

MINUTES OF MEETING OCTOBER 9, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of October 2007, the Commissioners' Court convened the Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 12:00 PM.

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

The Commissioners Court retired to Executive Session at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 3:25 PM.

The Commissioners Court adjourned the Voting Session at 3:33 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 3:33 PM and adjourned at 3:34 PM.

The Commissioners Court, meeting as the Southwest Travis County Road District #1, convened at 3:34 PM and adjourned at 3:35 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 3:35 PM and adjourned at 3:35 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 3:35 PM and adjourned at 3:36 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation, convened at 3:36 PM and adjourned at 3:36 PM.

The Commissioners Court, meeting as the Travis County Cultural Education Facilities Finance Corporation, convened at 3:36 PM and adjourned at 3:36 PM.

CONSENT CONTINUED

C7. APPROVE COMMISSIONERS COURT MINUTES FOR SPECIAL VOTING SESSION OF SEPTEMBER 28, 2007. (3:33 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item C7.

Motion carried:

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

Clerk's Note: The Court noted that Precinct 2, Commissioner Sarah Eckhardt would abstain, as she was absent during the September 28, 2007 special voting session.

C8. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REAPPOINT SARAH HARRIMAN TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2009. (COMMISSIONER DAUGHERTY)

C9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REAPPOINT DEBORAH RISOVII TO SERVE AS A PRECINCT THREE APPOINTEE TO THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES BOARD, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2010. (COMMISSIONER DAUGHERTY)

C10. APPROVE SETTING A PUBLIC HEARING FOR NOVEMBER 13, 2007 TO RECEIVE COMMENTS ON A TOTAL VACATION AND CANCELLATION OF A PLAT IN PRECINCT TWO: HODDE SUBDIVISION (1 TOTAL LOT). (COMMISSIONER ECKHARDT)

PLANNING AND BUDGET DEPT. ITEMS

7. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:27 AM)
 - A. APPROVE GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE FOR THE 2007 JUSTICE ASSISTANCE GRANT IN THE SHERIFF'S DEPARTMENT TO UPGRADE INFRASTRUCTURE TO DOWNLOAD AND STORE TRAFFIC STOP VIDEO FROM THE PATROL UNITS; AND
 - B. APPROVE PERMISSION TO CONTINUE WITH THE GOVERNOR'S OFFICE DRUG COURT ENHANCEMENT GRANT FOR CRIMINAL COURTS TO CONTINUE THE DRUG COURT PROGRAM GRANT POSITION THROUGH THE END OF OCTOBER 2007 UNTIL A FULLY EXECUTED CONTRACT CAN BE COMPLETED.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:27 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.

ADMINISTRATIVE OPERATIONS ITEMS

9. 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 \$543,839.61 FOR THE PERIOD OF SEPTEMBER 21 TO SEPTEMBER 27, 2007. (9:27 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:27 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ELECTRICAL UTILITY EASEMENT FOR THE TRAVIS COUNTY CORRECTIONAL COMPLEX DESIGN BUILD PROJECT. (9:16 AM)

Item 11 postponed until October 16, 2007.

- 12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS: (10:28 AM) (1:42 PM) (3:25 PM)

A. GARDEN CITY BOXING CLUB, INC. – DENY; AND

Clerk’s Note: Items 12.A&B are associated with one another and were called for concurrent discussion.

Clerk’s Note: Judge Biscoe announced that Item 12.A would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); and Sherine Thomas, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we follow Staff recommendations and deny the claim.

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

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING LIABILITY CLAIM RECOMMENDATIONS: (10:28 AM)

B. PAUL CLAHASEY - DENY.

Clerk's Note: Items 12.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; Paul Clahasey, Claimant; and Donna Parker Stirman, Risk Management, HRMD.

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to pay half of the claim.

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

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:47 AM)

- A. DEFERRED COMPENSATION OVERSIGHT COMMITTEE MEMBERSHIP;
- B. CONSULTANT SERVICES BY THE RETIREMENT STORE; AND
- C. TIMELINE FOR CONSULTANT AND COMMITTEE REVIEW OF NATIONWIDE RETIREMENT SOLUTIONS PERFORMANCE AND RECOMMENDATION FOR RENEWAL OF CONTRACT ENDING DECEMBER 11, 2007.

Clerk’s Note: Items 13.A-C are associated with one another and were called for concurrent discussion.

Clerk’s Note: The Court discussed proposed appointments to the Deferred Compensation Oversight Committee in Item 13.A.

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; Norman McRee, Financial Analyst, Lead, HRMD; Barbara Wilson, Assistant County Attorney; Mary Mayes, Investment Manager, Cash/Investment Management; Cyd Grimes, Travis County Purchasing Agent; Susan Spataro, Travis County Auditor; and Kim Wilder, Deferred Compensation, Nationwide Retirement Solutions.

