

## **MINUTES OF MEETING FEBRUARY 26, 2008**

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

On Tuesday, the 26<sup>th</sup> day of February 2008, the Commissioners' Court convened the Voting Session at 9:17 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 11:03 AM.

The Commissioners Court reconvened the Voting Session at 12:02 PM.

The Commissioners Court recessed the Voting Session at 12:02 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:43 PM and adjourned at 1:55 PM.

The Commissioners Court, meeting as the Travis County Cultural Education Facilities Finance Corporation, convened at 1:55 PM and adjourned at 1:58 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; and the Travis County Development Corporation, convened at 1:58 PM and adjourned at 1:58 PM.

The Commissioners Court reconvened the Voting Session at 1:58 PM.

The Commissioners Court retired to Executive Session at 1:59 PM.

The Commissioners Court reconvened the Voting Session at 2:54 PM.

The Commissioners Court adjourned the Voting Session at 2:59 PM.

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Gus Peña, Travis County Resident; and Jennifer Gayle, Travis County Resident. (9:18 AM)

**CONSENT ITEMS**

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 4, 6.A&B, 8, 9, 11, 12.A-C, 13, 15, 16, 19, 20, 21, 22, 23, 24, 25, and 26. (9:26 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. APPROVE SETTING A PUBLIC HEARING ON MARCH 11, 2008 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE OASIS BLUFF DRIVE TO THROUGH TRAFFIC FROM COMANCHE TRAIL TO BULLICK HOLLOW ROAD IN PRECINCT THREE FOR THE "COLD FUSION SIZZLER" SLALOM SKATEBOARD RACES TO BE HELD ON MARCH 29-30, 2008, FROM 10:00 A.M. TO 6:00 P.M. (COMMISSIONER DAUGHERTY)
- C3. REAPPOINT GARY JOHNSON AND CLIFF KESSLER TO SERVE ON THE BOARD OF COMMISSIONERS FOR TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 TO SERVE ONE YEAR TERMS BEGINNING JANUARY 1, 2007 UNTIL JANUARY 1, 2008. (COMMISSIONER DAVIS)
- C4. REAPPOINT DAVID ERICKSON, JARRELL LARSON AND MARILYN SAMUELSON TO SERVE ON THE BOARD OF COMMISSIONERS FOR TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 TO SERVE TWO YEAR TERMS BEGINNING JANUARY 1, 2007 UNTIL JANUARY 1, 2009. (COMMISSIONER DAVIS)
- C5. REAPPOINT GARY JOHNSON AND CLIFF KESSLER TO SERVE ON THE BOARD OF COMMISSIONERS FOR TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 TO SERVE NEW TWO YEAR TERMS BEGINNING JANUARY 1, 2008 UNTIL JANUARY 1, 2010. (COMMISSIONER DAVIS)

**SPECIAL ITEM**

- 1. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:30 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

Discussion Only. No formal action taken.

Item 1 to be reposted on March 4, 2008.

**Clerk’s Note:** Judge Biscoe announced that by taking no action the prohibition against outdoor burning stays in place. The Order is effective until March 6, 2008.

**RESOLUTIONS & PROCLAMATIONS**

- 2. APPROVE PROCLAMATION RECOGNIZING BYRON MARSHALL FOR RECEIVING THE 2007 “MARKS OF EXCELLENCE AWARD” FROM THE NATIONAL FORUM FOR BLACK PUBLIC ADMINISTRATORS. (JUDGE BISCOE) (9:32 AM)

**Members of the Court heard from:** Deborah E. Britton, Director, Community Services Division, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Eddie Washington, President, National Forum for Black Administrators; Byron Marshall, President, Austin Revitalization Authority; and Gus Peña, Travis County Resident.

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

**TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS**

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSAL TO CONDUCT A COMMUNITY OPINION SURVEY OF COUNTY LAND USE AUTHORITY. (COMMISSIONER DAVIS AND COMMISSIONER ECKHARDT) (9:43 AM)

**Clerk’s Note:** The Court discussed employing a survey firm to conduct a two-part process which would start with telephone surveys with informed stakeholders and then move on to focus groups.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Cyd Grimes, Travis County Purchasing Agent; and Susan Spataro, Travis County Auditor.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Daugherty to go forward with the development of the scope of services, as well as a web questionnaire, and establishing three forums for the public on this issue as part of our plan for eliciting the community opinion on land use.

**An Addition to the previous Motion was made by** Commissioner Eckhardt **and Seconded by** Commissioner Davis that we will have some forums. We are just going to wait until the report comes back to decide how many and under what circumstances they should be held.

**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 a preference that the interviews be conducted by categories of the interviewees, and that one of the public forums be conducted during a Commissioners Court voting session.

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRIORITIZE HOWARD LANE PROJECT ON APPLICATION TO CAMPO FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS. (9:26 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.

**PLANNING AND BUDGET DEPT. ITEMS**

5. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:42 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 5.

**Motion carried:**

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

6. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:26 AM)

- A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE COUNTY ATTORNEY'S OFFICE TO CONTINUE THE FAMILY VIOLENCE ACCELERATED PROSECUTION PROGRAM; AND
- B. GRANT CONTRACT AMENDMENT NO. 3 WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO EXTEND THE PROJECT EXPIRATION DATE TO ALLOW FOR THE COMPLETION AND MATCHING REIMBURSEMENT OF THE REMAINING GRANT-FUNDED ELEMENTS AT THE EAST METROPOLITAN PARK.

**Clerk's Note:** Items 6.A&B 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 ISSUES RELATED TO THE FY '09 BUDGET, INCLUDING: (10:10 AM)

A. FY '09 BUDGET PARAMETERS; AND

B. PROPOSED FY '09 BUDGET GUIDELINES.

**Clerk's Note:** Items 7.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christian Smith, Executive Manager, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; Cyd Grimes, Travis County Purchasing Agent; and David Escamilla, Travis County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the budget parameters and the budget guidelines.

**Withdrawal of the previous Motion was made by Judge Biscoe.**

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the budget parameters.

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the budget guidelines in Item 7.B.

<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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

**ADMINISTRATIVE OPERATIONS ITEMS**

- 8. 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 \$329,018.30 FOR THE PERIOD OF FEBRUARY 8 TO FEBRUARY 14, 2008. (9:26 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:26 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 REQUEST FOR OFFICE SPACE FOR SPECIAL ASSISTANT TO THE COMMISSIONERS COURT. (10:54 AM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; and Christian Smith, Executive Manager, PBO.

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

**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

**JUSTICE & PUBLIC SAFETY ITEMS**

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PAY CERTIFICATION FEES FOR TWO NON-TRAVIS COUNTY EMPLOYEES WHO GRADUATED FROM THE NATIONAL INSTITUTE OF CORRECTIONS, OFFENDER WORKFORCE DEVELOPMENT SPECIALIST TRAINING IN TAMPA, FLORIDA. (9:26 AM)

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

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY MEDICAL EXAMINERS OFFICE FOR THE FOLLOWING TWO AGREEMENTS BETWEEN THE UNIVERSITY OF TEXAS AND TRAVIS COUNTY, AND A FORM INTERNSHIP AGREEMENT: (9:26 AM)
  - A. EDUCATION EXPERIENCE AFFILIATION AGREEMENT;
  - B. PHARMACY PROGRAM AGREEMENT; AND
  - C. FORM INTERNSHIP AGREEMENT.

**Clerk's Note:** Items 12.A-C 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**

13. APPROVE MODIFICATION NO. 14 TO CONTRACT NO. 04K00147JJ, RGM CONSTRUCTORS, LP, FOR SCOFIELD RIDGE PARKWAY STREET AND DRAINAGE IMPROVEMENTS IN PRECINCT ONE. (TRANSPORTATION AND NATURAL RESOURCES) (9:26 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.

