

MINUTES OF MEETING – MAY 9, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of May 2006, the Commissioners' Court convened the regular Voting Session at 9:14 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 12:05 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:46 PM and adjourned at 2:03 PM.

The Commissioners Court reconvened the Voting Session at 2:03 PM.

The Commissioners Court retired to Executive Session at 4:34 PM.

The Commissioners Court reconvened the Voting Session at 7:06 PM.

The Commissioners Court adjourned the Voting Session at 7:13 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 1277 AND 1278 OF APACHE SHORES SECTION 2 – A SUBDIVISION IN TRAVIS COUNTY IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (ACTION ITEM #13) (9:16 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 13 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 Karen Sonleitner	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).

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 Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Valerie Bristol, Director of External Affairs, The Nature Conservancy of Texas; Bob Benson, Associate Director of Philanthropy, The Nature Conservancy of Texas; Vincent J. May, Travis County Resident; and Ms. Phillip A. Dick, Travis County Resident. (9:18 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 3, 4, 7, 9, 12, 13, 14, 17 and A.2. (9:30 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. AWARD BIDS FOR FOOD ITEMS FOR TRAVIS COUNTY CORRECTIONAL FACILITIES AND JUVENILE DETENTION SERVICES.
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR THE VOTING SESSION OF APRIL 18, 2006.
- C4. APPROVE SETTING A PUBLIC HEARING ON MAY 23, 2006 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 5, BLOCK A, YACKTMAN SUBDIVISION (SHORT FORM PLAT – 11 LOTS – 31.905 ACRES – PEARCE RD. – FISCAL POSTED – ON-SITE SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY FOR LOTS 2 THROUGH 10 – ON-SITE SEWAGE SERVICE TO BE PROVIDED BY CITY OF AUSTIN FOR LOTS 1 AND 11 ONLY – CITY OF AUSTIN 2-MILE ETJ AND FULL PURPOSE ANNEXATION AREA). (COMMISSIONER DAUGHERTY)
- C5. APPROVE SETTING A PUBLIC HEARING ON MAY 23, 2006 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 5, SECTION TWO, SILVER SPUR RANCHETTES (SHORT FORM PLAT – 2 LOTS – 36.86 ACRES – JIM BRIDGER DR. – NO FISCAL REQUIRED – ON-SITE SEWAGE SERVICE TO BE PROVIDED BY TRAVIS COUNTY – CITY OF AUSTIN ETJ). (COMMISSIONER DAUGHERTY)

PLANNING AND BUDGET DEPT. ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:37 AM)

Members of the Court heard from: Bill Derryberry, Senior Budget Analyst, Planning and Budget Office (PBO); Bill Campbell, Travis County Sheriffs Office (TCSO); and Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 2.

An Addition to the previous Motion was made by Judge Biscoe to correct the department in Budget Amendment A.2 from TNR to Facilities.

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

ADMINISTRATIVE OPERATIONS ITEMS

3. 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 \$341,053.66 FOR THE PERIOD OF APRIL 21 TO APRIL 27, 2006. (9:30 AM)

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

4. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:30 AM)

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

5.
 - A. DISCUSS AND TAKE APPROPRIATE ACTION ON FY '06 CLASSIFICATION AND COMPENSATION JOB ANALYSIS PROJECT RECOMMENDATIONS THAT AFFECT ADMINISTRATIVE SUPPORT, GENERAL MAINTENANCE AND SKILLED TRADES JOB FAMILIES, E.G. TITLES, PAY GRADES, FLSA DESIGNATIONS, SUPPLEMENTAL PAY RATES AND PRACTICES;
 - B. APPROVE SET-ASIDE IN FY '07 PRELIMINARY BUDGET TO FUND SLOTS THAT ARE BELOW PAY GRADE MINIMUMS (GREEN-CIRCLED)
 - C. EXPLORE ALTERNATIVES TO ADDRESS COMPRESSION ISSUES DURING THE FY '07 BUDGET PROCESS; AND
 - D. DISCUSS AND TAKE APPROPRIATE ACTION TO HAVE DEPARTMENTS SUBMIT FY '07 COMPENSATION ALLOCATION PLANS TO HRMD IN ACCORDANCE WITH DEFINED PARAMETERS FOR APPROVAL BY COMMISSIONERS COURT. (10:43 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Todd Osburn, HRIS & Budget Analyst, HRMD; Luane Shull, Compensation Manager, HRMD; Travis Gatlin, Budget Analyst, PBO; Carol Buesing, Chief Deputy Constable Precinct 2; Dusty Knight, Chief Operating Officer, Tax Assessor Collector's Office; Dana DeBeauvoir, Travis County Clerk; Judge Barbara Bembry, Justice of the Peace Precinct 2; Michelle Brinkman, Chief Deputy, Travis County District Clerk's Office; and Christian Smith, Executive Manager, PBO.

