

MINUTES OF MEETING – AUGUST 14, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th day of August 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 retired to Executive Session at 10:42 AM.

The Commissioners Court reconvened the Voting Session at 11:13 AM.

The Commissioners Court recessed the Voting Session at 12:24 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:41 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; convened at 1:41 PM and adjourned at 1:45 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; and the Travis County Cultural Education Facilities Finance Corporation; convened at 1:45 PM and adjourned at 1:46 PM.

The Commissioners Court reconvened the Voting Session at 1:47 PM.

The Commissioners Court retired to Executive Session at 2:51 PM.

The Commissioners Court reconvened the Voting Session at 4:37 PM.

The Commissioners Court adjourned the Voting Session at 4:50 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 AND 7, PEARSON SUBDIVISION NUMBER 2 (2 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (ACTION ITEM #12) (9:17 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 12 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	absent
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 Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

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

CONSENT ITEMS

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C3 and Items 4, 5, 6.A&B, 8, 10, 11, 12, 17.A&B, 20.A&B, 21, 24.A-D, 25, and 26. (9:20 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. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF JULY 24 AND JULY 31, 2007.

SPECIAL ITEMS

- 2. PRESENT CHECK TO BIG BROTHERS BIG SISTERS OF CENTRAL TEXAS AND AUSTIN CHILDREN'S SHELTER FROM THE SECOND ANNUAL TRAVIS COUNTY SHERIFF'S SHOOTOUT. (SHERIFF'S OFFICE) (9:30 AM)

Members of the Court heard from: Greg Hamilton, Travis County Sheriff.

Discussion only. No formal action taken.

3. PRESENTATION FROM TAX ASSESSOR COLLECTOR REGARDING BEST PRACTICES AWARDS RECEIVED FROM TEXAS ASSOCIATION OF COUNTIES. (TAX OFFICE) (9:35 AM)

Members of the Court heard from: Nelda Wells Spears, Travis County Tax Assessor Collector.

Discussion only. No formal action taken.

ADMINISTRATIVE OPERATIONS ITEMS

4. 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 \$327,813.64 FOR THE PERIOD OF JULY 27 TO AUGUST 2, 2007. (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:20 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.

JUSTICE & PUBLIC SAFETY ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SCOTT AND WHITE AFFILIATION AGREEMENT WITH TRAVIS COUNTY THROUGH ITS MEDICAL EXAMINER'S OFFICE: (9:20 AM)
- A. INSTITUTIONAL AGREEMENT AND EDUCATIONAL ADDENDUM BETWEEN SCOTT AND WHITE MEMORIAL HOSPITAL, TEXAS A&M UNIVERSITY HEALTH SCIENCES CENTER COLLEGE OF MEDICINE AND TRAVIS COUNTY THROUGH ITS MEDICAL EXAMINER'S OFFICE FOR RESIDENCY ROTATIONS; AND
- B. AUTHORIZE DR. DAVID DOLINAK, TRAVIS COUNTY CHIEF MEDICAL EXAMINER, TO SIGN THIS AND SUBSEQUENT EDUCATION ADDENDA ON BEHALF OF TRAVIS COUNTY.

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 REGARDING THE GRANT REQUIREMENTS AND APPLICATION TO THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE FOR THE STATE JAIL COMMUNITY RESOURCE PROGRAM TO BE ADMINISTERED BY COUNSELING AND EDUCATION SERVICES. (9:42 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 7.

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

PURCHASING OFFICE ITEMS

8. APPROVE CONTRACT NO. 07K00304JW, PAVEMENT RESTORATION, INC., FOR ASPHALT REJUVENATION PROGRAM. (TRANSPORTATION AND NATURAL RESOURCES) (9:20 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. REJECT PROPOSAL RECEIVED FOR RFS NO. S070230JW, MARKETING PLAN FOR TRAVIS COUNTY PARKS. (TRANSPORTATION AND NATURAL RESOURCES) (9:24 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Deb Lovett, Creative Heads Advertising.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 9.

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

10. **REVISED LANGUAGE:** APPROVE EXEMPTION ORDER FOR THE PURCHASE OF DILLO DIRT FROM THE CITY OF AUSTIN FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(a)(9)(C) OF THE COUNTY PURCHASING ACT. (TRANSPORTATION AND NATURAL RESOURCES) (9:20 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. REJECT BID RECEIVED FOR IFB NO. B070119RV, TRAVIS COUNTY CORRECTIONAL COMPLEX KITCHEN RETURN AIR PROJECT AND REBID. (SHERIFF'S OFFICE) (9:20 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 6 AND 7, PEARSON SUBDIVISION NUMBER 2 (2 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 50, 51, 52 AND A PORTION OF LOT 49 AND 0.348 AND 0.570 ACRE TRACTS, LAKEHURST SUBDIVISION (4 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (10:27 AM)

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

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

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE MASTER PLAN FOR MILTON REIMERS RANCH PARK IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:59 AM)

Members of the Court heard from: Wendy Scaperotta, Senior Planner, TNR; Brent Luck, Land Design Partners; Charles Bergh, Division Director, Parks and Natural Resources, TNR; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Item 14 to be reposted on August 21, 2007.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE A PARTICIPATION AGREEMENT WITH THE CITY OF LAKEWAY AND A PRIVATE DEVELOPER TO CONSTRUCT HIGHLAND BOULEVARD IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:32 AM)

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR.

Motion by Commissioner Daugherty **and seconded by** Judge Biscoe to approve Item 15.

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

16. **THIS ITEM TO BE TAKEN UP AT 11:00 A.M.**
CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(11:13 AM) (1:47 PM)
- A. VARIANCE FROM SECTION 82.202(L)(2)(B), STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS IN TRAVIS COUNTY;
- B. PRELIMINARY PLAN IN PRECINCT THREE: RGK RANCH, PRELIMINARY PLAN (1508 TOTAL LOTS); AND
- C. PHASING AGREEMENT BETWEEN RGK AND TRAVIS COUNTY, INCLUDING PROVISIONS REGARDING A PORTION OF REIMERS-PEACOCK ROAD AND IMPROVEMENTS TO HIGHWAY 71.
(COMMISSIONER DAUGHERTY)

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR; Pix Howell, Concept Development Planning, representing RGK Ranch; Joe Gieselman, Executive Manager, TNR; Diane Cunningham, Citizens for Change on 71; Hans Huth, Travis County Resident; Christy Mews, Hill Country Alliance; Karen Huber, Travis County Resident; Bill Conrad, Travis County Resident; and Laura Gruike, Board Member, Travis Settlement Home Owners Association.

ITEM 16 CONTINUED

Clerk's Note: Item 16 was revisited at 1:47 PM.

Members of the Court heard from: Mara Urick, Travis County Resident; and Pix Howell, Concept Development Planning, representing RGK Ranch.

Discussion only. No formal action taken.

Items 16.A-C to be reposted on August 21, 2007.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:20 AM)

A. REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS FOR CIELO HILL COUNTRY RESIDENCES CONDOMINIUM PROJECT – 400 SINGLE FAMILY UNITS IN 29 MULTI-UNIT STRUCTURES; AND

B. APPROVE A CONDOMINIUM AGREEMENT FOR CIELO HILL COUNTRY RESIDENCES CONDOMINIUM PROJECT. (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 ON THE USE OF AN ALTERNATIVE FISCAL AGREEMENT FOR AUSTIN'S COLONY, SECTION 6B, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:53 AM)

Clerk's Note: Items 18 and 19 are associated with one another and were discussed concurrently.

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Items 18 and 19.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE USE OF AN ALTERNATIVE FISCAL AGREEMENT FOR AUSTIN'S COLONY, SECTION 7B, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:53 AM)

Clerk's Note: Items 18 and 19 are associated with one another and were discussed concurrently. Please refer to Item 18 for a summary of the action taken by the Court.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:20 AM)

A. A PLAT FOR RECORDING IN PRECINCT TWO: PARK AT BLACKHAWK II, PHASE 2A, FINAL PLAT (7 TOTAL LOTS); AND

B. APPROVE A CONSTRUCTION AGREEMENT FOR PARK AT BLACKHAWK II, PHASE 2A, FINAL PLAT. (COMMISSIONER ECKHARDT)

Clerk's Note: Items 20.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON WATERSEDGE PHASE 1 PRELIMINARY PLAN IN PRECINCT FOUR (248 TOTAL LOTS).
(COMMISSIONER GÓMEZ) (9:20 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.

PLANNING AND BUDGET DEPT. ITEMS

22. RECEIVE REVISED FY '08 BUDGET AGENDA WORKSHEET THAT INCLUDES TOPICS DISCUSSED DURING BUDGET HEARINGS AND THAT SERVES TO IDENTIFY POTENTIAL TOPICS TO BE ADDRESSED DURING THE FY '08 BUDGET MARK UP SCHEDULED FOR SEPTEMBER 5, 6 AND 7, 2007. (2:08 PM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); and Leroy Nellis, Budget Manager, PBO.

Discussion only. No formal action taken.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:40 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 23.

Motion carried:

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

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:20 AM)
- A. APPROVE GRANT CONTRACT AMENDMENT WITH THE RETIRED SENIOR VOLUNTEER PROGRAM ADVISORY COUNCIL TO INCREASE THE FUNDING FOR THE SENIOR AND VOLUNTEERS FOR THE CHILDHOOD IMMUNIZATION PROGRAM IN THE HEALTH AND HUMAN SERVICES AND VETERANS SERVICES DEPARTMENT FROM \$2,000 TO \$4,000;
 - B. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM WEATHERIZATION PROGRAM TO PROVIDE WEATHERIZATION REPAIRS FOR LOW INCOME PERSONS THROUGH THE HEALTH AND HUMAN SERVICES AND VETERANS SERVICES DEPARTMENT;
 - C. APPROVE GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE DEPARTMENT OF ENERGY TO PROVIDE WEATHERIZATION REPAIRS FOR LOW INCOME PERSONS THROUGH THE HEALTH AND HUMAN SERVICES AND VETERANS SERVICES DEPARTMENT; AND
 - D. APPROVE GRANT CONTRACT WITH THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION TO CONTINUE THE NATIONAL SCHOOL LUNCH/BREAKFAST PROGRAMS THROUGH THE JUVENILE PROBATION DEPARTMENT.

Clerk's Note: Items 24.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:20 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. APPOINT GERARD WASHINGTON TO SERVE ON THE TRAVIS COUNTY DISPUTE RESOLUTION CENTER AS A PRECINCT ONE APPOINTEE, TERM EFFECTIVE IMMEDIATELY UNTIL AUGUST 2010. (COMMISSIONER DAVIS) (9:20 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.

27. DISCUSS AND TAKE APPROPRIATE ACTION ON FEASIBILITY OF CREATING POSITION TO PERFORM PUBLIC INFORMATION, INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE DUTIES AT TRAVIS COUNTY. (9:30 AM)

Item 27 postponed until August 21, 2007.

28. DRAW NAMES FROM GRAND JURY POOL FOR ELECTED OFFICIALS SALARY GRIEVANCE COMMITTEE FOR 2007, AS REQUIRED BY SECTION 152.015 OF THE LOCAL GOVERNMENT CODE. (COUNTY CLERK) (9:39 AM)

Members of the Court heard from: David Ferris, Division Manager, Civil/Probate Division, Travis County Clerk's Office.

Clerk's Note: The members of the Commissioners Court chose the following names from the Grand Jury pool to be candidates for the Salary Grievance Committee for 2007: Craig Bell, Edgar G. Harris, Nancy Nilson, Richard Mann, Lorene Harris, Nita K. Wathen, Dorothy M. Hill, Lara Cynthia Nara, Amy Reeves, JoLynne Burgh, John Jones, Tony Small, Benjamin Saucedo, Frank Cabellero, and Dominique Daruvalla.

Discussion only. No formal action taken.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR APPROVAL OF TRAVIS COUNTY FACILITIES MANAGEMENT DEPARTMENT TO BUILD A 72-BED ADDITION TO COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) SMART RESIDENTIAL FACILITY AND THEN LEASE THE SPACE TO CSCD UTILIZING STATE GRANT FUNDS. (2:25 PM)

Members of the Court heard from: Dr. Geraldine Nagy, Director, Adult Probation, Community Supervision and Corrections Department (CSCD); Roger El Khoury, Director, Facilities Management; Belinda Powell, Capital Planning Coordinator, PBO; and Bob Klepac, Budget Analyst, CSCD.

Discussion only. No formal action taken.

Item 29 to be reposted on August 21, 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.

30. RECEIVE BRIEFING FROM COUNTY ATTORNEY ON A CONSTRUCTION RELATED EROSION EVENT IN HAYS COUNTY, ASSOCIATED WATER QUALITY AND ENVIRONMENTAL IMPACTS ON HAMILTON POOL AND OTHER NATURAL RESOURCES IN TRAVIS COUNTY, AND TAKE APPROPRIATE ACTION. ¹ (2:51 PM) (4:37 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize \$11,000.00 for the County Attorney's Office and Transportation and Natural Resources Department (TNR) to retain appropriate consultant assistance, and that this money be taken from the Allocated Reserve.

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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON A COUNTER-OFFER FOR THE SALE OF LAND (PARCEL #11) NEEDED FOR RIGHT OF WAY IN THE 2005 BOND PROGRAM, HOWARD LANE EAST (I) ROADWAY IMPROVEMENT PROJECT, LOCATED IN PRECINCT ONE. (COMMISSIONER DAVIS) ^{1 AND 2} (10:42 AM) (2:51 PM) (4:38 PM)

Clerk's Note: Judge Biscoe announced that Item 31 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 reject the counter-offer in this matter, and that we re-urge the County's offer of \$25,935.00.

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

32. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. CHARLES B. TRENT AND GEMMA P. TRENT (HUNAID HALAI RESALE DEED). ¹ (10:42 AM) (4:38 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.

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we authorize the County Judge to execute, on behalf of the Commissioners Court, the proposed tax resale to Hunaid A. Halai, who has paid Travis County the sum of \$5,552.00 in cash.

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. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. HANK PEAVLER DEVELOPMENT COMPANY, INC. AKA PEAVLER HANK DEVELOPMENT COMPANY, INC. (HUNAID HALAI RESALE DEED). ¹ (10:42 AM) (4:39 PM)

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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to sign the prepared tax resale deed to Hunaid A. Halai, who has paid Travis County in this matter, the sum of \$2,100.00 in cash.

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

34. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. RONALD W. PIERCE AND GERALD D. PIERCE (HUNAID HALAI RESALE DEED). ¹ (10:42 AM) (4:39 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 Daugherty that we authorize the County Judge to execute, on behalf of the Commissioners Court, the proposed tax resale deed to Hunaid Halai, because he has paid Travis County the sum of \$6,752.00 in cash.

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. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. KENNETH P. AND MARION E. SMITH (DINH TRUONG RESALE DEED). ¹ (10:42 AM) (4:40 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.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize the County Judge to sign the proposed tax resale deed to Dinh and Melanie Truong, who have paid Travis County the sum of \$6,011.62 in cash.

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

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. MONTCLAIRE TOWNHOUSES (SHERWIN BUYDENS RESALE DEED). ¹ (10:42 AM) (4:40 PM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 36 postponed until future notice.

Clerk's Note: The County Judge gave directions to the County Attorney to supply more information, including a picture of the property, to help the Commissioners Court understand the specifics of Item 36 more clearly.

37. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. HANK PEAVLER DEVELOPMENT COMPANY, INC. AKA PEAVLER HANK DEVELOPMENT COMPANY, INC. (KASANDRA L. TAYLOR AND DEAN T. TAYLOR RESALE DEED). ¹ (10:42 AM) (4:41 PM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney.

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

Motion by Judge Biscoe and seconded by Commissioner Daugherty that we authorize the County Judge, on behalf of the Commissioners Court, to sign the proposed tax resale deeds to Kasandra L. Taylor and Dean T. Taylor, that involves two tracts; the first one is \$3,250.00 for building #753076 aka 60152 and the second one is \$3,070.00 for building #753089 aka 60150.

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

38. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. HANK PEAVLER DEVELOPMENT COMPANY, INC. AKA PEAVLER HANK DEVELOPMENT COMPANY, INC. (SHERWIN BUYDENS RESALE DEED). ¹ (10:42 AM) (4:43 PM)

Clerk's Note: Judge Biscoe announced that Item 38 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 Daugherty that we authorize the County Judge to sign the proposed tax resale deed to Sherwin Buydens, who has paid Travis County the sum of \$3,201.00 in cash.

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

39. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. DE TORREROS ALBERTO R. AND JOSE MIERES (CSE DEVELOPMENT, LLC RESALE DEED). ¹ (10:42 AM) (4:45 PM)

Clerk's Note: Judge Biscoe announced that Item 39 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 Daugherty that we authorize the County Judge to sign the proposed tax resale deed to CSE Development, LLC., who has paid Travis County the sum of \$15,000.00.

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

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON SETTLEMENT DEMAND, EEOC CHARGE NO. 451-2007-00612. ¹ (10:42 AM) (2:51 PM) (4:46 PM)

Clerk's Note: Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 40 to be reposted on August 21, 2007.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2} (2:51 PM) (4:47 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that we direct Staff to enter into documentation for an option to purchase the property along Airport Boulevard in time from 90 to 60 days.

A Clarification of the previous Motion was made by Judge Biscoe and that, basically, is to sign an option to purchase.

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

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we authorize Staff to put together information describing how we would use this property; that we ask our Consultants to contact the property owners, indicate to them that we are trying to gather specific information to justify purchasing this property at their asking price; and that Staff, including Roger El Khoury, Director, Facilities Management and other appropriate County Staff, report back to us in two weeks, August 28, 2007.

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

Item 41 to be reposted on August 28, 2007.

ADDED ITEMS

- A1. RECEIVE BRIEFING ON REPORT REGARDING CONTRACT PERFORMANCE OF THE RE-ENTRY ROUNDTABLE AND TAKE APPROPRIATE ACTION.
(9:16 AM)

Item A1 postponed until August 21, 2007.

- A2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POTENTIAL PURCHASE OF REAL ESTATE ALONG LAVACA STREET. (THIS ITEM MAY BE CONSIDERED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.072, REAL PROPERTY) (2:51 PM) (4:48 PM)

Clerk's Note: Judge Biscoe announced that Item A2 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 Judge Biscoe **and seconded by** Commissioner Gómez that the Court authorize the County Judge to sign an investment account authorization to allow Heritage Title Company of Austin to invest \$100,000.00 in earnest money, for purchase of the said property on Lavaca, in an interest bearing account. We understand the interest will follow the money and belong to Travis County.

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

- A3. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT WITH ALLIANCE FOR PUBLIC TRANSPORTATION. (COMMISSIONER ECKHARDT)
(9:29 AM)

Item A3 postponed until August 21, 2007.

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (4:50 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