

MINUTES OF MEETING MAY 12, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 12th day of May 2009, the Commissioners' Court convened the Voting Session at 9:13 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.

Clerk's Note: The Court had a moment of silence in memory of The Honorable Scott Ozmun, Judge, 353rd District.

The Commissioners Court recessed the Voting Session at 11:48 AM.

The Commissioners Court reconvened the Voting Session at 1:36 PM.

The Commissioners Court recessed the Voting Session at 1:52 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:58 PM and adjourned at 2:00 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 2:00 PM, retired to Executive Session at 2:00 PM, reconvened the Voting Session at 2:30 PM, and adjourned at 2:30 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 2:30 PM and adjourned at 2:41 PM.

The Commissioners Court reconvened the Voting Session at 2:41 PM.

The Commissioners Court retired to Executive Session at 3:25 PM.

The Commissioners Court reconvened the Voting Session at 4:52 PM.

The Commissioners Court adjourned the Voting Session at 4:57 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Chris Risha, Real Estate Council of Austin, Inc. (RECA), and Chair, Gardner-Betts Art Auction; Margaret Owens, Juvenile Probation; Ronnie Gjemre, Travis County Resident; Noel Rodriguez, Travis County 4H Capital Americorps Program, Agricultural Extension Service; Anne Bormann, Manager, Travis County 4H Capital Americorps Program, Agricultural Extension Service; Charlotte Benbenek-Price, Travis County 4H Capital Americorps Program, Agricultural Extension Service; Alpha Baldé, Director, Community Tax Center; Brian Vodicka, Travis County Resident; and Gavino Fernandez, Jr., Deputy Director, District 12, League of United Latin American Citizens (LULAC), and Coordinator, El Concilio, Coalition of Mexican-American Neighborhood Associations. (9:14 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C2 and Items 5.A, 6, 7, 11, 12, 13, 15, 16, 17, 18, A1, and A2. (9:41 AM)

Motion carried:

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF APRIL 28, 2009.

SPECIAL ITEMS

1. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE RECENT FLU DEVELOPMENT AND RESULTING PUBLIC HEALTH ISSUES IN TRAVIS COUNTY. (9:42 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Linda Moore Smith, Director, Human Resources Management Department (HRMD).

Discussion only. No formal action taken.

Item 1 to be reposted if needed.

AT 1:30 P.M.

2. RECOGNIZE TRAVIS COUNTY EMPLOYEES WHO COMPLETED 20, 25, 30 AND 35 YEARS OF OUTSTANDING SERVICE DURING CALENDAR YEAR 2008. (1:36 PM)

Members of the Court heard from: Linda Moore Smith, Director, HRMD; and Kris Nilsen, Human Resources Specialist, HRMD.

Discussion only. No formal action taken.

Clerk's Note: The Court handed out Certificates of Recognition and pins to employees completing 20, 25, 30, and 35 years of service.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION ON COMMUNITY BLOCK DEVELOPMENT GRANT DOLLARS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. (2:41 PM)

Clerk's Note: The Court discussed eligibility of the following projects:

- Home rehabilitation;
- Homebuyers Assistance through the Housing Finance Corporation;
- Summer Youth Employment Program; and,
- Installation of window air conditioning units for the elderly.

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS); and Harvey Davis, Manager, Travis County Corporations.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we would indicate our intent to use this money if we can; with notice of a Public Hearing; and if we have to list specific projects, we list the two on the list plus the two that we talked about today. Next Tuesday, May 19, 2009 we will try to land on one project, or two projects, or a way to spend this money in a timely manner where we think that TCHHS involvement would be limited, but sufficient to provide oversight.

A Clarification of the previous Motion was made by Commissioner Eckhardt of the intent to use the money, and to explore home repair, homebuyer assistance, Summer Youth Employment, and air conditioners for elderly.

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

Clerk's Note: The Court directed Staff to send the notice of a Public Hearing for Tuesday, May 26, 2009 to all members of the Commissioners Court for approval.

PLANNING AND BUDGET DEPT. ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:20 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the budget amendment in Item 4.A2.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we approve the budget amendment in Item 4.A1.

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

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:41 AM)

A. CONTINUATION OF GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR JUVENILE PROBATION TO CONTINUE TO PARTICIPATE IN THE TEXAS DEPARTMENT OF AGRICULTURE'S USDA SCHOOL COMMODITIES PROGRAM TO RECEIVE USDA DONATED COMMODITIES.