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

Items 13.B&C discussion only. No formal action taken.

Item 13.C to be reposted on October 16, 2007.

JUSTICE & PUBLIC SAFETY ITEMS

- 14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE REVISED GRANT REQUIREMENTS AND APPLICATION TO THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE FOR THE STATE JAIL COMMUNITY RESOURCE PROGRAM. (10:07 AM)

Members of the Court heard from: Caryl Colburn, Director, Travis County Counseling and Education Services (TCCES); Mark Spacht, Clinical Manager, TCCES; and Danny Hobby, Executive Manager, Travis County Emergency Services.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we approve the filing of the revised grant application.

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

PURCHASING OFFICE ITEMS

- 15. APPROVE CONTRACT NO. PS070385VR, MERCHANTS OF HOPE CHILDREN'S HOME, FOR RESIDENTIAL TREATMENT SERVICES FOR JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:27 AM)

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

- 16. APPROVE CONTRACT NO. PS080005VR, BAPTIST CHILD AND FAMILY SERVICES EMERGENCY SHELTER, FOR RESIDENTIAL EMERGENCY SHELTER SERVICES FOR JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:27 AM)

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

17. APPROVE CONTRACT AWARD FOR AUTO BODY REPAIR, IFB B070272DR, TO THE FOLLOWING: (9:27 AM)

A. GROUP ONE - CARS AND LIGHT TRUCKS:

- 1. NETWORK AUTO BODY AND PAINT SHOP - ITEMS 1-7;
- 2. TWO DAY BODY SHOP - ITEMS 1-7; AND
- 3. CENTRAL TEXAS COLLISION SERVICES - ITEMS 1-7; AND

B. GROUP TWO - HEAVY TRUCKS:

- 1. CENTRAL TEXAS COLLISION SERVICES - ITEMS 1, 3, 4, 5, 6, 7. (TRANSPORTATION AND NATURAL RESOURCES)

Clerk's Note: Items 17.A1-3&B1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. 03AE0136JJ, LAND DESIGN STUDIOS, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE EAST METRO PARK IMPROVEMENT PROJECT. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAVIS) (9:36 AM)

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

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Item 18.

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

19. APPROVE INTERLOCAL WITH TEXAS DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES FOR COMMUNICATION SERVICES BY TRAVIS COUNTY. (HHS & VS) (9:27 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. APPROVE INTERLOCAL WITH TEXAS DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES FOR INTERPRETER SERVICES BY TRAVIS COUNTY. (HHS & VS) (9:27 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. APPROVE MODIFICATION NO.1 TO INTERLOCAL AGREEMENT IL080014ML, CITY OF AUSTIN, FOR CENTRAL BOOKING AND RELATED JAIL SERVICES. (9:27 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. AUTHORIZE PURCHASING AGENT TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, PAPE-DAWSON ENGINEERS, RFQ NO. Q070289DG, PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF SLAUGHTER LANE BRIDGE PROJECTS. (TRANSPORTATION AND NATURAL RESOURCES) (9:27 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 23. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 256 AND 257, TRAVIS SETTLEMENT, SECTION FOUR (3 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:37 AM)

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR.

Motion by Commissioner Daugherty **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	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING: (9:27 AM)
- A. PARTIAL VACATION OF VISTA BUSINESS PARK SECTION 1, BLOCK D, LOT 5, IN PRECINCT TWO (1 TOTAL LOT); AND
 - B. REPLAT OF VISTA POINT FINAL PLAT IN PRECINCT TWO (1 TOTAL LOT). (COMMISSIONER ECKHARDT)

Clerk's Note: Items 24.A&B are the action items for the public hearing on Agenda Item 2.

Clerk's Note: Items 24.A&B 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 REGARDING A PLAT FOR RECORDING IN PRECINCT FOUR: BLUEBELL RIDGE REVISED PLAT OF LOT 14, BLOCK B (4 TOTAL LOTS). (COMMISSIONER GÓMEZ) (9:27 AM)

Clerk's Note: Item 25 is the action item for the public hearing on Agenda Item 3.

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 REGARDING THE FOLLOWING: (9:27 AM)
- A. A PLAT FOR RECORDING IN PRECINCT THREE: LYNNBROOK CONDOMINIUMS, A REVISED PLAT OF A PORTION OF TRACTS 8 AND 9 OF THE ANN PERRY ESTATES (1 TOTAL LOT);
 - B. REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENT FOR LYNNBROOK CONDOMINIUMS - 27 UNITS IN FOUR BUILDINGS ON 3.834 ACRES LOCATED ON LYNNBROOK DRIVE; AND
 - C. CONSTRUCTION AGREEMENT FOR LYNNBROOK CONDOMINIUMS. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 26.A-C are the action items for the public hearing on Agenda Item 4.

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

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: ABC PEST AND LAWN SUBDIVISION NO. 1 FINAL PLAT (2 TOTAL LOTS). (COMMISSIONER DAVIS) (9:27 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. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AMEND CHAPTER 82 OF THE TRAVIS COUNTY CODE REGARDING PUBLIC NOTICE OF NON-RESIDENTIAL DEVELOPMENTS. (COMMISSIONER DAVIS) (11:40 PM)

Clerk’s Note: The Court discussed placing an advertisement in the Austin American-Statesman on two consecutive Sundays in October, 2007, regarding the draft policy change to Chapter 82 and notification of a Public Hearing.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Chris Gilmore, Assistant County Attorney; and Anna Bowlin, Program Manager, Planning and Engineering, TNR.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt that we direct TNR Staff to post the draft policy amended in Chapter 82.201H for the policy notification requirements for non-residential development applicants, and that this be posted in the Austin American-Statesman, and we post this for the number of times that were discussed here before the Commissioners Court this morning; and also that we make sure that we send a copy of this to the City of Austin, who also has a role in this under Title 30, to put them on the alert that there is a possibility that the Commissioners Court is looking at amending Chapter 82.201H in that regard; and that it comes back to the Commissioners Court after the comment period is over, for adoption on October 30th, 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	absent

Clerk’s Note: The Court noted that the Public Hearing would be set for October 30, 2007.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: NEW SWEDEN GREEN SUBDIVISION, FINAL PLAT (9 TOTAL LOTS). (COMMISSIONER ECKHARDT) (9:27 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 A PLAT FOR RECORDING IN PRECINCT THREE: AMARRA DRIVE, PHASE 2, FINAL PLAT (30 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:16 AM)

Item 30 postponed until October 16, 2007.

- 31. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREET IN WYNTON PLACE, PHASE 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:27 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.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (11:59 AM)
 - A. COOPERS MEADOW SUBDIVISION PRELIMINARY PLAN IN PRECINCT FOUR (325 TOTAL LOTS); AND
 - B. THE USE OF AN ALTERNATIVE FISCAL AGREEMENT FOR COOPERS MEADOW SUBDIVISION, SECTION ONE FINAL PLAT, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ)

Clerk's Note: Items 32.A&B are associated with one another and were called for concurrent discussion.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Items 32.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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO USE ALTERNATIVE FISCAL FOR AVALON, PHASE 4, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (9:27 AM)

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON VILLAGES OF HIDDEN LAKE REVISED PRELIMINARY PLAN IN PRECINCT TWO (2 TOTAL LOTS). (9:27 AM)

Clerk's Note: Item 34 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

35. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:27 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ANNUAL WRITTEN PLAN FOR THE COUNTY CLERK'S RECORDS ARCHIVAL FUND 057. (COUNTY CLERK) (9:27 AM)

Clerk's Note: Item 36 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:27 AM)

A. REAPPOINTMENT OF NASH MARTINEZ TO SERVE ON THE BOARD OF THE TRAVIS CENTRAL APPRAISAL DISTRICT, TERM TO EXPIRE DECEMBER 2008 (COMMISSIONER GÓMEZ AND COMMISSIONER DAVIS); AND

Clerk's Note: Item 37.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(3:31 PM)

B. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT A REPRESENTATIVE TO SERVE AS A PRECINCT TWO AND PRECINCT THREE APPOINTEE TO THE TRAVIS CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS. (COMMISSIONER ECKHARDT AND COMMISSIONER DAUGHERTY)

Motion by Commissioner Daugherty **and seconded by** Commissioner Eckhardt to recommend the appointment of James Atkins to the Travis Central Appraisal District Board of Directors.

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

38. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY'S APPOINTMENT TO THE WALLER CREEK CITIZEN'S ADVISORY COMMITTEE. (COMMISSIONER DAUGHERTY) (3:32 PM)

Discussion only. No formal action taken.

Item 38 to be reposted on October 16, 2007.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE OFFICIAL BOND FOR RESERVE DEPUTY ERIC B. DONALDSON IN THE OFFICE OF CONSTABLE PRECINCT 5. (9:27 AM)

Clerk's Note: Item 39 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.

40. RECEIVE LEGAL BRIEFING REGARDING LEGAL ANALYSIS OF DRAFT AGREEMENT WITH BFI WASTE SYSTEMS OF NORTH AMERICA, INC. AND GILES HOLDINGS, L.P. AND TAKE APPROPRIATE ACTION. ¹ (1:42 PM)
(3:26 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.

No action required on Item 40.

Item 40 to be reposted on October 16, 2007.

- 41. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON A CONSTRUCTION RELATED EROSION EVENT IN HAYS COUNTY, ASSOCIATED WATER QUALITY AND ENVIRONMENTAL IMPACTS ON HAMILTON POOL AND OTHER NATURAL RESOURCES IN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. ¹ (1:42 PM) (3:26 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.

No action required on Item 41.

Item 41 to be reposted on October 16, 2007.

- 42. CONSIDER AND TAKE APPROPRIATE ACTION ON COUNTER-OFFER FOR RIGHT OF WAY ACQUISITION FROM ADA ELLISON FOR PARCEL #25/25TE AS PART OF THE HOWARD LANE EAST II ROAD IMPROVEMENT PROJECT – CIP #3110-N09700000-05B01A. ^{1 AND 2} (1:42 PM) (3:26 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 and Gov’t. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Davis that we accept the offer to settle and sell this property to Travis County for the amount of \$31,399.00.

Motion carried:

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

Clerk’s Note: The Court noted that the Road Improvement Project should be Howard Lane East I Road Improvement Project instead of Howard Lane East II Road Improvement Project. An Item would be posted on October 16, 2007 to ratify this change if necessary.

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN ALLSTATE INSURANCE COMPANY AS SUBROGEE FOR DOROTHY JACKSON AND ELIJAH JACKSON, DARLENE JACKSON, JOE SHAW AND COREY WHIPPER, PERSONALLY V. PAUL MALON AND TRAVIS COUNTY. ¹ (9:16 AM)

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.

Item 43 was pulled from the Agenda.

44. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING INVOICE FROM COLE AND POWELL LAW FIRM FOR LEGAL SERVICES RENDERED. ¹
(1:42 PM) (3:27 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.

No action required on Item 44.

Item 44 to be reposted on October 16, 2007.

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. HANK PEAVLER DEVELOPMENT COMPANY, INC. (EV LAND DEVELOPMENT, LLC RESALE DEED). ¹
(1:42 PM) (3:28 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. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we authorize the County Judge to sign the proposed tax resale deed which involves about 15 parcels of land:

- 1) Lots 70, 75, 76, 77, 74, and 73, we have received \$2,421.34 for each of them;
- 2) Lot 72, for which we received \$2,596.16;
- 3) Lot 86, for which we received \$1,7737.04;
- 4) Lot 80, for which we received \$2,220.65;
- 5) Lot 78, for which we received \$2,672.91; and finally,
- 6) this deed includes five other lots for which we have received \$2,421.34 for each of them, Lots 94, 87, 81, 82, and 79.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	present but not voting
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

ADDED ITEM

A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ALTERNATIVE FUNDING FOR SUBSIDIARY CONSTRUCTION ITEMS FOR THE EAST SERVICE CENTER. (11:52 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO).

Motion by Judge Biscoe and seconded by Commissioner Davis that we take this from the Allocated Reserve, and that the funds are transferred automatically into the appropriate Capital Outlay Building Account.

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

ADJOURNMENT

Motion by Judge Biscoe and seconded by Commissioner Davis to adjourn the Voting Session. (3:33 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	absent

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – OCTOBER 9, 2007

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 9th day of October 2007, the Commissioners’ Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 3:33 PM in the Commissioners’ Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 3:34 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (3:33 PM)

No action necessary on Item 1.

2. APPROVE N.W.T.C.R.D.#3 MINUTES FOR VOTING SESSIONS OF AUGUST 14, 2007 and SEPTEMBER 25, 2007. (3:34 PM)

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis 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	absent

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Davis to adjourn the Voting Session of the Northwest Travis County Road District No. 3. (3:34 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	absent

MINUTES APPROVED BY THE ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – OCTOBER 9, 2007**SOUTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 1**

On Tuesday, the 9th day of October, 2007, the Commissioners' Court meeting as the Road District Board of Directors, convened the Southwest Travis County Road District No. 1 Voting Session at 3:34 PM in the Commissioners' Courtroom, 1st Floor of the Ned Granger County Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Southwest Travis County Road District No. 1 at 3:35 PM.

1. APPROVE S.W.T.C.R.D.#1 MINUTES FOR VOTING SESSIONS OF OCTOBER 12, 2004 AND SEPTEMBER 25, 2007. (3:34 PM)

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve the minutes for September 25, 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	absent

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve the minutes for October 12, 2004.

Motion carried:

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

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Davis to adjourn the Southwest Travis County Road District No. 1 Voting Session. (3:35 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	absent

MINUTES APPROVED BY THE ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge