

MINUTES OF MEETING JUNE 5, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 4th day of June, 2007, the Commissioners' Court convened the Voting Session at 9:16 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 recessed the Voting Session at 11:55 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:37 PM and adjourned at 1:38 PM.

The Commissioners Court reconvened the Voting Session at 1:38 PM.

The Commissioners Court retired to Executive Session at 1:38 PM.

The Commissioners Court reconvened the Voting Session at 2:37 PM.

The Commissioners Court retired to Executive Session at 4:44 PM.

The Commissioners Court reconvened the Voting Session at 5:52 PM.

The Commissioners Court adjourned the Voting Session at 6:04 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS ON A PLAT FOR RECORDING AND CONSTRUCTION AGREEMENT IN PRECINCT THREE: THE VISTAS AT PEDERNALES CANYON TRAIL, A REVISED PLAT OF LOT 13 PEDERNALES CANYON RANCH PHASE 2 (11 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (ACTION ITEM #16) (9:18 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 16 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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Sybil Autrey, Travis County Resident; Pepper Morris, Travis County Resident; Karen Huber, Travis County Resident; Phil Connor, Travis County Resident; Teresa Calkins, Senior Engineer, TNR; Vincent Spoltore, Kendree Construction LP; Joe Vickers, Hydrogeologist; Chris McComb, Engineer, AMC Design Group; and John Hille, Assistant County Attorney.

Motion by Judge Biscoe **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 ON A TOTAL VACATION AND REPEAT OF THE RESUBDIVISION OF LOT 5, SILVER SPUR RANCHETTES SECTION TWO, IN PRECINCT THREE (2 COMMERCIAL LOTS). (COMMISSIONER DAUGHERTY) (ACTION ITEM #17) (10:28 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 17 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

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

Motion by Commissioner Daugherty **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: Phillip A. Dick, Travis County Resident; Jessie Maria Andrews, Travis County Resident; Craig Pease, Travis County Resident; Stuart Thomas Gerstacker, Travis County Resident; Pepper Morris, Travis County Resident; and Joe Gieselman, Executive Manager, TNR. (10:30 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C3 and Items 5, 7, 8, 9, 11.A-G, 12, 13, 14, 15, 17.A&B, 21, and 23. (10:48 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. RATIFY APPROVAL OF HOTEL FOR EMPLOYEE ATTENDING TRAINING ON JUNE 11 THROUGH 15, 2007 IN ROUND ROCK AT THE DELL FACILITY. (COUNTY CLERK'S OFFICE)

Clerk's Note: Judge Biscoe noted that Precinct 2 Commissioner Sarah Eckhardt voted "present but not voting" when the above Item was discussed during the May 29, 2007 Voting Session.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION ON CANDIDATES FOR APPOINTMENT TO THE CITY OF AUSTIN ANIMAL ADVISORY COMMISSION. (10:50 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe that we appoint Larry Tucker to the Animal Advisory 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	yes

Clerk's Note: The Court expressed their gratitude to the subcommittee for all their hard work on the matter, and to Ms. Cathy Olive for her patience.

Clerk's Note: The Court noted that letters would be written to Ms. Olive in appreciation of her cooperation and patience in the matter and to the two unsuccessful applicants.

4. RECEIVE PRESENTATION ON 2006-2007 TRAVIS COUNTY IMMIGRANT ASSESSMENT. (10:58 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Ana Almaguel, Planner, TCHHS&VS; Cynthia Colbert, Executive Director, Catholic Charities; Chris Jimmerson, Executive Director, Political Asylum Project of Austin; and Thomas Esparza, Jr., Attorney, Law Office of Thomas Esparza, Jr.

Discussion only. No formal action taken.

PLANNING AND BUDGET DEPT. ITEMS

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:48 AM)
 - A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR THE RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM IN JUVENILE PROBATION. THE GRANT WILL PROVIDE FUNDING FOR ONE FULL-TIME COUNSELOR AND SUBSTANCE ABUSE AND/OR MENTAL HEALTH CONTRACTED SERVICES FOR JUVENILES RECEIVING TREATMENT AT THE INTERMEDIATE SANCTIONS CENTER.

Clerk's Note: Item 5.A 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 BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:17 AM)

No action necessary on Item 6.

ADMINISTRATIVE OPERATIONS ITEMS

7. 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 \$437,430.21 FOR THE PERIOD OF MAY 18 TO MAY 24, 2007. (10:48 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:48 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 REGARDING RECOMMENDATION TO SETTLE ENVIRONMENTAL LOSS PROPERTY CLAIM FROM TRAVIS COUNTY SHERIFF'S OFFICE. (10:48 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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION TO USE THE FY '07 GREEN CIRCLED COMPENSATION RESERVE BALANCE TO FUND VACANT SLOTS AFFECTED BY THE FY '06 JOB ANALYSIS PROJECT THAT ARE BELOW MARKET COMPETITIVE PAY GRADE MINIMUMS;
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO USE THE FY '07 GREEN CIRCLED COMPENSATION RESERVE BALANCE TO FUND UNDERFILLED SLOTS AFFECTED BY THE FY '06 JOB ANALYSIS PROJECT TO ALLOW INCUMBENTS THROUGH 6/30/08 TO MEET REQUISITE REQUIREMENTS FOR THE NEW MARKET COMPETITIVE PAY GRADE;
- C. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSED TECHNICAL DEFINITION OF COMPRESSION, CRITERIA AND GUIDELINES TO DETERMINE THE COMPRESSED CONDITION OF CERTAIN POSITIONS; AND
- D. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO FUND A COMPRESSION RESERVE TO ADDRESS COMPRESSION ISSUES. (11:16 AM)

Clerk's Note: Items 10.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); Luane Schull, Compensation Manager, HRMD; Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office; and Alicia Perez, Executive Manager, Administrative Operations.

ITEM 10 CONTINUED

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 10.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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 10.B.

A Clarification of the previous Motion was made by Judge Biscoe to put the money in the Reserve. If the employees in the underfilled slots achieve minimum qualification in the next twelve months the money is there.

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 approve Item 10.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 yes

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we delay action on Item 10.D until the appropriate time in the future.

Clerk's Note: The Court did not take a Vote on the Standing Motion.

Clerk's Note: The Court approved the postponement of action on Item 10.D without objection.

Item 10.D postponed until further notice.

PURCHASING OFFICE ITEMS

11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TERMINATION OF CONTRACTS AS FOLLOWS: (10:48 AM)
- A. CONTRACT NO. PS000004JW, DR. CHRISTOPHER MASI, M. D., FOR PSYCHIATRIC ASSESSMENT SERVICES;
 - B. CONTRACT NO. PS020041JW, DR. JIM L.H. COX PHD., AND ASSOCIATES, FOR PSYCHOLOGICAL TESTING AND THERAPEUTIC SERVICES;
 - C. CONTRACT NO. PS040249JW, ROO HOUSE, FOR RESIDENTIAL TREATMENT SERVICES;
 - D. CONTRACT NO. PS000249JW, CHILD AND ADOLESCENT DEVELOPMENT, INC., FOR RESIDENTIAL TREATMENT SERVICES;
 - E. CONTRACT NO. PS000203JW, COMMUNITY ADVOCATES FOR TEENS AND PARENTS, INC., FOR RESIDENTIAL TREATMENT SERVICES;
 - F. CONTRACT NO. PS000113JW, KIDS AT THE CROSSROADS, INC., FOR RESIDENTIAL TREATMENT SERVICES; AND
 - G. CONTRACT NO. PS020264JW, BULLOCK COUNSELING, FOR CHEMICAL DEPENDENCY COUNSELING SERVICES. (JUVENILE PROBATION)

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

12. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS030292JW, ROCKDALE REGIONAL JUVENILE JUSTICE CENTER, FOR RESIDENTIAL TREATMENT SERVICES. (JUVENILE PROBATION) (10:48 AM)

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

13. APPROVE CONTRACT AWARD FOR ON-SITE SECURITY GUARD SERVICE, IFB NO. B070238-NB, TO THE LOW BIDDER, VRM SECURITY PROTECTION AGENCY. (DOMESTIC RELATIONS) (COUNSELING AND EDUCATION SERVICES) (10:48 AM)

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

14. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE 2007 HMAC OVERLAY PROGRAM, CITY OF LAKEWAY, IFB NO. B070170-LP, TO THE LOW BIDDER, AUSTIN ROAD AND BRIDGE, LP. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAUGHERTY) (10:48 AM)

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

15. APPROVE INTERLOCAL AGREEMENT WITH FALLS COUNTY FOR INMATE HOUSING SERVICES. (SHERIFF'S OFFICE) (10:48 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 16. A. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: THE VISTAS AT PEDERNALES CANYON TRAIL, A REVISED PLAT OF LOT 13 PEDERNALES CANYON RANCH PHASE 2 (TOTAL LOTS 11); AND
- B. APPROVE SUBDIVISION CONSTRUCTION AGREEMENT FOR VISTAS AT PEDERNALES CANYON TRAIL SUBDIVISION. (COMMISSIONER DAUGHERTY) (10:26 AM) (6:03 PM)

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we postpone consideration of Items 16.A&B for two weeks, June 19, 2007.

Motion failed:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	present but not voting
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

Clerk’s Note: Item 16 was revisited at 6:03 PM.

Motion by Judge Biscoe and seconded by Commissioner Gómez to bring Items 16.A&B back on June 19, 2007.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 16 postponed until June 19, 2007.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:48 AM)
 - A. TOTAL VACATION OF THE RESUBDIVISION OF LOT 5, SILVER SPUR RANCHETTES SECTION TWO; AND
 - B. REPLAT AND RESUBDIVISION OF LOT 5, SILVER SPUR RANCHETTES SECTION TWO IN PRECINCT THREE (TWO COMMERCIAL LOTS).
(COMMISSIONER DAUGHERTY)

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

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF HARTSHILL DRIVE WITHIN THE LONG CANYON 1-A SUBDIVISION, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:17 AM)

Item 18 postponed until June 19, 2007.

THIS ITEM TO BE TAKEN UP AT 2:00 P.M.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE EXPANSION APPLICATION AND RELATED DOCUMENTATION OF BFI-ALLIED WASTE FILED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. (2:27 PM) (4:44 PM) (5:56 PM)

Clerk's Note: Judge Biscoe announced that Item 20 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Robin Schneider, Texas Campaign for the Environment; Joyce Best, Northeast Action Group; Mark McAfee, Owner, Barr Mansion; Ann McAfee, Travis County Resident; Melanie McAfee, Owner, Barr Mansion; Fidel Acevero, Travis County Resident; David Martinez, Travis County Resident; Brad Douglas, Allied Waste/BFI; Paul Gosselink, Attorney representing BFI; Ray Schull, Engineer, BFI; David Escamilla, Travis County Attorney; and Steve Shannon, Recycling Department, BFI.

Motion by Commissioner Davis and seconded by Commissioner Eckhardt that we oppose the BFI/Allied Waste application before the Texas Commission on Environmental Quality (TCEQ). This is their amended solid waste permit 1447 A.

A Clarification of the previous Motion was made by Judge Biscoe that the Motion by Commissioner Davis was to oppose the BFI/Allied Waste expansion instead of responding to the letter for comments.

A Substitute Motion was made by Judge Biscoe and Seconded by Commissioner Daugherty for the Court to approve option A with the comments given legal counsel, after receiving legal advice; that those things be incorporated into option A; that in addition we direct the County Attorney's office to draft appropriate documents to make the mutual commitments enforceable, including consideration of the TCEQ permit, protective covenant, enforceable agreement, financial security, any other appropriate matters, and report back to the Court in two to three weeks, June 19, 2007 to June 26, 2007. This anticipates working with representatives from BFI between now and that time to put appropriate documents in place.

A Friendly Amendment to the previous Motion was offered by Commissioner Eckhardt that we strike all reference to whether or not we oppose the application, since whether or not we oppose the application is premature at this point, and I would also suggest that we include comment regarding the explicit request to increase the rate of acceptance in recognition of including our erroneously deleted condition regarding rate of acceptance.

Clerk's Note: The Friendly Amendment was not accepted.

ITEM 20 CONTINUED

Clerk's Note: The Court took a vote on whether to vote on the Substitute Motion before the Standing Motion.

Motion carried: County Judge Samuel T. Biscoe yes
Precinct 1, Commissioner Ron Davis no
Precinct 2, Commissioner Sarah Eckhardt no
Precinct 3, Commissioner Gerald Daugherty yes
Precinct 4, Commissioner Margaret J. Gómez yes

Clerk's Note: The Court took a Vote on the Substitute Motion.

Motion carried: County Judge Samuel T. Biscoe yes
Precinct 1, Commissioner Ron Davis no
Precinct 2, Commissioner Sarah Eckhardt no
Precinct 3, Commissioner Gerald Daugherty yes
Precinct 4, Commissioner Margaret J. Gómez yes

OTHER ITEMS

- 21. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:48 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 REQUEST FROM THE COUNTY AUDITOR TO BEGIN ADVERTISING FOR FINANCIAL POSITION RELATING TO THE CDBG GRANT AND APPROVE BUDGET TRANSFER TO THE AUDITOR'S OFFICE LINE ITEMS FOR THIS POSITION. (COUNTY AUDITOR) (11:45 AM)

Members of the Court heard from: Travis Gatlin, Budget Analyst, PBO; Susan Spataro, Travis County Auditor; Sherri Fleming, Executive Manager, TCHHS&VS; Cyd Grimes, Travis County Purchasing Agent; and Kimberly Walton, Chief Assistant County Auditor, Travis County Auditor's Office.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 22.

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DISTRIBUTE FLIERS WITH THE JUNE 15TH PAYROLL CHECKS ANNOUNCING THE TRAVIS COUNTY/CITY OF AUSTIN EMANCIPATION DAY - JUNETEENTH CELEBRATION ON JUNE 15, 2007. (JUDGE BISCOE AND COMMISSIONER DAVIS) (10:48 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. DISCUSS AND TAKE APPROPRIATE ACTION ON FEASIBILITY OF CREATING POSITION TO PERFORM PUBLIC INFORMATION, INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE DUTIES AT TRAVIS COUNTY. (JUDGE BISCOE) (6:02 PM)

Item 24 postponed until June 12, 2007.

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

Note 3 Gov't Code Ann 551.074, Personnel Matters

Note 4 Gov't Code Ann 551.076, Security

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

- 25. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE CITY OF AUSTIN TO USE THE TRAVIS COUNTY EXPOSITION CENTER AS AN ALTERNATIVE VENUE FOR CERTAIN EVENTS DURING JUNE, 2007. ¹ (1:38 PM) (5:52 PM)

Clerk's Note: Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we direct Staff to continue to negotiate with the City of Austin here. We can make the Expo Center available on the days that the City of Austin requests. We have a hard time determining that this is a youth activity, that they mentioned, so we should ask Staff to get the City to pick up the utility costs, especially since the HVAC this time of year is very expensive and since our bill comes from Austin Energy. Their request to have food there is approved, except we wish that their items not clash with the foods provided by our concessionaire, and also our concessionaire has an alcoholic beverage permit that covers the premises, so we do not think it will be a good idea for them to try to sell alcoholic beverages. Otherwise, we are fully supportive of them and want to continue to partner with them in this effort.

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

26. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN CLAIM BY JENNIFER MALDONADO, FORMER SLOT #45; EEOC CHARGE NO. 31C-2007-00733. ¹ (1:38 PM) (5:53 PM)

Clerk’s Note: Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: David Escamilla, Travis County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Attorney to use outside legal counsel as much as possible, and up to the total attorneys’ fees of \$22,500.00.

Motion carried:

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

27. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON SELECTION OF EXECUTIVE MANAGER OF JUSTICE AND PUBLIC SAFETY. ^{1 AND 3} (1:38 PM) (5:54 PM)

Clerk’s Note: Judge Biscoe announced that Item 27 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 27 to be reposted on June 12, 2007.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO PURCHASE PROPERTY OWNED BY TRAVIS COUNTY AND LOCATED AT 9207 JOHNNY MORRIS ROAD IN PRECINCT ONE. ^{1 AND 2} (1:38 PM) (5:54 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.

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

Discussion only. No formal action taken.

Item 28 to be reposted on June 12, 2007.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON THE SALE OF REAL PROPERTY AT 6701 BURNET ROAD. ^{1 AND 2} (1:38 PM) (5:54 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.

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we approve the contract and authorize the County Judge to sign on behalf of the Commissioners Court.

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	abstain

30. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON REAL ESTATE ISSUES IN CENTRAL AUSTIN. ² (1:38 PM) (5:55 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.

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize Staff to make a new offer to purchase real property on Lavaca for County use for the sum of \$2.3 million.

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: The Court authorized Staff to put together either an appropriate earnest money contract or purchase contract, seal the deal and give the Court an opportunity to work further on a more elaborate contract if necessary.

ADJOURNMENT

Motion by Judge Biscoe and seconded by Commissioner Davis to adjourn the Voting Session. (6:04 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

Date of Approval

Samuel T. Biscoe, Travis County Judge