

MINUTES OF MEETING JANUARY 15, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 15th day of January 2008, the Commissioners' Court convened the Voting Session at 9:17 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 11:22 AM.

The Commissioners Court reconvened the Voting Session at 12:06 PM.

The Commissioners Court recessed the Voting Session at 12:06 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:42 PM and adjourned at 1:43 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:43 PM and adjourned at 1:44 PM

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:44 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 1:45 PM.

The Commissioners Court reconvened the Voting Session at 2:23 PM.

The Commissioners Court adjourned the Voting Session at 2:28 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; and Joe Jackson, Travis County Resident. (9:17 AM)

3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE 10 FEET OF A 25 FOOT WIDE DRAINAGE EASEMENT LOCATED ALONG THE EAST LOT LINE OF LOT 5, BLOCK H, OF LONG CANYON II-A, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:28 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Anna Bowlin, Program Manager, Planning and Engineering, TNR; Christopher Gilmore, Assistant County Attorney; Andy Allen, property owner, Long Canyon; Peter Torgrimson, President, Long Canyon Phase II & III Homeowners Association, Inc.; Terry Metheny, property owner, Long Canyon; Martha H Mangum P.E., President, MFH Engineering; Ed King, President, Long Canyon Phase 1 Homeowners Association, Inc; Carol Torgrimson, Member, Long Canyon Phase II & III Homeowners Association, Inc.; and Bob Kirkpatrick, Chairman, Architectural Control Committee (ACC), Long Canyon Phase II & III Homeowners Association, Inc.

Discussion only. No formal action taken.

Item 3 to be reposted on January 22, 2007.

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE VINTAGE CONDOMINIUMS AT STEINER RANCH A.K.A. THE VIEW AT STEINER RANCH: (9:25 AM)
 - A. REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS;
 - B. CONDOMINIUM PHASING AGREEMENT WITH VINTAGE FINE HOMES INC.; AND
 - C. CASH SECURITY AGREEMENT WITH VINTAGE FINE HOMES INC. FOR SIDEWALK FISCAL ALONG STEINER RANCH BOULEVARD. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 4.A-C 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 ON A PRELIMINARY PLAN IN PRECINCT FOUR: VISTAS OF AUSTIN PRELIMINARY PLAN (679 TOTAL LOTS). (COMMISSIONER GÓMEZ) (9:25 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 THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR STEINER RANCH PHASE 1 SECTIONS 6B, 6D AND THE PUBLIC PORTION OF 6E, AND A LICENSE AGREEMENT WITH STEINER RANCH MASTER ASSOCIATION, INC. FOR STEINER RANCH PHASE 1 SECTION 6B. (COMMISSIONER DAUGHERTY) (9:25 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 A FINAL PLAT FOR RECORDING IN PRECINCT THREE: COMANCHE CANYON AREA 2, LOT 1, BLOCK C RESUBDIVISION (4 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:25 AM)

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING IN PRECINCT THREE: COMANCHE CANYON AREA 2, LOT 35, BLOCK B RESUBDIVISION (2 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:25 AM)

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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING IN PRECINCT THREE: STEINER RANCH PHASE 1, SECTION 6G (14 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:17 AM)

Item 9 postponed until further notice.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING IN PRECINCT THREE: SENNA HILLS SECTION EIGHT (23 TOTAL LOTS), AND A SUBDIVISION CONSTRUCTION AGREEMENT WITH TAYLOR WOODROW HOMES - AUSTIN DIVISION, LTD. (COMMISSIONER DAUGHERTY) (9:25 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 REGARDING RIVER DANCE, PHASE 7-B, FINAL PLAT IN PRECINCT THREE: (9:25 AM)
 - A. A FINAL PLAT FOR RECORDING (58 TOTAL LOTS); AND
 - B. A SUBDIVISION CONSTRUCTION AGREEMENT WITH TAYLOR WOODROW COMMUNITIES/STEINER RANCH, LTD. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 11.A&B 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 THE FOLLOWING:
(10:57 AM)
 - A. REQUEST TO CALL DOWN FUNDS FOR LIME CREEK ROAD FROM THE RESUBDIVISION OF LOT 1, LAKE TRAVIS NO. 1 SUBDIVISION, RESUBDIVISION OF LOT 3 AND 4, LAKE TRAVIS NO. 1 SUBDIVISION; RESUBDIVISION OF LOT 10, LAKE TRAVIS NO. 1 SUBDIVISION; RESUBDIVISION OF LOT 20, LAKE TRAVIS NO. 1 SUBDIVISION, VILLAGE AT VOLENTE PHASE 1 SUBDIVISION, VILLAGE AT VOLENTE PHASE 2 SUBDIVISION, AND VILLAGE AT VOLENTE PHASE 3 SUBDIVISION; AND
 - B. INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE VILLAGE OF VOLENTE FOR THE TRANSFER OF BOUNDARY STREET FISCAL FOR IMPROVEMENTS TO LIME CREEK ROAD, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

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

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Items 12.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

- 13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RIDGEVIEW PHASE 1 SUBDIVISION: (9:17 AM)
 - A. A FINAL PLAT FOR RECORDING (128 TOTAL LOTS); AND
 - B. A SUBDIVISION CONSTRUCTION AGREEMENT. (COMMISSIONER DAUGHERTY)

Items 13.A&B postponed until further notice.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (10:59 AM) (11:22 AM) (2:23 PM)

- A. DESIGNATION OF LINDA WILLIAMS DOOLEY, M.D., AS HEALTH AUTHORITY;
- B. DESIGNATION OF EDWARD MACLEOD RACHT, M.D., AND BIRCH DUKE KIMBROUGH, M.D., EACH INDIVIDUALLY, AS AN ALTERNATE HEALTH AUTHORITY FOR AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT; AND
- C. EFFECTIVE JANUARY 12, 2008.

Clerk’s Note: Items 14.A-C are associated with one another and were called for concurrent discussion.

Clerk’s Note: Judge Biscoe announced that Item 14.B would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; and Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS).

Motion by Judge Biscoe and seconded by Commissioner Gómez to go ahead and designate Linda Williams Dooley, MD as Health Authority, and designate Birch Duke Kimbraugh, MD as one of the alternate Health Authority persons, effective January 12, 2008, and delay action on Dr. Edward MacLeod Racht until later today after we come out of Executive Session.

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

Discussion only on Item 14.B regarding Dr. Racht. No formal action taken.

Item 14.B regarding Dr. Racht to be reposted on January 22, 2008.

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR PRINTING FOR THE 8TH ANNUAL CENTRAL TEXAS AFRICAN AMERICAN FAMILY SUPPORT CONFERENCE. (9:25 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.

PLANNING AND BUDGET DEPT. ITEMS

- 16. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:02 AM)

Members of the Court heard from: Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO).

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to approve Item 16.

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

- 17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST FOR PERMISSION TO CONTINUE THE UNDERAGE DRINKING PREVENTION PROGRAM GRANT IN THE COUNTY ATTORNEY'S OFFICE THROUGH THE END OF THE 2008 FISCAL YEAR. (9:25 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.

ADMINISTRATIVE OPERATIONS ITEMS

18. 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 \$370,029.24 FOR THE PERIOD OF DECEMBER 28, 2007 TO JANUARY 3, 2008. (9:25 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:25 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.

PURCHASING OFFICE ITEMS

20. **REVISED LANGUAGE:** APPROVE MODIFICATION NO. 2 TO CONTRACT NO. CM070106VC, MARK III SYSTEMS INC. TO INCLUDE AN ADDITIONAL UNINTERRUPTED POWER SUPPLY (UPS) AND FURTHER UPGRADES TO THE EXISTING UPS. (INFORMATION AND TELECOMMUNICATION SYSTEMS) (9:25 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 CONTRACT NO. 07T001550J, THE RETIREMENT STORE, FOR CONSULTANT SERVICES FOR THE DEFERRED COMPENSATION 457(b) PLAN FOR TRAVIS COUNTY. (HUMAN RESOURCES MANAGEMENT DEPARTMENT) (9:25 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. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE BARTON CREEK BOULEVARD AND TRAVIS COOK ROAD IMPROVEMENT PROJECT, IFB NO. B080027LP, TO THE LOW BIDDER, AUSTEX DEVELOPMENT I, LTD. (TRANSPORTATION AND NATURAL RESOURCES) (9:25 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.

OTHER ITEMS

23. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 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 BOARD AND COMMITTEE ASSIGNMENTS FOR COMMISSIONERS COURT MEMBERS, AND TAKE APPROPRIATE ACTION. (11:15 AM)

Discussion only. No formal action taken.

Item 24 to be reposted on January 22, 2008.

25. CONSIDER AND TAKE APPROPRIATE ACTION TO ESTABLISH A NEW PETTY CASH FUND IN THE AMOUNT OF \$700.00 TO BE USED BY THE TRAVIS COUNTY SHERIFF'S OFFICE/AUTO THEFT UNIT FOR CONFIDENTIAL FUNDS AS ALLOWED BY THE AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY FOR GRANT FY '08. (SHERIFF'S OFFICE) (9:25 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.

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

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.

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO LEASE OR SELL COUNTY OWNED LAND ADJACENT TO TRAVIS COUNTY COMMUNITY JUSTICE CENTER. ^{1 AND 2} (11:22 AM) (1:45 PM) (2:24 PM)

Clerk's Note: Judge Biscoe announced that Item 28 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 authorize the issuance of a Notice to Proceed to Equis, the firm that does broker work for Travis County and are next on the rotation list, and for legal to keep working with any lawyer on the other side plus their broker to iron out some of the issues that we have been discussing.

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

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON PROCESS FOR SALE OF COUNTY OWNED PROPERTY AT 9207 JOHNNY MORRIS ROAD. ^{1 AND 2} (11:22 AM) (2:24 PM)

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

Discussion only. No formal action taken.

Item 29 to be reposted on January 22, 2007.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON A COUNTER-OFFER TO SELL TRAVIS COUNTY .595 ACRES OF UNDEVELOPED LAND LOCATED AT OLD MANOR ROAD AND FERGUSON CUT-OFF IN PRECINCT ONE, REQUIRED FOR THE TRAVIS COUNTY BRIDGE #113 REPLACEMENT PROJECT, AS PART OF THE 2001 BOND PROGRAM. ^{1 AND 2} (11:22 AM) (2:25 PM)

Clerk's Note: Judge Biscoe announced that Item 30 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 Commissioner Davis **and seconded by** Judge Biscoe that we issue a counter-offer of \$28,368.00, including the fencing. This is a counter to the counter-offer.

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

