASING ACT. (SHERIFF'S OFFICE) (10:06 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 PROFESSIONAL CONSULTING SERVICES FOR FACILITIES CONDITION ASSESSMENTS TO VANDERWEIL FACILITY ADVISORS, INC. (FACILITIES MANAGEMENT) (9:18 AM)

Item 9 postponed until further notice.

### TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 2, 3, 4, 5, 6 AND 7, AND THE PARTIAL CANCELLATION OF PART OF MOON DANCE DRIVE, SIESTA SHORES, SECTION 1 SUBDIVISION (2 LOTS TOTAL). (COMMISSIONER DAUGHERTY) (11:02 AM)

**Clerk's Note:** Item 10 is the action item for the public hearing on Agenda Item 1.

Item 10 postponed until September 25, 2007.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (10:06 AM)
  - A. A FINAL PLAT FOR RECORDING IN PRECINCT TWO: MEADOWS OF BLACKHAWK, SECTION 8 (41 TOTAL LOTS);
  - B. APPROVE SUBDIVISION CONSTRUCTION AGREEMENT FOR MEADOWS OF BLACKHAWK, SECTION 8; AND
  - C. APPROVE CASH SECURITY AGREEMENT FOR ROWE LANE, MEADOWS OF BLACKHAWK, SECTION 8. (COMMISSIONER ECKHARDT)

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

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRANSFER OF FUNDS FROM SALARY SAVINGS FOR ACTIVITY BASED MANAGEMENT PROJECT FOR PARKS. (10:06 AM)

**Clerk's Note:** Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON A LETTER TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY SUPPORTING THE TEXAS CONFERENCE ON URBAN COUNTIES IN THEIR EFFORTS TO CHANGE THE COMMISSION'S INTERPRETATION OF HOUSE BILL 3732 FROM THE 80<sup>TH</sup> LEGISLATURE TO ENSURE THAT THE PROPERTY TAX EXEMPTIONS ARE ONLY ON EQUIPMENT DESIGNED TO REDUCE POLLUTION. (COMMISSIONER ECKHARDT) (11:02 AM)

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

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

**Motion carried:**

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

- 14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (10:06 AM)
  - A. APPROVE THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN THE LAKES AT TECH RIDGE; AND
  - B. APPROVE PROPOSED LICENSE AGREEMENT WITH THE LAKES BOULEVARD OWNERS ASSOCIATION FOR IMPROVEMENTS IN PUBLIC RIGHT OF WAY WITHIN THE LAKES AT TECH RIDGE. (COMMISSIONER DAVIS)

**Clerk's Note:** Items 14.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.



15. CONSIDER AND TAKE APPROPRIATE ACTION ON COMMENTS TO THE TEXAS DEPARTMENT OF TRANSPORTATION COMMISSION REGARDING THE CHANGES TO RULES TO ALLOW DEVELOPMENT OF DIGITAL/ELECTRONIC BILLBOARDS ON TEXAS HIGHWAYS. (COMMISSIONER ECKHARDT) (9:38 AM)

**Clerk's Note:** The Court discussed three issues regarding the development of digital/electronic billboards being included in a letter to the Texas Department of Transportation (TXDOT), expressing the concerns of the Travis County Commissioners Court:

- 1) Public safety;
- 2) Federal funding; and
- 3) Right-of-way acquisition

**Members of the Court heard from:** Terrell Smith, Scenic Texas; Joe Gieselman, Executive Manager, TNR.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Davis that we include these points.

**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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON FY '08 BUDGET RULES. (11:04 AM)

**Members of the Court heard from:** Jessica Rio, Budget Analyst, Planning and Budget Office (PBO); Barbara Terrell, Travis County Resident; Susan Spataro, Travis County Auditor; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Item 16 to be reposted on September 18, 2007.

17. REVIEW AND TAKE APPROPRIATE ACTION ON CONTINUATION OF FY '08 BUDGET MARK-UP. (11:19 AM)

**Members of the Court heard from:** Jessica Rio, Budget Analyst, PBO; and Leroy Nellis, Budget Manager, PBO.

**Clerk's Note:** The Court discussed the Planning and Budget Office (PBO) recommendations for re-budgeting the Capital Acquisition Reserve (CAR) for FY 2008.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the recommendations.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The Court directed PBO to conduct a mid-year review of any projects waiting to be funded from CAR.

**Clerk's Note:** The Court discussed PBO recommendations for re-budgeting the Certificates of Obligation (CO) for FY 2008, plus bond funds.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve PBO's recommendations.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The Court directed PBO to conduct a mid-year review of any projects waiting to be funded by CO's.

**ITEM 17 CONTINUED**

**Clerk’s Note:** The Court discussed corrections to the FY ‘08 budget.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the corrections.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON SETTING THE CALENDAR YEAR 2008 SHERIFF’S AND CONSTABLES’ FEE SCHEDULE. (10:06 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.

**Clerk’s Note:** The Court noted that by approving Item 18 the Sheriff’s and Constables’ Fee Schedule remains unchanged for FY 2008.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:06 AM)

**Clerk’s Note:** Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO CONTINUE THE PROJECT SAFE NEIGHBORHOODS GRANT PROGRAM IN THE DISTRICT ATTORNEY’S OFFICE FOR TWO MONTHS. (10:06 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.

**ADMINISTRATIVE OPERATIONS ITEMS**

- 21. 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 \$384,133.99 FOR THE PERIOD OF AUGUST 24 TO AUGUST 30, 2007. (10:06 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:06 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 REGARDING RECOMMENDATION TO SETTLE THE PROPERTY CLAIM FROM TRANSPORTATION AND NATURAL RESOURCES FOR STORM RELATED DAMAGE TO CERTAIN COUNTY PARKS. (11:33 AM)

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); and Donna Parker Stirman, Risk Management, HRMD.

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

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 24. DISCUSS AND TAKE APPROPRIATE ACTION TO AMEND CHAPTER 17, EMPLOYEE HEALTH BENEFIT RULE, OF THE TRAVIS COUNTY CODE TO CREATE AN EMPLOYEE HEALTH BENEFIT STABILIZATION RESERVE. (9:19 AM)

Item 24 pulled from the Agenda.

**OTHER ITEMS**

- 25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:06 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 REQUEST FROM THE CAPITAL AREA RURAL TRANSPORTATION SYSTEM (CARTS) TO RATIFY APPOINTMENT OF DEBBIE INGALSBE TO REPRESENT CARTS ON THE AUSTIN-SAN ANTONIO COMMUTER RAIL DISTRICT BOARD OF DIRECTORS, EFFECTIVE IMMEDIATELY THROUGH DECEMBER, 2008. (COMMISSIONERS COURT) (11:36 AM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 26.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER DESIGNATING ELECTION DAY POLLING PLACES FOR THE NOVEMBER 6, 2007 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (10:06 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.

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER DESIGNATING MAIN EARLY VOTING, TEMPORARY EARLY VOTING AND MOBILE EARLY VOTING POLLING PLACES FOR THE NOVEMBER 6, 2007 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (10:06 AM)

**Clerk’s Note:** Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRINT 300,000 COPIES OF TAXPAYER NEWS FOR MAILINGS WITH THE 2007 TAX BILLS. (TAX OFFICE) (10:06 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.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE THE TRANSFER OF FUNDS NOT TO EXCEED \$170,000 FROM RESERVES INTO THE SHERIFF'S OFFICE OUT OF COUNTY HOUSING LINE ITEM ACCOUNT. (SHERIFF'S OFFICE) (10:08 AM)

**Clerk's Note:** The Court discussed approving the transfer of \$80,000.00 from the Jail Out of County Reserve to the Housing Prisoners/Juvenile line item, giving the Travis County Sheriff's Office a total of \$120,000.00 for this fiscal year.

**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. APPOINT JAMES ELMAN TO FILL THE UNEXPIRED TERM OF ALFREDO VALENCIA AS A BOARD MEMBER OF EMERGENCY SERVICES DISTRICT NO. 11. (COMMISSIONER GÓMEZ) (10:06 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.

**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.

- 32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND THE FIRE MARSHAL REGARDING 21018 STATE HIGHWAY 71 WEST, SPICEWOOD, TEXAS AND NON-COMPLIANCE WITH TRAVIS COUNTY FIRE CODE AND ORDERS OF THE FIRE MARSHAL AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(1:43 PM) (2:55 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.

**Motion by** Commissioner Daugherty **and seconded by** Judge Biscoe that we let Commissioner Daugherty work with the applicant and let him know that he needs to have his plans submitted to the Fire Marshal by Monday, September 16, 2007. Commissioner Daugherty will report to the Court Tuesday, September 18, 2007.

**Motion carried:**

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

Item 32 to be reposted on September 18, 2007.

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. CENTER HILL JOINT VENTURE (FRANK YI RESALE DEED). <sup>1</sup> (9:19 AM)

**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.

Item 33 postponed until September 18, 2007.

- 34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. NRC, INC. (CITY OF LAGO VISTA RESALE DEED). <sup>1</sup> (1:43 PM) (2:56 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 34 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 this one deed with these seven parcels of land in it:

- 1) 8113 Foothill Cove, and we have received \$2,739.65;
- 2) 8121 Foothill Cove – \$2,663.12;
- 3) 8128 Foothill Cove – we have received \$2,739.65;
- 4) 8135 Foothill Cove – we have received \$4,605.76;
- 5) 8137 Foothill Cove – we have received \$4,557.78;
- 6) 8117 Foothill Cove, for which we have received \$2,739.65; and
- 7) 8037 Foothill Cove, for which we have received \$3,391.

**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

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. CIRCLE H. INVESTMENTS (FRANK NOSHARI RESALE DEED). <sup>1</sup> (1:43 PM) (2:58 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.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize the County Judge to sign the prepared tax resale deed to Frank Noshari, for the parcel located at 21679 High Drive, and Mr. Noshari has paid Travis County \$16,000.00 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



36. DISCUSS AND TAKE APPROPRIATE ACTION REGARDING LEASE AGREEMENT BETWEEN CITY OF JONESTOWN AND TRAVIS COUNTY FOR SPACE LOCATED AT 18649 HIGHWAY 1431. <sup>1 AND 2</sup> (1:43 PM) (2:58 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.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize Facilities Management to get with our Executive Manager of Health, Human Services, and Veterans' Services (TCHHS&VS), Sherri Fleming to let us know between now and next Tuesday, September 18, 2007 whether we need to keep leasing this property, or whether we can terminate the lease and return it Jonestown.

**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

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. <sup>1 AND 2</sup> (1:43 PM) (2:59 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 and Gov't. Code Ann. 551.072, Real Property.

Item 37 was not discussed.

Item 37 to be reposted on September 18, 2007.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING SALE OF COUNTY PROPERTY LOCATED AT 6701 BURNET ROAD, AUSTIN, TEXAS. <sup>1 AND 2</sup> (1:43 PM) (2:59 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.

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

**Motion by Judge Biscoe and seconded by Commissioner Eckhardt** that we authorize the County Judge to sign the appropriate closing documents for this sale to close tomorrow, Wednesday September 12, 2007; and the Motion includes the filing of the restrictive covenant that the Commissioners Court has directed the be prepared, and the County Attorney in fact has; that they be filed before the close of business today, Tuesday, September 11, 2007.

**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 38 to be reposted September 18, 2007.

**ADDED ITEM**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SEVEN WINS CONDOMINIUM PROJECT AS FOLLOWS: (10:06 AM)
- A. A REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS FOR ELEVEN SINGLE FAMILY DETACHED UNITS; AND
  - B. APPROVE A CONSTRUCTION AGREEMENT FOR THE PROJECT.

**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.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:01 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

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Date of Approval

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Samuel T. Biscoe, Travis County Judge