Motion by Commissioner Davis to approve Items 5.A&B.

Clerk's Note: The Motion died for lack of a second.

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

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

ITEM 5 CONTINUED

Motion by Commissioner Davis that PBO is directed to set aside a set amount of money. I really don't know exactly what that figure is, I had \$1.8 million earlier. Other was a different figure. But whatever that amount is, \$1.8 million is fine, but then I understand it may go down. Whatever it is, needs to be put, set aside, a circle. In other words, the preliminary FY '07 budget for the pay grade minimum slots in item 5.B, with green circle plus compression.

Withdrawal of the previous Motion was made by Commissioner Davis.

Clerk's Note: The Court directed Staff to prepare preliminary budget paperwork for a work session on May 25, 2006.

Items 5.A-D to be reposted on May 30, 2005.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM THE eFILING EXECUTIVE COMMITTEE ON eFILING PROJECT. (9:30AM)

Item 6 postponed until May 9, 2006.

JUSTICE & PUBLIC SAFETY ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST BY AUSTIN-TRAVIS COUNTY EMS TO USE AMBULANCE NO. 00E004TC FOR DRIVER TRAINING. (9:30 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.

AT 1:45 P.M.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR FUNDING OF THE CASE MANAGEMENT COMPONENT OF THE CITY FUNDED PROGRAM "PROJECT RECOVERY". (9:15 AM)

Item 8 postponed until May 16, 2006.

PURCHASING OFFICE ITEMS

9. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 04T00185OJ, AIRGAS SAFETY, FOR SAFETY SUPPLIES AND EQUIPMENT. (TNR)
(COMMISSIONER GÓMEZ) (9:30 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. APPROVE MODIFICATION NO. 11 TO CONTRACT NO. 03T00074OJ, WASTE MANAGEMENT OF TEXAS, FOR REFUSE COLLECTION. (COUNTYWIDE)
(COMMISSIONER GÓMEZ) (9:32 AM)

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to approve Item 15.

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

11. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 04K00264JJ, BARECKY CONSTRUCTION COMPANY, FOR EAST METRO PARK, PHASE I, PROJECT II. (TNR) (COMMISSIONER DAVIS) (COMMISSIONER GÓMEZ)
(9:33 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Roger El Khoury, Director, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 11.

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

12. APPROVE CONTRACT AWARD FOR TRAVIS COUNTY SCHOOL LAND OIL AND GAS LEASE, IFB NO. B060172-JW, TO THE SOLE BIDDER, ESTACADO ENERGY, L.L.C. (TEXAS COOPERATIVE EXTENSION OFFICE) (COMMISSIONER GÓMEZ) (9:30 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

13. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO 5 FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 1277 AND 1278 OF APACHE SHORES SECTION 2 – A SUBDIVISION IN TRAVIS COUNTY IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION TO ACCEPT TWO CONSERVATION EASEMENT AGREEMENTS COVERING A TOTAL OF 25.347 ACRES FROM "GRAY MOUNTAIN, LTD." AND "COLDWATER DEVELOPMENT, LTD." TO BECOME PART OF THE BALCONES CANYONLANDS PRESERVE. (COMMISSIONER DAUGHERTY) (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON STREETS WITHIN SEVEN OAKS SUBDIVISION, INCLUDING MARLY WAY AND OLYMPUS DRIVE. (COMMISSIONER DAUGHERTY) (9:58 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Phillip Gully, Bee Cave Oaks Development; Anna Bowlin, Program Manager, Planning and Engineering, TNR; and David Greear, Traffic Manager, TNR.

Discussion only. No formal action taken.

Clerk's Note: The Court gave Staff directions to work with the developer to ensure outstanding items are finished by May 23, 2006 to enable the County to accept the roads.

Item 15 to be reposted on May 23, 2006.

16. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENTS TO CHAPTER 84, UNACCEPTED SUBSTANDARD ROADWAY SPECIFICATIONS OF THE TRAVIS COUNTY CODE. (10:38 AM)

Members of the Court heard from: Steve Manilla, Public Works Director, TNR; Mary Etta Gerhardt, Assistant County Attorney; and Tom Nuckols, Assistant County Attorney.

Clerk's Note: The Court directed that Item 16 would be posted for a public hearing and action on the May 16, 2006 Agenda.

OTHER ITEMS

17. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:30 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.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING TRAVIS COUNTY REORGANIZATION INITIATIVES: (7:13 PM)
- A. APPOINTMENT OF EXECUTIVE MANAGER OR COORDINATOR FOR CRIMINAL JUSTICE PLANNING;
 - B. APPOINTMENT OF EXECUTIVE MANAGER OR COORDINATOR FOR EMERGENCY SERVICES;
 - C. APPOINTMENT OF EXECUTIVE MANAGER OF BOTH CRIMINAL JUSTICE PLANNING AND EMERGENCY SERVICES COORDINATOR;
 - D. ANY OTHER OPTIONS REGARDING THE MANAGEMENT OF CRIMINAL JUSTICE PLANNING AND EMERGENCY SERVICES; AND
 - E. OTHER RELATED EMERGENCY PERSONNEL MATTERS. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION, PURSUANT TO GOV'T. CODE ANN. 551.074, PERSONNEL MATTERS)

Item 18 to be reposted on May 16, 2006.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATION PENDING IN THE CURRENT SPECIAL SESSION OF THE TEXAS LEGISLATURE REGARDING HOMESTEAD EXEMPTIONS, APPRAISAL CAPS, REVENUE CAPS AND TAX RATE LIMITATIONS. (2:03 PM)

Members of the Court heard from: Bob Kamm, Legislative Consultant; and Anne Denkler, Executive Assistant, Travis County Commissioner Precinct 2 Office.

Discussion only. No formal action taken.

Item 19 to be reposted on May 16, 2006.

20. DISCUSS FOLLOW-UP REPORTS AND ISSUES REGARDING RESPONSES TO REQUEST FOR INFORMATION ON COLLECTION OF DELINQUENT TAXES, INCLUDING THE FOLLOWING: (2:13 PM) (4:34 PM) (7:12 PM)
- A. ANY CLARIFYING INFORMATION REGARDING PROPOSALS;
 - B. ANY ADDITIONAL ANALYSIS BY COUNTY STAFF OR EVALUATION COMMITTEE;
 - C. FOLLOW-UP ACTION BY THE COMMISSIONERS COURT; AND (JUDGE BISCOE)
 - D. RECEIVE PROPERTY TAXES FINAL REPORT DATED JULY 2005 (ANALYSIS OF CURRENT PROCESS FOR DELINQUENT PROPERTY TAXES COLLECTION AND EVALUATION OF THE PROPOSALS OF PRIVATE FIRMS ON THE COLLECTION OF DELINQUENT PROPERTY TAXES). (COMMISSIONER SONLEITNER)

Members of the Court heard from: E. Stephen Lee, Associate Attorney, Perdue, Brandon, Fielder, Collins and Mott LLP; Ken Oden, Partner, Linebarger, Goggan, Blair and Sampson LLP; Dale Linebarger, Owner, Linebarger, Goggan, Blair and Sampson LLP; Nelson Linder, President, Austin National Association for the Advancement of Colored People (NAACP); Richard Franklin, President, Black Austin Democrats, and Vice Chair, The Coalition of Shared Governance; Fidel Acevado, Chair, Mexican American Democrats; Jeffrey Richard, Policy Analyst; Susana Almanza, Co-Director, People Organized in the Defense of Earth and her Resources (PODER); Gus Garcia, Ex-Mayor, City of Austin; Bruce Todd, Ex-Mayor, City of Austin, and Consultant, Linebarger, Goggan, Blair and Sampson LLP; Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office; and David Escamilla, Travis County Attorney.

ITEM 20 CONTINUED

Motion by Commissioner Sonleitner **and seconded by** Commissioner Daugherty to receive into the record the "Property Taxes Final Report, July 2005, Analysis of Current Process for Delinquent Property Taxes Collection and Evaluation of the Proposals of Private Firms on the Collection of Delinquent Property Taxes" from PBO.

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

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.

Discussion only. No formal action taken.

Item 20 to be reposted on May 16, 2006.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE MAY 13, 2006 JOINT GENERAL AND SPECIAL ELECTIONS, INCLUDING THE DESIGNATION OF ELECTION DAY POLLING PLACES. (COUNTY CLERK) (4:31 PM)

Clerk's Note: The County Judge announced that: Precinct 156 will vote at Virginia I. Brown Recreation Center, 7500 Blessing Avenue; Precinct 336 will be combined with Precinct 335 and vote at Canyon Vista Middle School, 8455 Spicewood Springs Road; and Precinct 343 will be combined with Precinct 333 and vote at Canyon Creek Elementary School, 10210 Ember Glenn Drive. If you have any questions about where you need to vote please contact the County Clerks Office or consult with the Austin American-Statesman.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 21.

Motion carried:

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

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

Note 4 Gov't Code Ann 551.087, Economic Development Negotiations

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.

22. CONDUCT AND TAKE APPROPRIATE ACTION ON PERFORMANCE
EVALUATIONS FOR THE TWO COORDINATORS. ³ (4:34 PM) (7:06 PM)

Clerk's Note: Judge Biscoe announced that Item 22 would be considered in Executive Session pursuant to Gov't Code Ann 551.074, Personnel Matters.

Clerk's Note: The two evaluations will be taken care of in the May 11, 2006 Work Session.

Discussion only. No formal action taken.

23. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF PAID ADMINISTRATIVE LEAVE FOR TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT, SLOTS 357, 283 AND 79. ^{1 AND 3} (4:34 PM) (7:06 PM)

Clerk's Note: Judge Biscoe announced that Item 23 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 add an extra 6 days to the leave, with pay, for each, and that will carry them through today, May 9th, 2006.

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

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING EFFORTS TO MARKET PROPERTY AT 6701 BURNET ROAD. ^{1 AND 2} (4:34 PM) (7:07 PM)

Clerk's Note: Judge Biscoe announced that Item 24 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 Commissioner Sonleitner **and seconded by** Judge Biscoe to authorize appropriate Staff and our hired Agent to proceed with negotiations with Mr. Peter Barlin and that the same list of, call them the "thou shall not's", the kinds of restrictions that we talked about in anyone else that was looking at this property, be communicated to Mr. Barlin that that would need to part of the deal of him signing off on the restrictions on that property and, that in terms of the due diligence that needs to be done related to an underground storage tank that we believe is there because that was an old Road and Bridge Office, that that proceed forward and that be communicated to Mr. Barlin and we find out what, if any, impact that will have on our decision to negotiate with him.

Motion carried:

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR FINANCIAL INCENTIVES FOR A LARGE DATA CENTER IN TRAVIS COUNTY. ⁵ (4:34 PM) (7:08 PM)

Clerk's Note: Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.087, Economic Development Negotiations.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we indicate the County's willingness to grant a 50% abatement on incremental taxes on real and personal; that the County Judge be authorized to sign a letter to that effect tomorrow, May 10, 2006.

Motion carried:

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

Clerk's Note: The County Judge informed the Court that this vote was consistent with current policy.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON THE BFI LANDFILL PERMIT AMENDMENT APPLICATION. ¹ (4:34 PM) (7:09 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to indicate to the Capitol Area Council of Governments (CAPCOG) and others that Travis County opposes the application to expand that has been filed by BFI.

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

Clerk's Note: The Court noted that the application has a 2018 date and, leaves a Transfer Station still a possibility.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE WASTE MANAGEMENT OF TEXAS LANDFILL PERMIT AMENDMENT APPLICATION AND RELATED ISSUES. ¹ (4:34 PM) (7:10 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize Staff to prepare an appropriate response to the Texas Commission for Environmental Quality (TCEQ) request for comments from Travis County and that the Court have a draft letter to review next Tuesday, May 16, 2006 so we can meet their May 18th, 2006 deadline and, that we should also look into a little strategy that puts us into a position to acquire appropriate experts at the appropriate time in the future.

A Friendly Amendment to the previous Motion was offered by Commissioner Davis that the court is still in opposition to the Waste Management, Inc. (WMI) expansion.

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON SALARY AND CONTRACT NEGOTIATIONS WITH DEPUTY MEDICAL EXAMINER. ³
(4:34 PM) (7:11 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't Code Ann 551.074, Personnel Matters.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to authorize Judge Biscoe to meet with the said Deputy Medical Examiner along with Beth Devery; Chief Administrative Officer, Travis County Medical Examiners Office, and Alicia Perez, Executive Manager, Administrative Operations as they deem appropriate, to communicate, basically, directions that the Commissioners Court discussed in Executive Session.

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

Clerk's Note: The County Judge indicated that this should be accomplished in the next few days.

Clerk's Note: Item 28 was further discussed with a request by Commissioner Sonleitner that the Commissioners Court record reflect a Corrected Vote on Item 28. Judge Biscoe instructed that the record show Commissioner Sonleitner voting against the Motion on Item 28. The Commissioners Court record does reflect the Corrected Vote.

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

Item 28 to be reposted on May 16, 2006.

THE FOLLOWING ITEMS ARE ADDENDUM:

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COUNTY APPROVAL OF ISSUANCE OF A CONSTRUCTION CONTRACT FOR THE ROAD GALLERIA PARKWAY FOR HILL COUNTRY GALLERIA L.P. (9:14 AM)

Item A.1 postponed until May 16, 2006.

- A2. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AMENDMENT NO. 2 TO ELECTION AGREEMENT WITH THE CITY OF AUSTIN FOR ELECTION SERVICES. (COUNTY CLERK) (9:30 AM)

Clerk's Note: Item A.2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

ADJOURNMENT

Motion by Commissioner Davis **seconded by** Commissioner Gómez to adjourn the Voting Session. (7:13 PM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	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