**Clerk's Note:** The County Judge read a statement prepared by Steve Manilla, Director, Public Works, TNR: "Funding for change orders to the construction contract for the Howard Lane/Scofield Ridge Parkway project is to come from savings on the Blake/Manor Road project which has been completed, and was in the same 2001 Bond Order."



- 14. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. 01T00680J, CMI BARRON RISK MANAGEMENT SERVICES, INC., FOR THE THIRD PARTY ADMINISTRATION FOR COUNTY'S SELF-FUNDED PROGRAMS FOR WORKERS COMPENSATION AND AUTO LIABILITY FOR THE FOLLOWING ACTIONS: (10:56 AM)
  - A. ASSIGNMENT OF CONTRACT FROM CMI BARRON RISK MANAGEMENT SERVICES, INC. TO SEDGWICK CLAIM MANAGEMENT SERVICES, INC., AND
  - B. TWELVE-MONTH EXTENSION. (HUMAN RESOURCES MANAGEMENT DEPARTMENT)

**Clerk's Note:** Items 14.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Bill Paterson, HRMD; and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 14.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

- 15. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS070186RE, THE WRIGHT HOUSE WELLNESS CENTER, INC., FOR CLIENT ADVOCACY SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (9:26 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. PS070185RE, AIDS SERVICES OF AUSTIN, INC., FOR HIV SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (9:26 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 MODIFICATION NO. 4 TO INTERLOCAL AGREEMENT NO. IL060341RE, TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION, FOR SUBSTANCE ABUSE SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (11:00 AM)

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 17.

**Motion carried:**

County Judge Samuel T. Biscoe	abstain
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

18. APPROVE ISSUANCE OF JOB ORDER NO. 1 FOR MINOR CONSTRUCTION AND RENOVATION SERVICES AT THE EASTSIDE SERVICE CENTER, CONTRACT NO. 07K00308RV, TRIMBUILT CONSTRUCTION, INC. (FACILITIES MANAGEMENT) (11:01 AM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez 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	yes

19. REJECT BID RECEIVED FOR IFB NO. B080103VC, PERSYSTENT SOFTWARE LICENSES AND MAINTENANCE. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:26 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 MODIFICATION NO. 1 TO CONTRACT NO. CM060288VC, STRATEGIC NETWORK CONSULTING, FOR PERSYSTENT SOFTWARE LICENSES AND MAINTENANCE. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:26 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. 8 TO CONTRACT NO. 03T00287LD, ACCENT FOODS, FOR CAFETERIA AND VENDING MACHINE CONCESSION SERVICES. (FACILITIES MANAGEMENT) (9:26 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.

## OTHER ITEMS

22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JANUARY, 2008. (COUNTY AUDITOR) (9:26 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 AND TAKE APPROPRIATE ACTION ON MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FY '07 COUNTY-WIDE ANNUAL FINANCIAL AUDIT. (COUNTY AUDITOR) (9:26 AM)

**Clerk's Note:** Item 24 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 ON REQUEST IN ACCORDANCE WITH BUDGET RULE #12 TO ALLOW THE COUNTY AUDITOR'S OFFICE TO PROCESS AUTO THEFT GRANT TRAVEL REIMBURSEMENTS FOR TRAVEL TAKEN DURING THE CURRENT GRANT PERIOD. (SHERIFF'S OFFICE) (9:26 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 TO SET A PUBLIC HEARING ON MARCH 11, 2008 TO RECEIVE COMMENTS REGARDING A PROPOSED ISSUANCE OF THE TRINITY HIGHER EDUCATIONAL FACILITIES CORPORATION VARIABLE RATE DEMAND REVENUE BONDS, SERIES 2008A FOR A HUSTON-TILLOTSON UNIVERSITY PROJECT. (9:26 AM)

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

**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.

- 27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR JUVENILE PROBATION EMPLOYEE, SLOT 438. <sup>1 AND 3</sup> (11:03 AM) (2:54 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.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we authorize 6 days with pay to the employee who used to be in slot #438.

**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

28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR JUVENILE PROBATION EMPLOYEE, SLOT 477. <sup>1 AND 3</sup> (11:03 AM) (2:54 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. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we authorize an additional 13 days of leave with pay for the employee in slot #477.

**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 PURCHASE CONTRACT WITH PARKE PROPERTIES I AND II, L.P. AND GDF REALTY INVESTMENTS LTD. FOR THE ACQUISITION OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. <sup>2</sup> (11:03 AM) (2:54 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we authorize Staff to begin to negotiate to purchase the 21.592 acres of land for a total price of \$5.6 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

- 30. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. MARION HILL (CHARITY RUTH BARTELL RESALE DEED). <sup>1</sup> (9:18 AM)

**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.

Item 30 postponed until March 4, 2008.

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED OPTION AGREEMENT TO PURCHASE OPEN SPACE PARKLAND IN SOUTHWEST TRAVIS COUNTY. <sup>2</sup> (11:03 AM) (2:55 PM)

**Clerk's Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that we generally direct Staff to touch base with the property owners, the Reimers, for more specifics about a proposed agreement, and report back to the Court at the appropriate time.

**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

32. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING MEETING WITH RESIDENTS ON PROPOSALS FOR THE PURCHASE OF COUNTY PROPERTY AT 9207 JOHNNY MORRIS ROAD, IN PRECINCT ONE.  
<sup>1 AND 2</sup> (11:03 AM) (1:59 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 and Gov’t. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we not transfer this property by lease or deed to the Emergency Services District for the sum of \$300,000.00, because we previously committed to sell the property and take the proceeds and apply that toward the cost of the consolidated office.

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

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we have this item back on the Court’s agenda next week, March 4, 2008, and have Staff do appropriate due diligence about the nature of the proposed business, the rightness of the offer compared to the appraised value, and maybe get a broker’s comments about the possibility of other buyers, and any other relevant information for the Court to consider next week.

**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

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LEASE ISSUES ASSOCIATED WITH PROPERTY AT 1310 FM 1626. <sup>1 AND 2</sup> (9:18 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 and Gov’t. Code Ann. 551.072, Real Property.

Item 33 postponed until March 4, 2008.



- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE COUNTY ATTORNEY TO JOIN BRIEF OF AMICI CURIAE, THE MEDICAL EXAMINERS OF THE STATE OF TEXAS PREPARED BY TARRANT COUNTY CRIMINAL DISTRICT ATTORNEY IN RELATION TO APPEAL FROM THE 133RD DISTRICT COURT, HARRIS COUNTY IN THE MATTER OF HARRIS COUNTY MEDICAL EXAMINER LUIS ARTURO SANCHEZ, M.D. V. AFSANEH SAGHIAN. <sup>1</sup> (11:03 AM) (2:57 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 Gómez** that Travis County submit an amicus curiae brief where we, basically, set forth the position of our Medical Examiner Dr. Dolinak, and especially the legal standards that we believe apply - the ones that have been in place historically and have guided us.

**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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE  
 POTENTIAL PURCHASE OF REAL ESTATE ON AIRPORT BOULEVARD. <sup>1 AND</sup>  
<sup>2</sup> (11:03 AM) (1:59 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 and Gov’t. Code Ann. 551.072, Real Property.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the first amendment to the real estate agreement for property located on Airport Boulevard. It reduces the purchase price by \$25,000.00, requires the seller to repair certain equipment on the property, and it sets a closing date of March 10, 2008 or before, and these specific terms are set forth in the amendment.

- 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 direct consultants and County Staff to prepare all documents necessary and appropriate to close this purchase, and authorize the County Judge to execute all closing documents promptly.

- 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

**ADDED ITEMS**

- A1. APPROVE CONTRACT AWARD FOR NORTHRIDGE ACRES WATERLINE IMPROVEMENTS, IFB NO. B080087-JW, TO THE LOW BIDDER, BORETEX, LLC. (9:40 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; Dan Smith, Former Executive Assistant, County Judge’s Office; and Nettie Brown, President, Northridge Acres Homeowners Association.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item A1.

**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

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty to adjourn the Voting Session. (2:59 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**