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

ADMINISTRATIVE OPERATIONS ITEMS

- 6. 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 \$701,327.76 FOR THE PERIOD OF APRIL 24 TO 30, 2009. (9:41 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:41 AM)

Clerk’s Note: Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:50 AM)

- A. NO RATE INCREASE TO ACTIVE EMPLOYEES HEALTH CARE PREMIUMS FOR FISCAL YEAR 2010;

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 8.A.

Motion carried:

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

ITEM 8 CONTINUED

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:50 AM)

B. LIFE AND DISABILITY:

- B1. CONTINUING SUPPLEMENTAL LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT AND SHORT TERM DISABILITY COVERAGES WITH NO RATE INCREASE FOR FISCAL YEAR 2010;

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 8.B.B1.

Motion carried:

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:51 AM)

B. LIFE AND DISABILITY:

- B2. BASIC LIFE RATE INCREASE FROM .106 TO .135 FOR FISCAL YEAR 2010;

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion only. No formal action taken.

Item 8.B.B2 to be reposted on May 19, 2009.

ITEM 8 CONTINUED

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:52 AM)

- B. LIFE AND DISABILITY:

- B3. LONG TERM DISABILITY RATE INCREASE FROM .56 TO .60 FOR FISCAL YEAR 2010; AND

Item 8.B.B3 postponed until May 19, 2009.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:52 AM)

- B. LIFE AND DISABILITY:

- B4. RELEASE OF LONG TERM CARE REQUEST FOR PROPOSALS.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Cindy Purinton, Benefit Administrator, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 8.B.B4.

Motion carried:

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

ITEM 8 CONTINUED

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:53 AM)

- C. OPTION TO RENEW ALL THREE DENTAL PLANS WITH NO INCREASE FOR FISCAL YEAR 2010;

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; and Cindy Purinton, Benefit Administrator, HRMD.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 8.C.

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

Discussion only. No formal action taken.

Item 8.C to be reposted on May 19, 2009.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:57 AM)

- D. RELEASE OF EMPLOYEE/RETIREE COMMUNICATION PRIOR TO EMPLOYEE HEARING AND OPEN ENROLLMENT;

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Cindy Purinton, Benefit Administrator, HRMD.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 8.D.

Motion carried:

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

ITEM 8 CONTINUED

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (9:59 AM)

E. OPEN ENROLLMENT FOR FISCAL YEAR 2010 FROM JULY 20, 2009 THROUGH AUGUST 12, 2009 AS THE DATES; AND

Clerk's Note: The Court noted that the correct open enrollment dates for FY '10 are July 20, 2009 to August 21, 2009.

Members of the Court heard from: Cindy Purinton, Benefit Administrator, HRMD; Alicia Perez, Executive Manager, Administrative Operations; and Dan Mansour, Risk and Benefits Manager, HRMD.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 8.E, with the correction of the date to August 21, 2009.

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

ITEM 8 CONTINUED

8. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RECOMMENDATIONS REGARDING GROUP BENEFITS HEALTH PLAN FISCAL YEAR 2010 RATES AND ISSUES: (10:03 AM)

F. ENCOURAGE EMPLOYEES TO COMPLETE UNITED HEALTHCARE ONLINE HEALTH ASSESSMENT.

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; and Cindy Purinton, Benefit Administrator, HRMD; Alicia Perez, Executive Manager, Administrative Operations; Barbara Wilson, Assistant County Attorney; and John Bauerlein, Senior Actuary, Milliman USA.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 8.F.

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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON EMPLOYEE BENEFITS COMMITTEE RECOMMENDATIONS FOR CHANGES IN RETIREE ELIGIBILITY AND CONTRIBUTIONS FOR RETIREE HEALTH CARE BENEFITS. (9:13 AM)

Item 9 was postponed.

10. A. CONSIDER AND TAKE APPROPRIATE ACTION ON THE NEED, SCOPE AND SITE SEARCH FOR THE NEW TRAVIS COUNTY MEDICAL EXAMINER'S OFFICE AND RELATED ISSUES; AND

B. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY CONCERNING REAL PROPERTY ISSUES AT 1213 SABINE STREET AND TAKE APPROPRIATE ACTION. (10:21 AM) (3:25 PM) (4:52 PM)

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

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Danny Hobby, Executive Manager, Travis County Emergency Services; Leslie Stricklan, Project Manager, Facilities Management; Roger El Khoury, Director, Facilities Management; Marvin Brice, Construction Procurement Management, Purchasing; and Tenley Aldredge, Assistant County Attorney.

Clerk's Note: Judge Biscoe announced that Item 10.B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Items 10.A&B to be reposted on May 19, 2009.

PURCHASING OFFICE ITEMS

11. APPROVE CONTRACT AWARD FOR FERGUSON LANE-TUSCANY WAY CONNECTOR ROAD AND DRAINAGE IMPROVEMENTS, IFB NO. B090179JW, TO THE LOW BIDDER, ROSS CONSTRUCTION, INC. (9:41 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 CONTRACT AWARD FOR SHERIFF'S UNIFORMS, IFB NO. B090197LD, TO THE SOLE RESPONSIVE BIDDER, MILLER UNIFORMS AND EMBLEMS. (9:41 AM)

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

13. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 07AE0021JW, ALAN PLUMMER ASSOCIATES, INC., PROFESSIONAL ENGINEERING SERVICES, NORTH RIDGE ACRES WATER SYSTEM. (9:41 AM)

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

14. APPROVE ORDER EXEMPTING THE PURCHASE OF A MASS SPECTROMETER FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A)(7) OF THE COUNTY PURCHASING ACT. (11:09 AM)

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; and Dr. David Dolinak, Chief Medical Examiner.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve Item 14.

Motion carried:

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

15. APPROVE CONTRACT AWARD FOR INTERNAL AFFAIRS TRACKING SOFTWARE, RFP NO. P090184SW, TO THE MOST QUALIFIED RESPONDENT, ON TARGET PERFORMANCE SYSTEMS. (9:41 AM)

Clerk's Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL LOT 363, BLOCK D, IMPERIAL VALLEY SECTION 2 TO TRAVIS COUNTY, FOR USE IN THE 2005 BOND IMPERIAL VALLEY DRAINAGE IMPROVEMENT PROJECT. (9:41 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.

OTHER ITEMS

17. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:41 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 UPDATED MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FISCAL YEAR 2008 COUNTY-WIDE ANNUAL FINANCIAL AUDIT IN CONNECTION WITH THE MAY 12, 2009 PRELIMINARY OFFICIAL STATEMENT. (9:41 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FROM TRAVIS COUNTY SHERIFF'S OFFICE TO UTILIZE TRAVIS COUNTY EXPOSITION CENTER ON JUNE 24, 2009 FOR A COMBINED JOB FAIR WITH TRAVIS COUNTY HUMAN RESOURCES DEPARTMENT AT NO COST TO EITHER DEPARTMENT. (9:13 AM)

Item 19 was postponed.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON UPDATE FROM GOLFSMITH REGARDING NOMINATION OF GOLFSMITH AS A TEXAS ENTERPRISE PROJECT AND A REQUEST TO SET A PUBLIC HEARING DATE ON MAY 19, 2009. (11:11 AM) (3:25 PM) (4:53 PM)

Members of the Court heard from: Jeff Wilson, Director, Account Management, Golfsmith International LP; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 20.

Motion carried:

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

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.

Item 20 was discussion only in Executive Session.

Item 20 to be reposted on May 19, 2009.

AT 11:00 A.M.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:20 AM)

- A. STATUS REPORT ON THE 81ST TEXAS LEGISLATURE;
- B. STATUS REPORT ON TRAVIS COUNTY LEGISLATIVE PRIORITIES, INCLUDING HOUSE BILLS 612, 1119, 1335, 1440, 1531, 1981, 2100, 2161, 2162, 2167, 2414, 2693, 3468, 3585, 3616, 3787, 3963, 4175 AND 4262, AND SENATE BILLS 497, 578, 1299, 1783, 2202, 2280, 2451, 2452 AND 2472; AND
- C. STATUS REPORT ON TRAVIS COUNTY LEGISLATIVE ACTIVITIES, INCLUDING HOUSE BILLS 2, 9, 17, 46, 78, 88, 117, 127, 133, 134, 337, 402, 561, 562, 564, 612, 650, 692, 701, 711, 721, 755, 765, 773, 987, 1018, 1029, 1038, 1092, 1211, 1284, 1483, 1507, 1575, 1576, 1674, 1906, 1909, 1920, 2007, 2170, 2369, 2495, 2524, 2573, 2859, 3158, 3448, 3607, 3983, 4729 AND 4756, HOUSE JOINT RESOLUTIONS 15, 22, 36, 43, 55 AND 84, SENATE BILLS 1, 16, 18, 218, 253, 294, 299, 383, 402, 555, 624, 678, 700, 721, 771, 855, 942, 1310, 1323, 2294, 2301 AND 2474, AND SENATE JOINT RESOLUTIONS 10 AND 48.

Clerk's Note: Items 21.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer; and Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Discussion only. No formal action taken.

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.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS REGARDING THE TRAVIS COUNTY FIRE MARSHAL: (3:25 PM)
(4:53 PM)
 - A. APPOINT TRAVIS COUNTY FIRE MARSHAL FOR A TERM CERTAIN;
 - B. SET AN APPROPRIATE SALARY; AND
 - C. APPROVE AN APPROPRIATE BOND. ^{1 AND 3}

Clerk's Note: Judge Biscoe announced that Items 22.A-C 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.

Clerk's Note: Items 22.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services.

ITEM 22 CONTINUED

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we:

- appoint Herschel Noel Lee as the Travis County Fire Marshal effective May 19th, 2009;
- that we set his salary at the sum of \$87,704.01;
- that we approve the bond in the amount of \$10,000.00 that has been processed by Risk Management; and,
- that would be for a term of two years.

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

Clerk’s Note: The Court expressed its full confidence in Hershel Lee, the new Fire Marshal, and that the Court appreciates the fine job he has done as the acting Interim Director for the last few months.

23. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE
 POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT
 BOULEVARD. ^{1 AND 2} (3:25 PM) (4:54 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. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Davis that we approve a letter of interest (LOI), in the amount of \$750,000.00, and communicate that to the property owner.

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

- 24. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING FINANCIAL INCENTIVES AGREEMENT WITH THE DOMAIN/SIMON PROPERTIES. ¹ (3:25 PM) (4:56 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.

Motion by Commissioner Eckhardt **and seconded by** Judge Biscoe that the benefit goes to the developer irrespective of who is currently owning the property and therefore paying the property tax; and that we would be held harmless for any circumstance with a future property owner; that the developer would remain responsible.

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

25. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO JONATHAN GAYOSSO. ¹ (3:25 PM) (4:54 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we accept the amount of \$3,500.00, that has been offered to Travis County to be paid on his behalf.

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

Clerk's Note: The Court noted that a letter of thanks is to be sent to the donor.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSAL FOR DOWNTOWN OFFICE BUILDING BY D2000, A TURN KEY DEVELOPMENT COMPANY. ^{1 AND 2} (3:25 PM) (4:55 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 and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 26 to be reposted on May 19, 2009.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR FEDERAL TRANSPORTATION AND INFRASTRUCTURE FUNDS FOR BIKEWAY/PEDESTRIAN PROJECTS ON STATE HIGHWAY 71 AT ONION CREEK AND ON FM 973 BETWEEN PEARCE LANE AND BURLESON ROAD. (COMMISSIONER GÓMEZ) (9:41 AM)

Clerk’s Note: Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- A2. APPROVE PURCHASE OF LEGAL PROFESSIONAL LIABILITY INSURANCE TO COVER ATTORNEYS IN THE OFFICES OF CHILD AND PARENTAL REPRESENTATION AND EXEMPT THE PURCHASE FROM THE PURCHASING ACT. (JUDGE BISCOE) (9:41 AM)

Clerk’s Note: Item A2 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 **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:57 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS’ COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – MAY 12, 2009

TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1

On Tuesday, the 12th day of May, 2009, the Commissioners' Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 2:00 PM 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 2:00 PM.

The Commissioners Court reconvened the Voting Session at 2:30 PM.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 2:30 PM.

1. RECEIVE LEGAL BRIEFING REGARDING STATUS OF OUTSTANDING BONDS OF TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO.1 (GALLERIA). (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:00 PM) (2:30 PM)

Clerk's Note: Judge Biscoe announced that Item 1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to adjourn the Voting Session of the Travis County Bee Cave Road District No. 1. (2:30 PM)

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

MINUTES APPROVED BY THE ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge