

MINUTES OF MEETING AUGUST 18, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 18th day of August 2009, the Commissioners' Court convened the Voting Session at 9:15 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 Michelle Bryant and Deputy Robert Resnick.

The Commissioners Court retired to Executive Session at 11:35 AM.

The Commissioners Court reconvened the Voting Session at 12:07 PM.

The Commissioners Court recessed the Voting Session at 12:07 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:38 PM and adjourned at 1:43 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; and the Capital Industrial Development Corporation, convened at 1:44 PM and adjourned at 1:45 PM.

The Commissioners Court reconvened the Voting Session at 1:45 PM.

The Commissioners Court retired to Executive Session at 2:05 PM.

The Commissioners Court reconvened the Voting Session at 4:46 PM.

The Commissioners Court adjourned the Voting Session at 5:28 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN
 PRECINCT THREE: REVISED PLAT OF A PORTION OF PANORAMIC HILLS
 LOT 37 (4 TOTAL LOTS). (COMMISSIONER HUBER) (ACTION ITEM #19)
 (9:17 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 19 for a summary of the action item.

Motion by Commissioner Davis **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 yes
 Precinct 3, Commissioner Karen Huber yes
 Precinct 4, Commissioner Margaret J. Gómez yes

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR); Glenn Atkinson, Travis County Resident; Lynn Merritt, Travis County Resident; Glenn Atkinson, Jr., Travis County Resident; Pete Gulla, Travis County Resident; Janice Wilson, Travis County Resident, J.B. Huddleston, Travis County Resident; and Sameer Rao, Applicant.

Motion by Judge Biscoe **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 Karen Huber yes
 Precinct 4, Commissioner Margaret J. Gómez yes

JUSTICE AND PUBLIC SAFETY

2. **SPECIAL ANNOUNCEMENT:** ANNOUNCE RECEIPT OF NATIONAL ASSOCIATION OF MEDICAL EXAMINERS (NAME) ACCREDITATION BY THE TRAVIS COUNTY MEDICAL EXAMINER'S OFFICE. (9:38 AM)

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services; Beth Devery, Chief Administrative Officer, Travis County Medical Examiners Office; and Dr. David Dolinak, Chief Medical Examiner.

Discussion only. No formal action taken.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Richard McDonald, Travis County Resident; Don Holden, Travis County Resident; Judy Holden, Travis County Resident; Nathaniel Booker, Travis County Resident; Jimmy Castro, Travis County Resident; Ben Warmate, Consultant, FaulknerUSA, President, Unism Development Co., Inc.; Ronnie Gjemre, Travis County Resident; and Adele Noel, Air Quality Project Manager, TNR. (9:49 AM)

CONSENT ITEMS

Members of the Court heard from: Ronnie Gjemre, Travis County Resident.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C3 and Items 5.A-C, 6, 7, 8, 10, 11, 12, 13, 15, 16, 18, 21, 23, 25, 26, and 27.A&B. (10:15 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 SETTING A PUBLIC HEARING ON SEPTEMBER 8, 2009, TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE BRIDGE 113 OVER WALNUT CREEK ON OLD MANOR ROAD, IN PRECINCT ONE FOR CONSTRUCTION OF ROADWAY APPROACHES TO THE PROPOSED NEW BRIDGE BEGINNING ON OR ABOUT FEBRUARY 1, 2010 AND CONTINUING THROUGH APRIL 30, 2010 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAVIS)

- C3. APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 8, 2009 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE-FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 1 AND 2, CARDINAL HILLS ESTATES, UNIT 15, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER HUBER)

SPECIAL ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:21 AM)

Members of the Court heard from: Hershel Lee, Fire Marshal; and Pete Baldwin, Emergency Management Coordinator, Emergency Services.

Motion by Judge Biscoe and seconded by Commissioner Davis that we execute another order approving the prohibition of outdoor burning ban.

