

## **MINUTES OF MEETING MARCH 18, 2008**

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

On Tuesday, the 18<sup>th</sup> day of March 2008, the Commissioners' Court convened the Voting Session at 9:19 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 recessed the Voting Session at 12:41 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation, convened at 2:06 PM and adjourned at 2:07 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 2:07 PM and adjourned at 2:07 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 2:07 PM and adjourned at 2:08 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 2:08 PM and adjourned at 2:14 PM.

The Commissioners Court reconvened the Voting Session at 2:14 PM.

The Commissioners Court retired to Executive Session at 2:46 PM.

The Commissioners Court reconvened the Voting Session at 4:13 PM.

The Commissioners Court adjourned the Voting Session at 4:16 PM.

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Jennifer Gayle, Travis County Resident.  
(9:20 AM)

**CONSENT ITEMS**

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C3 and Items 2, 3, 5, 6, 7, 8, 9, 10, 11, 13, 14, 18, 21, and 22. (10:13 AM)

<b>Motion carried:</b> 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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE SETTING A PUBLIC HEARING ON TUESDAY, APRIL 1, 2008 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE SHADOW OAK LANE IN PRECINCT THREE FOR CONSTRUCTION OF A WATER VALVE VAULT AND A PRESSURE REDUCING VALVE BEGINNING APRIL 9, 2008 AND CONTINUING THROUGH APRIL 18, 2008 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAUGHERTY)
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF FEBRUARY 5, MARCH 4 AND MARCH 6, 2008.

## SPECIAL ITEM

1. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:25 AM)

**Clerk's Note:** The Court heard testimony from Staff recommending the lifting of the outdoor burn ban.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we lift the ban.

<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

Item 1 to be reposted on March 25, 2008.

## ADMINISTRATIVE OPERATIONS ITEMS

2. 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 \$751,821.30 FOR THE PERIOD OF FEBRUARY 29 TO MARCH 6, 2008. (10:13 AM)

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

3. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:13 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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ISSUE AN RFP FOR FOOD AND BEVERAGE CONTRACT AT THE TRAVIS COUNTY EXPOSITION CENTER. (COMMISSIONER DAVIS)
- B. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM G&M CATERING FOR EXTENSION OF CURRENT FOOD AND BEVERAGE CONTRACT AT THE TRAVIS COUNTY EXPOSITION CENTER. (9:41 AM)

**Clerk's Note:** Items 4.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; Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Michael Norton, Director, Travis County Exposition Center; Jerry Bragg, President, Republic of Texas (ROT) Biker Rally; and Tenley Aldredge, Assistant County Attorney.

**Motion by** Commissioner Davis to support Item 4.A, which is go out to issue a Request for Proposals (RFP) for the contractual services for food and beverage concessions at the Travis County Exposition Center.

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

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 4.B, and that would be for a three-year term with two one-year extensions. We would take G&M Catering up on the improvements that they have be willing to make. These promises will be incorporated into the amendment.

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

## PURCHASING OFFICE ITEMS

5. REJECT SOLE BID RECEIVED FOR IFB NO. B080110DR, RESIDENTIAL PLUMBING SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (10:13 AM)

**Clerk's Note:** Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. APPROVE CONTRACT AWARD FOR HVAC RESIDENTIAL SERVICES, IFB NO. B080001DR, TO THE SOLE BIDDER, ASPEN AIR INC. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (10:13 AM)

**Clerk's Note:** Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. APPROVE AUTHORIZATION TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, HDR ENGINEERING, INC., RFQ NO. Q080082LP, PROFESSIONAL ENGINEERING SERVICES FOR TRAVIS COUNTY IMPERIAL VALLEY DRAINAGE IMPROVEMENTS. (TRANSPORTATION AND NATURAL RESOURCES) (10:13 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. APPROVE CONTRACT AWARD FOR WATER SAFETY REGULATORY BUOYS, INCLUDING CABLE, HARDWARE AND INSTALLATION, IFB NO. B080143NB, TO THE LOW BIDDER, WATERFRONT GROUP, INC. (TRANSPORTATION AND NATURAL RESOURCES) (10:13 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. APPROVE SOLE SOURCE EXEMPTION AND CONTRACT FOR THE PURCHASE OF GAULT CHILLER COMPRESSOR AND MOTOR REPLACEMENT FOR TRAVIS COUNTY GAULT BUILDING AND CRIMINAL JUSTICE COMPLEX. (FACILITIES MANAGEMENT) (10:13 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 CONTRACT FOR THE PURCHASE OF CLOSED CIRCUIT TELEVISION SYSTEM AND ACCESS CONTROL SYSTEMS SECURITY UPGRADES AT THE TRAVIS COUNTY SMART FACILITY. (ADULT PROBATION) (10:13 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. APPROVE CONTRACT AWARD FOR PEST CONTROL, IFB NO. B080073RG, TO THE LOW BIDDER, A-TEX PEST MANAGEMENT INC. (FACILITIES MANAGEMENT) (10:13 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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 07K00254RV, STEWART BUILDERS, LTD. FOR CONSTRUCTION OF NEW BUILDINGS FOR THE TRANSPORTATION AND NATURAL RESOURCES EASTSIDE SERVICE CENTER. (FACILITIES MANAGEMENT) (2:46 PM) (4:14 PM)

**Clerk's Note:** Judge Biscoe announced that Item 12 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 Eckhardt to approve the requested modification for Item 12.

<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

## PLANNING AND BUDGET DEPT. ITEMS

13. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:13 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 ON HEALTH AND HUMAN SERVICES AND VETERANS SERVICE REQUEST TO INTERNALLY FUND DEPARTMENT OF ENERGY (DOE) AND LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) WEATHERIZATION PROGRAMS UNTIL FULLY EXECUTED CONTRACT IS OBTAINED FROM GRANTOR. (10:13 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.

**Clerk's Note:** The County Judge noted that this is something the Court has done historically.

15. REVIEW AND TAKE APPROPRIATE ACTION ON RECOMMENDED UPDATE TO THE TRAVIS COUNTY DEBT POLICY, CHAPTER 21, TRAVIS COUNTY CODE. (10:16 AM) (11:00 AM)

**Clerk's Note:** The Court, in addition to minor changes reflected in the backup, discussed two notable changes to the Travis County Debt Policy:

- 1) The inflation adjustment of debt per capita; and,
- 2) Move "overlapping debt" from a primary to a secondary guideline.

**Members of the Court heard from:** Christian Smith, Executive Manager, Planning and Budget Office (PBO); Jessica Rio, Assistant Budget Manager, PBO; Susan Spataro, Travis County Auditor; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve the recommendation to the debt policy.

<b>Motion carried:</b> 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

**ITEM 15 CONTINUED**

**Clerk's Note:** Item 15 was further discussed at 11:00 AM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item 15. Judge Biscoe instructed that the record show Commissioner Eckhardt voting yes on the Motion on Item 15. The Commissioners' Court record does reflect the Corrected Vote.

**Corrected Vote:**

<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

16. REVIEW AND TAKE APPROPRIATE ACTION ON MATERIALS RELATED TO RECRUITING OF EXECUTIVE MANAGER, PLANNING AND BUDGET INCLUDING: (10:52 AM)

A. WRITING EXERCISE;

B. CANDIDATE TRAVEL REIMBURSEMENT INFORMATION; AND

C. SELECTION PROCESS SCHEDULE.

**Clerk's Note:** Items 16.A-C are associated with one another and were called for concurrent discussion.

**Clerk's Note:** The Court discussed 4 sample questions for the writing exercise:

- 1) Task Force One;
- 2) Downtown, where all the lights are bright;
- 3) Money, money, money...where's the money?; and,
- 4) Lending a hand or giving a handout.

**Members of the Court heard from:** Christian Smith, Executive Manager, PBO.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to use 1 and 3.

<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



## ITEM 16 CONTINUED

**Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 16.C.**

<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

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY DOWNTOWN REDEVELOPMENT INITIATIVE AND RELATED ISSUES, INCLUDING THE FOLLOWING: (9:19 AM)
  - A. SITE OPTIONS FOR NEW CIVIL COURTS BUILDING;
  - B. NEEDS ASSESSEMENTS, INCLUDING:
    1. NEEDS ANALYSIS TO ESTABLISH SPACE NEEDS FOR CIVIL AND CRIMINAL COURTS;
    2. FAMILY LAW CENTER NEEDS AND INITIATIVE; AND
    3. GENERAL GOVERNMENT DEPARTMENTS' SPACE NEEDS AND WHICH DEPARTMENTS REMAIN DOWNTOWN
  - C. UTILIZATION OF COUNTY PROPERTIES, INCLUDING:
    1. FUTURE UTILIZATION OF HEMAN MARION SWEATT HISTORICAL COURTHOUSE, INCLUDING EXPANSION, TECHNOLOGY AND UTILITY INFRASTRUCTURE;
    2. FUTURE UTILIZATION OF RUSK BUILDING; AND
    3. FUTURE UTILIZATION OF COUNTY OWNED PROPERTY ON AIRPORT BOULEVARD;
  - D. REVISIT SCOPE OF SERVICES FOR BROADDUS CONTRACT AND ESTABLISH SCHEDULE FOR PRESENTATION OF COMPLETED PHASE I REPORT;
  - E. FUTURE OF COUNTY SPACE COMMITTEE; AND
  - F. COORDINATION OF CERTAIN COUNTY STAFF AND CONSULTANTS.

Items 17.A-F postponed until March 25, 2008.

## OTHER ITEMS

18. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:13 AM)

**Clerk's Note:** Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. RECEIVE PRESENTATION OF CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY'S ANNUAL REPORT FOR FISCAL YEAR 2007. (2:16 PM)

**Members of the Court heard from:** Mike Heiligenstein, Director, Central Texas Regional Mobility Authority (CTRMA); and Bill Chapman, Chief Financial Officer, CTRMA.

Discussion only. No formal action taken.

**Clerk's Note:** The Court accepted the Annual report.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ISSUE CALL FOR RECOMMENDATIONS TO NAME A COUNTY BUILDING. (COMMISSIONER DAUGHERTY) (10:00 AM)

**Members of the Court heard from:** Forrest Preece, Travis County Resident; Frank Holder, Travis County Resident; Catherine Ray, Travis County Resident; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez that we invoke and implement the County policy covering the naming of County buildings.

<b>Motion carried:</b> 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

21. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER DESIGNATING ELECTION DAY POLLING PLACES FOR THE APRIL 8, 2008 DEMOCRATIC PRIMARY RUN-OFF ELECTIONS. (COUNTY CLERK) (10:13 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 REGARDING ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE, TEMPORARY BRANCH EARLY VOTING POLLING PLACES, AND MOBILE EARLY VOTING POLLING PLACES FOR THE APRIL 8, 2008 DEMOCRATIC PRIMARY RUN-OFF ELECTIONS. (COUNTY CLERK) (10:13 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RATIFY COUNTY PARTICIPATION IN THE AUSTIN URBAN AREA SECURITY INITIATIVE, A FEDERAL GRANT PROGRAM FOR HOMELAND SECURITY. (9:27 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Danny Hobby, Executive Manager, Travis County Emergency Services.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we ratify the decision that the County Judge and Staff have made for the County to participate; that we designate Danny Hobby, Executive Manager, Travis County Emergency Services as the coordinating committee member to represent the Commissioners Court as a voting member of the Urban Area Security Initiative (UASI) Program, Urban Area Working Group (UAWG); and that he and his staff continue working on the various sub-committees to put together appropriate grant applications for this area.

<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

**THIS ITEM TO BE TAKEN UP AT 11:00 A.M.**

24. A. RECEIVE BRIEFING ON THE CITY OF AUSTIN'S SITE SUITABILITY ANALYSIS OF ITS WEBBERVILLE TRACT AND STATUS THEREOF; AND
- B. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AMENDMENT TO CHAPTER 62, TRAVIS COUNTY CODE, THE SITING OF A SOLID WASTE FACILITY. (COMMISSIONER DAVIS) (11:00 AM)

**Clerk's Note:** The Court heard the proposed amended language for Chapter 62 new section 62.002(e).

**Members of the Court heard from:** State Representative Dawnna Dukes; Hector Gonzales, Mayor, Village of Webberville; Bert Lumbreras, Assistant City Manager, Community Services, City of Austin; Mark Hemmingway P.G., Vice President and Principal Hydrologist, Geomatrix; Dr. Richard Carmichael, Manager, Municipal Solid Waste Permits, Texas Commission for Environmental Quality (TCEQ); David Juarez P.E., Assistant Director, Austin Water Utility; Eve Williams, Travis County Resident; David Gunlock, Travis County Resident; David Beck, Travis County Resident; Dr. Michael Hironymous, Travis County Resident; John Williams, President, Park Springs Neighborhood Association; Germaine Swenson, Vice-President, Park Springs Neighborhood Association; Nelson Linder, President, National Association for the Advancement of Colored People (NAACP); David Williams, Executive Director, Crowe's Nest Farm; Alan Bojorquez, Legal Counsel, Village of Webberville; Suanaa Larson, Travis County Resident; Sharon Bramblett, Travis County Resident; Jon White, Environmental Quality Program Manager, Transportation and Natural Resources (TNR); and Christopher Gilmore, Assistant County Attorney.

**Motion by** Commissioner Davis to approve this particular amendment to Chapter 62 as read by the Travis County Attorney.

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

Discussion only. No formal action taken.

25. RECEIVE STATUS REPORT ON TRAVIS COUNTY VISITATION CENTER AND TAKE APPROPRIATE ACTION. (2:15 PM)

Discussion only. No formal action taken.

Item 25 to be reposted on March 25, 2008.

## 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.

26. 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> (2:46 PM) (4:14 PM)

**Clerk's Note:** Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 26 postponed until March 25, 2008.

27. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE OLD MANOR ROAD BRIDGE #113 PROJECT AND THE PURCHASE OF PARCEL NO. 1 FOR SUCH PROJECT. (GIESELMAN; CONDEMNATION) (REQUESTED BY THE COUNTY ATTORNEY) <sup>1 AND 2</sup> (9:20 AM)

**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. 551.072, Real Property.

Item 27 pulled from the Agenda.

28. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN SANDRA LUNA, INDIVIDUALLY AND A/N/F KASANDRA LUNA V. CITY OF AUSTIN, TRAVIS COUNTY, AND MICHAEL HARLEY ALT. <sup>1</sup> (2:46 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.

Item 28 pulled from the Agenda.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON OFFER(S) TO PURCHASE PROPERTY AT 9207/9301 JOHNNY MORRIS ROAD, LOCATED IN PRECINCT ONE. <sup>1 AND 2</sup> (2:46 PM) (4:14 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.

**Clerk's Note:** The Court discussed a letter from Travis County Residents requesting that certain conditions be discussed with the potential purchaser.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we ask Staff to do that, contact the prospective buyer about those conditions, and hopefully be prepared to give us a report back next week, Tuesday, March 25, 2008.

**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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING OFFER RECEIVED FROM MR. PETER BARLIN TO PURCHASE APPROXIMATELY 132 ACRES OF LAND OFF FM 969 IN EAST AUSTIN. <sup>1 AND 2</sup> (2:46 PM) (4:15 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.

Discussion only. No formal action taken.

Item 30 postponed until March 25, 2008.

31. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., ET. AL. <sup>1</sup> (2:46 PM) (4:15 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.

Discussion only. No formal action taken.

Item 31 postponed until March 25, 2008.

### ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON A COUNTER-OFFER FOR THE SALE OF TWELVE (12) PARCELS OF REAL PROPERTY AND/OR EASEMENT INTERESTS NEEDED FOR RIGHT-OF-WAY IN THE 2005 BOND PROGRAM, HOWARD LANE EAST (I) ROADWAY IMPROVEMENT PROJECT, LOCATED IN PRECINCT ONE. (COMMISSIONER DAVIS) (THIS ITEM MAY BE CONSIDERED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071 AND 551.072, CONSULTATION WITH ATTORNEY AND REAL PROPERTY) (2:46 PM) (4:15 PM)

**Clerk's Note:** Judge Biscoe announced that Item A1 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 Eckhardt that we counter the counter-offer; the counter-offer being \$245,070.00, and that we initiate a counter-offer to that of \$195,000.00 with the caveat of additional unused right-of way, the fencing issue, and also the two median breaks.

**A Friendly Amendment to the previous Motion was offered by** Judge Biscoe to notify the other side that the cost to build the two berms are not compensable by Travis County.

**Acceptance of the Friendly Amendment was made by** Commissioner Davis.

<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

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:16 PM)

<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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

Date of Approval

**Samuel T. Biscoe, Travis County Judge**