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

PLANNING AND BUDGET DEPT. ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:27 AM)

Members of the Court heard from: Stacy Suits, Chief Deputy, Constable Precinct 3; and Leroy Nellis, Budget Manager, Planning and Budget Office (PBO).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Budget Amendment A1 and Transfer T1 in Item 4.

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: Budget Transfers T2 and T3 postponed until September 1, 2009.

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:15 AM)

A. GRANT CONTRACT WITH GOVERNOR’S DIVISION OF EMERGENCY MANAGEMENT FOR SUPPLEMENTAL AWARD FOR THE HOMELAND SECURITY GRANT PROGRAM TO PROVIDE MAINTENANCE FOR HAZARDOUS MATERIAL DETECTION EQUIPMENT;

B. GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (THROUGH ONESTAR FOUNDATION) FOR HEALTH AND HUMAN SERVICES AND VETERAN SERVICES TO CONTINUE THE AMERICORPS GRANT TO SUPPORT THE ACTIVITIES OF THE TEXAS AGRILIFE EXTENSION’S 4-H CAPITAL PROGRAM;

C. STATUS REPORT ON GRANT CONTRACT WITH OFFICE OF ATTORNEY GENERAL FOR THE VICTIM COORDINATOR AND LIAISON GRANT IN THE DISTRICT ATTORNEY’S OFFICE;

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

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:36 AM)

D. PERMISSION TO CONTINUE FAMILY DRUG TREATMENT COURT GRANT PROGRAM THROUGH THE CIVIL COURTS UNTIL THE FISCAL YEAR 2010 GRANT CONTRACT IS EXECUTED; AND

Members of the Court heard from: Ronnie Gjemre, Travis County Resident.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 5.D.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 5 CONTINUED

- 5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:37 AM)

Members of the Court heard from: Ronnie Gjemre, Travis County Resident.

- E. PERMISSION TO CONTINUE DRUG COURT GRANT PROGRAM THROUGH THE CRIMINAL COURTS UNTIL THE FISCAL YEAR 2010 GRANT CONTRACT IS EXECUTED.

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SETTING ELECTED JUDICIAL OFFICIALS' SALARIES FOR FISCAL YEAR 2010.
(10:15 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.

ADMINISTRATIVE OPERATIONS ITEMS

- 7. 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 \$872,998.39 FOR THE PERIOD OF JULY 31 TO AUGUST 6, 2009. (10:15 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:15 AM)

Clerk’s Note: Item 8 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE CENTRAL TEXAS RABBIT CLUB FOR A DISCOUNTED RATE TO USE THE TRAVIS COUNTY EXPOSITION CENTER SHOW BARN FOR THEIR ANNUAL EVENT. (10:52 AM) (11:35 AM) (2:05 PM) (4:46 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Jimmy Curlean, Central Texas Rabbit Club; and Ronnie Gjemre, Travis County Resident.

Clerk’s Note: Judge Biscoe announced that Item 9 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 Commissioner Davis **and seconded by** Judge Biscoe that we enter into a license agreement with the Central Texas Rabbit Club, and it will basically be contingent on them producing a record to show that they are a legitimate 501(c)3, and we will ask and direct the Travis County Attorney’s office to prepare a license agreement to that effect, with the involvement of Facilities Management; and also a depiction of the location they will actually be using at the Travis County Expo Center.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize Commissioner Davis to sign the license agreement if the conditions are met.

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

10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING MINOR RENOVATIONS TO THE UNIVERSITY SAVINGS BUILDING WELLNESS CLINIC. (10:15 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PROPOSED ELECTRIC EASEMENT FOR AUSTIN ENERGY AT THE NEW PRECINCT ONE OFFICE BUILDING NEAR 4705 HEFLIN LANE. (10:15 AM)

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR LICENSE AGREEMENT WITH WILSON-BROWN PRODUCTIONS, INC. TO FILM A PUBLIC SERVICE VIDEO AT THE HEMAN MARION SWEATT COURTHOUSE ON AUGUST 19, 2009. (10:15 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.

PURCHASING OFFICE ITEMS

13. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 07K00307RV, JOB ORDER NO. 50, FOR ASSIGNMENT OF PAYMENTS FROM ARCHITECTURAL HABITAT TO SURETEC INFORMATION SYSTEMS, INC. (10:15 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. DECLARE CERTAIN VEHICLES AND EQUIPMENT AS SURPLUS PROPERTY AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (11:19 AM)

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

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

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

- 15. APPROVE CONTRACT AWARD FOR GEOTECHNICAL AND CONSTRUCTION TESTING SERVICES, RFQ NO. Q060173-DG, TO MLA LABS, INC. (10:15 AM)

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

- 16. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. 07K00314LP, RGM CONSTRUCTORS, L.P., FOR PFLUGERVILLE ROAD EAST (PECAN STREET) CONSTRUCTION. (10:15 AM)

Clerk’s Note: Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 17. APPROVE CONTRACT AWARD FOR ELECTRONIC MEDICAL RECORDS AND PHARMACY INFORMATION MANAGEMENT SYSTEM, RFP NO. P080266-SW, TO THE MOST QUALIFIED RESPONDENT, SIMPLICITY HEALTHCARE SYSTEMS. (9:16 AM)

Item 17 postponed until August 25, 2009.

- 18. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. MA050194LC, AFFILIATED TELEPHONE AUSTIN, INC., FOR PBX ADMINISTRATION AND SUPPORT/MAINTENANCE. (10:15 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF A PORTION OF PANORAMIC HILLS LOT 37 (4 TOTAL LOTS). (COMMISSIONER HUBER) (11:35 AM) (2:05 PM) (4:48 PM)

Clerk's Note: Judge Biscoe announced that Item 19 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 19 to be reposted on September 1, 2009.

20. RECEIVE BRIEFING ON HOUSE BILL 2833 REGARDING RESIDENTIAL BUILDING INSPECTIONS AND NOTIFICATIONS IN UNINCORPORATED AREAS OF TRAVIS COUNTY. (JUDGE BISCOE) (10:38 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Stacey Scheffel, Flood Plain Manager, TNR; Ronnie Gjemre, Travis County Resident; and Harry Savio, Executive Vice President, Homebuilders Association of Greater Austin.

Discussion only. No formal action taken.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE TO CHAPTER 82, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS TO ALLOW THE ACCEPTANCE OF DEDICATION OF A PORTION OF STREET AND DRAINAGE FACILITIES IN HILL TOP MANOR, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER HUBER (10:15 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 REQUESTS TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED OF A 0.248 ACRE PORTION OF THE MANSFIELD DAM COURT RIGHT OF WAY. (COMMISSIONER HUBER) (9:16 AM)

Item 22 postponed until August 25, 2009.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE EXECUTION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY GRANT AGREEMENT PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (10:15 AM)

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

Clerk's Note: The Court noted that the County Judge is being given authorization to sign this document for the Department of Housing and Urban Development (HUD).

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (11:15 AM)
 - A. RECEIVE RESULTS OF THE ENVIRONMENTAL ASSESSMENT FOR THE APACHE SHORES SUBSTANDARD ROADS IMPROVEMENTS PROJECT; AND
 - B. CERTIFICATE OF EXEMPTION FOR THE APACHE SHORES SUBSTANDARD ROADS IMPROVEMENTS PROJECT.

Members of the Court heard from: Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

Motion by Commissioner Huber **and seconded by** Commissioner Gómez to approve Item 24.B.

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 24.A was Discussion only.

OTHER ITEMS

25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:15 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. RECEIVE FISCAL YEARS 2010 AND 2011 TRAVIS COUNTY ADULT PROBATION DEPARTMENT PROPOSED STATE BUDGET, PURSUANT TO LOCAL GOVERNMENT CODE, SECTION 140.004. (10:15 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.

Clerk's Note: The County Judge noted that the Court is simply approving receipt of the document.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FROM THE DISTRICT CLERK'S OFFICE: (10:15 AM)
- A. ADOPT A DISTRICT CLERK RECORDS ARCHIVE FEE OF \$5.00, PURSUANT TO GOVERNMENT CODE 51.305(B); AND
 - B. SET A PUBLIC HEARING ON AUGUST 25, 2009 TO RECEIVE COMMENTS REGARDING THE FISCAL YEAR 2010 DISTRICT CLERK'S RECORDS MANAGEMENT PLAN.

Clerk's Note: Items 27.A&B 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 August 25, 2009 will be the 15th day since notice of the public hearing was published.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AMENDMENTS BETWEEN THE CITY OF AUSTIN AND THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR THE COMMUNITYCARE EAST AND COMMUNITYCARE SOUTH COMMUNITY HEALTH CENTERS. (11:20 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 28.

Motion carried:

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

Clerk's Note: Commissioner Davis noted that he was abstaining on Item 28 because his wife is employed by Seton Medical Center.

29. RECEIVE AND DISCUSS THE PROPOSED BUDGET OF THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR FISCAL YEAR 2010 AND THE ASSOCIATED TAX RATE. (1:45 PM)

Members of the Court heard from: Trish Young, President and Chief Executive Officer, Travis County Healthcare District; and Carolyn Konecny, Chief Financial Officer, Travis County Healthcare District.

Discussion only. No formal action taken.

30. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING STRUCTURE AND FUNCTIONING OF HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD) AND ADMINISTRATIVE OPERATIONS POST-IMPLEMENTATION OF HRMD DEVELOPMENT PLAN. (2:10 PM) (4:56 PM)

Members of the Court heard from: John Hille, Assistant County Attorney; Sherine Thomas, Assistant County Attorney; Luane Shull, Human Resources Manager, Human Resources Management Department (HRMD); and Todd Osburn, Compensation Manager, HRMD.

Clerk's Note: The Court directed Staff to:

- Post the Director of Human Resources position with the intention that the new Executive Director of Administrative Operations, when hired, would facilitate filling the position
- Look at HR Manager II, Assistant Director, HR Manager Staffing, Training, Employee Relations (STER), and update the Court on progress Tuesday, August 25, 2009.

Item 30 to be reposted on August 25, 2009.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY TO PAY FOR INTERPRETER USED IN THE CONSOLIDATED HEARINGS OF TEXAS ALCOHOLIC BEVERAGE COMMISSION (TABC) V. MERCED AND GRACIELA BENITEZ AND TABC V. LOS COMALES, INC. (11:22 AM) (2:05 PM) (4:48 PM)

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

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve payment for the interpreter of \$50/hour for 3-1/4 hours, unless the Texas Alcoholic Beverage Commission (TABC) agrees to pick up part of it.

Withdrawal of the previous Motion and Second was made by Judge Biscoe and Commissioner Eckhardt.

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.

Item 31 to be reposted on August 25, 2009.

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.

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PURCHASE OF 811 ACRES OF UNDEVELOPED LAND IN PRECINCT ONE, LOCATED EAST OF U.S. 183 AND NORTH OF THE COLORADO RIVER, FOR OPEN SPACE PARKLAND - 2005 BOND PROGRAM. (COMMISSIONER DAVIS) ^{1 AND 2}
(11:35 AM) (2:05 PM) (4:49 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code 551.072, Real Property.

Discussion only. No formal action taken.

Item 32 to be reposted on August 25, 2009.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(11:35 AM) (2:05 PM) (4:49 PM)

A. AN OFFER TO SELL APPROXIMATELY 25 ACRES OF UNDEVELOPED LAND LOCATED SOUTH OF BURLESON ROAD AND EAST OF U.S. 183 SOUTH IN PRECINCT FOUR, FOR INCLUSION IN THE ONION CREEK OPEN SPACE PARKLAND - 2005 BOND PROJECT; AND

B. REQUEST THE COUNTY AUDITOR TO ISSUE A CHECK FOR \$15,664 TO HERITAGE TITLE COMPANY OF AUSTIN UPON FULL EXECUTION OF THE CONTRACT AND FULL AUDIT OF THE CLAIM AND THE COUNTY TREASURER TO RELEASE THE CHECK TO THE VENDOR.
(COMMISSIONER GÓMEZ) ^{1 AND 2}

Clerk’s Note: Judge Biscoe announced that Items 33.A&B would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code 551.072, Real Property.

Discussion only. No formal action taken.

Items 33.A&B to be reposted on August 25, 2009.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER FROM CARMA EASTON, INC. TO CONVEY APPROXIMATELY THREE ACRES OF FEE TITLE INTEREST AND EASEMENT RIGHTS (PARCEL #1 AND 1E) TO TRAVIS COUNTY IN EXCHANGE FOR 2,820 SQUARE FEET OF UNUSED, EXCESS RIGHT OF WAY (PARCEL #2), FOR CONSTRUCTION OF THE 2001 BOND PROGRAM, MCKINNEY FALLS PARKWAY IMPROVEMENT PROJECT, LOCATED IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) ^{1 AND 2}
(11:35 AM) (2:05 PM) (4:50 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 and Gov’t. Code 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we have this on the Court’s Agenda on August 25, 2009 for an intended execution of a contract to approve the offer.

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

35. RECEIVE LEGAL BRIEFING REGARDING SHUMAKER ENTERPRISES, INC. VS. COUNTY OF TRAVIS, TEXAS ET AL AND TAKE APPROPRIATE ACTION.
¹ (11:35 AM) (2:05 PM) (4:51 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.

Discussion only. No formal action taken.

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION'S (CAMPO) PROPOSED CHANGES TO BYLAWS. ¹ (2:02 PM) (4:51 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.

Members of the Court heard from: Maurice Priest, Travis County Resident.

Discussion only. No formal action taken.

Item 36 to be reposted on September 1, 2009.

37. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO MANCHACA COMMUNITY CENTER LOCATED AT 1310 FM 1626. (COMMISSIONER HUBER) ¹ (9:17 AM)

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.

Item 37 postponed until August 25, 2009.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM AUSTIN AMERICAN-STATESMAN FOR CERTAIN INFORMATION REGARDING EMPLOYMENT OF EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS AND HUMAN RESOURCES DEPARTMENT AT TRAVIS COUNTY. ¹ (2:05 PM) (4:52 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.

Clerk's Note: Judge Biscoe noted that the County Judge is authorized to release the employee grievances that were filed in the cases of Steitle, Darby, and Hardin. The Chuck Kelly matter is still ongoing and should not be released at this time. The Court will need additional time to go through the personnel files of Ms. Perez and Ms. Smith before concluding what parts of those files can be released and which ones should not, and that will take a few days. For the contracts with the consultant who did the climate survey and the coach-mediator, that information will be made available immediately, this evening, or first thing tomorrow morning, Wednesday, August 19, 2009.

Members of the Court heard from: Sherine Thomas, Assistant County Attorney; and Susanna Gonzalez, Reporter, Austin American-Statesman.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we release the consultant's climate survey to the Austin American-Statesman in response to its request.

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

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING APPLICATION OF TXI FOR A DEVELOPMENT PERMIT, INCLUDING AUTHORIZING THE COUNTY ATTORNEY TO TAKE LEGAL ACTION AND EXPEND FUNDS TO PREVENT THE PROJECT FOR WHICH THE DEVELOPMENT PERMIT IS BEING SOUGHT. (COMMISSIONER DAVIS) ¹ (2:05 PM) (4:56 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 25, 2009.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:28 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