

## **MINUTES OF MEETING AUGUST 25, 2009**

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

On Tuesday, the 25<sup>th</sup> day of August 2009, the Commissioners' Court convened the Voting Session at 9:14 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 12:23 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 1:45 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:46 PM and adjourned at 1:46 PM.

The Commissioners Court reconvened the Voting Session at 1:46 PM.

The Commissioners Court retired to Executive Session at 2:19 PM.

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

The Commissioners Court adjourned the Voting Session at 4:49 PM.











**SPECIAL ITEMS**

- 5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:01 AM)

**Members of the Court heard from:** Hershel Lee, Fire Marshal.

**Clerk’s Note:** The County Judge announced that by taking no action the prohibition against outdoor burning stays in place.

Discussion only. No formal action taken.

Item 5 to be reposted on September 1, 2009.

**Clerk’s Note:** The County Judge encouraged Travis County residents to take care with disposing of cigarettes by covering them in sand or dousing them in water, not throwing them out of moving vehicles, as this has caused many roadside fires.

**RESOLUTIONS AND PROCLAMATIONS**

- 6. APPROVE PROCLAMATION DECLARING TUESDAY, AUGUST 25, 2009 AS “NATIONAL MINORITY DONOR AWARENESS DAY.” (JUDGE BISCOE) (10:04 AM)

**Members of the Court heard from:** Michelle Segovia, Senior Community Relations Coordinator, Texas Organ Sharing Alliance.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the Proclamation in Item 6.

**Motion carried:**

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| 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**

7. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:57 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:57 AM)
- A. NEW GRANT APPLICATION TO THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT THROUGH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE STATE HOMELAND SECURITY PROGRAM FOR AN ADDITIONAL SWAT RESPONSE VEHICLE IN THE SHERIFF'S DEPARTMENT;
  - B. NEW GRANT APPLICATION TO THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT THROUGH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE STATE HOMELAND SECURITY PROGRAM FOR HAZARDOUS MATERIAL DECONTAMINATION EQUIPMENT IN THE EMERGENCY SERVICES DEPARTMENT;
  - C. NEW GRANT APPLICATION TO THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT THROUGH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE STATE HOMELAND SECURITY PROGRAM FOR A MAINTENANCE CONTRACT ON HAZARDOUS MATERIAL DETECTION EQUIPMENT IN THE EMERGENCY SERVICES DEPARTMENT;
  - D. NEW GRANT APPLICATION TO THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT THROUGH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE STATE HOMELAND SECURITY PROGRAM FOR A MAINTENANCE CONTRACT FOR CHEMICAL AGENT DETECTION EQUIPMENT IN THE EMERGENCY SERVICES DEPARTMENT;
  - E. NEW GRANT APPLICATION TO THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT THROUGH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE STATE HOMELAND SECURITY PROGRAM FOR AIR MONITORING EQUIPMENT IN THE EMERGENCY SERVICES DEPARTMENT;



## ITEM 8 CONTINUED

- F. NEW GRANT APPLICATION TO THE GOVERNOR'S OFFICE OF EMERGENCY MANAGEMENT THROUGH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE STATE HOMELAND SECURITY PROGRAM FOR ADDITIONAL TRAINING FOR THE HAZMAT TEAM IN THE EMERGENCY SERVICES DEPARTMENT;
- G. NEW GRANT APPLICATION TO THE GOVERNOR'S OFFICE OF EMERGENCY MANAGEMENT THROUGH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE STATE HOMELAND SECURITY PROGRAM FOR A VARIETY OF EXPIRABLE AND DISPOSAL GOODS FOR THE HAZMAT TEAM IN THE EMERGENCY SERVICES DEPARTMENT;
- H. GRANT APPLICATION TO THE DEPARTMENT OF LABOR FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES DEPARTMENT TO CONTINUE TO RECEIVE GRANT RESOURCES FOR A STAND DOWN EVENT FOR HOMELESS VETERANS TO ENHANCE EMPLOYMENT AND TRAINING OPPORTUNITIES AND PROMOTE SELF-SUSTAINMENT;
- I. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS FOR INFORMATION AND TELECOMMUNICATIONS DEPARTMENT TO BE REIMBURSED FOR COSTS ASSOCIATED WITH TRAVIS COUNTY'S CONTINUING PARTICIPATION IN THE STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICE; AND
- J. AMENDMENT TO THE GRANT CONTRACT WITH THE OFFICE OF ATTORNEY GENERAL FOR JUVENILE PROBATION TO PROMOTE COMPLIANCE WITH TRAVIS COUNTY COURT ORDERS REGARDING CHILD ACCESS AND VISITATION. THE AMENDMENT EXTENDS THE GRANT TERM UNTIL AUGUST 31, 2010, PROVIDES RESOURCES FOR FISCAL YEAR 2010 AND ADJUSTS THE BUDGET FOR FISCAL YEAR 2009.

**Clerk's Note:** Items 8.A-J 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 PROPOSED FISCAL YEAR 2010 INDIRECT COST RATES. (9:57 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.

**ADMINISTRATIVE OPERATIONS ITEMS**

10. 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 \$516,025.43 FOR THE PERIOD OF AUGUST 7 TO 13, 2009. (9:57 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 ON THE FOLLOWING:  
(9:57 AM)

- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
- B. NON-ROUTINE REQUEST FROM TRAVIS COUNTY SHERIFF'S OFFICE FOR VARIANCES TO TRAVIS COUNTY CODE SECTION 10.03002, GENERAL OVERVIEW FOR DETERMINING PAY POLICY, FOR SALARY ADJUSTMENTS.

**Clerk's Note:** Items 11.A&B 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 TO ESTABLISH THE COURT RECORDS PRESERVATION ACCOUNT, INCLUDE IT IN THE FISCAL YEAR 2010 COUNTY BUDGET AND COLLECT A \$10 FILING FEE ON CERTAIN CIVIL CASE FILINGS AS REQUIRED BY HOUSE BILL 3637 ENACTED BY THE 81<sup>ST</sup> LEGISLATURE REGULAR SESSION.  
(9:57 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 ON 116 JOB DESCRIPTIONS IN 10 JOB FAMILIES THAT WERE AFFECTED BY THE CLASSIFICATION AND COMPENSATION THREE-YEAR STRATEGIC PLAN JOB ANALYSIS PROJECTS, IN ACCORDANCE WITH TRAVIS COUNTY CODE SECTION 10.080, JOB DESCRIPTIONS. (10:48 AM)

**Members of the Court heard from:** Todd Osburn, Compensation Manager, Human Resources Management Department (HRMD); and Luane Schull, Human Resources Manager, HRMD.

**Motion by** Commissioner Huber **and seconded by** Commissioner Eckhardt to approve Item 13.

**Motion carried:**

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|--|-----|
| 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 ITEMS

14. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF AGREEMENT BETWEEN TEXAS MILITARY FORCES AND TRAVIS COUNTY REGARDING A SECURE LANDING ZONE AT CAMP MABRY FOR STAR FLIGHT AIRCRAFT. (9:57 AM)

**Clerk's Note:** Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

15. RECEIVE UPDATE ON THE JOINT APPLICATION FOR THE HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM GRANT. (10:09 AM)

**Members of the Court heard from:** Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); Beth Atherton, Caritas; Jeri Houchins, Administrative Director, Austin/Travis County Reentry Roundtable; Laura Smith, Executive Director, Crime Prevention Institute (CPI); Leah Graham, Executive Director, The Wright House Wellness Center; and Mathilde Hyams-Flores, Deputy Director, AIDS Services of Austin.

Discussion only. No formal action taken.

**PURCHASING OFFICE ITEMS**

16. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR IMPERIAL VALLEY DRIVE DRAINAGE IMPROVEMENTS, IFB NO. B090276-LP, TO THE LOW BIDDER, SMITH CONTRACTING COMPANY, INC. (9:57 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 MODIFICATION NO. 3 TO CONTRACT NO. PS080113RE, ENCOMPASS MEDICAL MANAGEMENT, FOR EVALUATION SERVICES. (9:57 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. APPROVE MODIFICATION NO. 1, AN ASSIGNMENT OF CONTRACT NO. 09T001990J, FROM CORPORATE EXPRESS TO STAPLES ADVANTAGE. (9:15 AM)

Item 18 pulled from the Agenda,

19. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING WITH THE COUNCIL ON SEX OFFENDER TREATMENT TO HOUSE SEX OFFENDERS AT THE TRAVIS COUNTY DEL VALLE CORRECTIONAL COMPLEX. (9:57 AM)

**Clerk's Note:** Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. CONTRACT MODIFICATION AND EXTENSION OF CONTRACT 696-PD-0-1-L-L0306 M-009 BETWEEN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND TRAVIS COUNTY FOR THE HOUSING OF RELEASEES AT THE TRAVIS COUNTY DEL VALLE CORRECTIONAL COMPLEX. (10:31 AM)

**Clerk's Note:** The Court discussed the two modifications to this contract:

- An increase in the reimbursement from \$45.00 to \$50.00 per day
- An increase in the not-to-exceed amount by \$29,200.00.

**Members of the Court heard from:** Jim Connolly, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to approve this Item with the revised increase, and compensation to the County by the State.

**Motion carried:**

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| 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 |

21. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 6) TO CONTRACT NO. 03T00288OJ, APPRISS, INC., FOR THE TEXAS VINE SERVICES AGREEMENT. (10:33 AM)

**Members of the Court heard from:** Bonnie Floyd, Assistant Purchasing Agent; José Palacios, Chief Assistant County Auditor, Travis County Auditor's Office; and Barbara Wilson, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the extension, subject to receipt of the funds from the State.

**Motion carried:**

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| 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 |

- 22. APPROVE CONTRACT AWARD FOR ELECTRONIC MEDICAL RECORDS AND PHARMACY INFORMATION MANAGEMENT SYSTEM, RFP NO. P080266-SW, TO THE MOST QUALIFIED RESPONDENT, SIMPLICITY HEALTHCARE SYSTEMS. (1:48 PM)

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber to approve Item 22.

**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

### **TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

- 23. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 2 AND 3, BLOCK B, ANGEL BAY SUBDIVISION (2 TOTAL LOTS). (COMMISSIONER HUBER) (9:57 AM)

**Clerk's Note:** Item 23 is the action item for the public hearing on Agenda Item 1.

**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.

- 24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO ABANDON A 0.248 ACRE PORTION OF THE MANSFIELD DAM COURT RIGHT OF WAY. (COMMISSIONER HUBER) (9:57 AM)

**Clerk's Note:** Item 24 is the action item for the public hearing on Agenda Item 3.

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPOINTMENT OF DAVID SHORE, TRAVIS COUNTY GIS PROGRAM COORDINATOR, TO THE CAPITAL AREA COUNCIL OF GOVERNMENT'S GEOGRAPHIC INFORMATION SYSTEM PLANNING COUNCIL. (9:57 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 BRIEFING FROM STAFF ON THE LOW-INCOME VEHICLE REPAIR AND REPLACEMENT PROGRAM. (10:38 AM)

**Members of the Court heard from:** Adele Noel, Air Quality Project Manager, TNR; Tom Weber, Environmental Quality Program Manager, TNR; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (9:15 AM)
- A. CALL DOWN FUNDS FOR CERTAIN STREETS BOUNDING THE FOLLOWING SUBDIVISIONS IN AREAS NOW ANNEXED BY THE CITY OF PFLUGERVILLE: SPRINGBROOK COMMERCIAL LOT 1, SPRINGBROOK COMMERCIAL LOT 2 AND SPRINGBROOK GLEN; AND
  - B. INTERLOCAL AGREEMENT WITH THE CITY OF PFLUGERVILLE FOR THE TRANSFER OF BOUNDARY STREET FISCAL FOR ROADS ANNEXED BY THE CITY OF PFLUGERVILLE. (COMMISSIONER ECKHARDT)

Items 27.A&B were postponed.

- 28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PURCHASE TWO TORO GROUNDMASTER MOWERS FOR RIGHT OF WAY MAINTENANCE FROM PROFESSIONAL TURF PRODUCTS THROUGH BUY BOARD COOPERATIVE PURCHASING. (10:46 AM)

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

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

**Motion carried:**

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| 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 |

- 29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RESOLUTION ADOPTING HOUSE BILL 2833, RELATING TO CERTAIN BUILDING CODE STANDARDS APPLICABLE TO THE UNINCORPORATED AREAS OF CERTAIN COUNTIES; PROVIDING A PENALTY, ENACTED BY THE 81<sup>ST</sup> LEGISLATURE REGULAR SESSION, AND A DESCRIPTION OF THE TRAVIS COUNTY IMPLEMENTATION PLAN. (2:15 PM)

Item 29 postponed until September 1, 2009.

**OTHER ITEMS**

- 30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:57 AM)

**Clerk’s Note:** Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FISCAL YEAR 2010 DISTRICT CLERK’S RECORDS MANAGEMENT PLAN. (9:57 AM)

**Clerk’s Note:** Item 31 is the action item for the public hearing on Agenda Item 4.

**Clerk’s Note:** Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.



32. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERIM CHARGES FOR THE 81<sup>ST</sup> TEXAS LEGISLATURE, INCLUDING: (1:46 PM)
- A. SUGGESTED TOPICS FOR SUCH CHARGES, AND
  - B. RECOMMENDATIONS FOR PROPOSING SUCH CHARGES TO THE APPROPRIATE MEMBERS OF THE LEGISLATURE.

Items 32.A&B postponed until September 1, 2009.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO MAKE CHANGES TO THE HUMAN RESOURCES MANAGEMENT DEPARTMENT OPEN ENROLLMENT PROCEDURE TO ADDRESS EQUITY ISSUES IN THE AFFIDAVIT REQUIREMENT FOR COVERAGE OF SIGNIFICANT OTHERS/DOMESTIC PARTNER, SPONSORED DEPENDENT OR CHILD OF DOMESTIC PARTNER. (COMMISSIONER ECKHARDT) (11:00 AM)

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; Barbara Wilson, Assistant County Attorney; Robin Osborn, Travis County Sheriff's Office (TCSO); Daniel Bradford, Assistant County Attorney; and Tania Mills, Research and Planning, TCSO.

Discussion only. No formal action taken.

Item 33 to be reposted on September 8, 2009.

**Clerk's Note:** The Court directed that a Committee be formed to study the matter including: Dan Mansour, Risk and Benefits Manager, HRMD; Cindy Purinton, Benefit Administrator, HRMD; Robin Osborn, Travis County Sheriff's Office (TCSO); Tania Mills, Research and Planning, TCSO; plus a representative from the County Attorney's Office.

- 34. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(10:59 AM)
  - A. RECEIVE BRIEFING ON RECOMMENDATION FROM THE PARKING SUBCOMMITTEE REGARDING PARKING ADMINISTRATOR POSITION;
  - B. REQUEST TO APPOINT MEMBERS OF NEW PARKING COMMITTEE;
  - C. CHARGE NEW PARKING COMMITTEE TO REVISE CURRENT PARKING POLICY, DEVELOP AND ADMINISTER PARKING GRIEVANCE PROCESS, AND IMPLEMENT CERTAIN RECOMMENDATIONS MADE IN THE PARKING COMMITTEE REPORT. (COMMISSIONER ECKHARDT)

Items 34.A-C postponed until September 1, 2009.

- 35. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JULY 2009. (9:57 AM)

**Clerk's Note:** Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 36. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS ASSOCIATED WITH THE 2009 TRAVIS COUNTY COMBINED CHARITIES CAMPAIGN INCLUDING THE APPROVAL OF RECIPIENT FEDERATIONS AND CHARITIES FOR USE IN THIS YEAR'S CAMPAIGN. (1:47 PM)

Item 36 postponed until September 1, 2009.

- 37. 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. (2:16 PM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we notify Counsel for these parties that the County is not obligated to provide the interpreter and therefore, will not pay the invoice.

**Motion carried:**

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| 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 |

38. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING: (11:22 AM)  
(1:48 PM)

A. THE HIRING PROCESSES AND SCHEDULE TO FILL THE FOLLOWING POSITIONS:

- 1. CERTAIN POSITIONS IN THE HUMAN RESOURCES MANAGEMENT DEPARTMENT;
- 2. DIRECTOR, HUMAN RESOURCES MANAGEMENT DEPARTMENT;  
AND
- 3. EXECUTIVE MANAGER, ADMINISTRATIVE OPERATIONS; AND

B. INTERIM ASSIGNMENTS AND RELATED ACTIONS, AS APPROPRIATE.

**Clerk’s Note:** Items 38.A.1-3&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Todd Osburn, Compensation Manager, HRMD; Mary Etta Gerhardt, Assistant County Attorney; Sherine Thomas, Assistant County Attorney; Kris Nilsen, Acting HR Manager II, Staff Training Employee Relations (STER), HRMD; Luane Schull, Human Resources Manager, HRMD; Susan Spataro, Travis County Auditor; Dan Mansour, Risk and Benefits Manager, HRMD; Norman McRee, Financial Analyst, Lead, HRMD; and Cindy Purinton, Benefit Administrator, HRMD.

**Clerk’s Note:** The Court discussed the filling of the HR Manager II (STER) position.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that since we have posted it twice, since we have 150 applications, then we ought to short-list those and interview and in terms of who conducts the interview, then I think we ought to have a panel to do that and we ought to engage one or two of the Executive Managers to assist some HRMD personnel.

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| <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 Karen Huber                 | yes |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |

**Clerk’s Note:** The Court noted that the interview panel would consist of: Danny Hobby, Executive Manager, Travis County Emergency Services; Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); and two or three Staff from HRMD.

**ITEM 38 CONTINUED**

**Clerk's Note:** The Court discussed the filling of the BEFIT Project Compensation Manager slot.

**Motion by Judge Biscoe and seconded by Commissioner Eckhardt** that Luane Schull, Human Resources Manager, HRMD be appointed the BEFIT Manager.

**Motion carried:**

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

**Clerk's Note:** The Court discussed the filling of the Better Enterprise Financial Information (BEFIT) Project HR Generalist position.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we have to make sure that we hire the right person, or the best person we can, and based on that person's performance and Cindy Purinton, Benefit Administrator, HRMD working with her, decide at some point later whether to send Cindy Purinton, Benefit Administrator, HRMD to BEFIT or the new person; but our goal would be to fill this as soon as possible and get this person up to speed on Travis County benefits as well as, I guess, a keen interest in financial systems. That is the combination we are looking for.

**A Restatement of the Motion was made by Judge Biscoe** that we post the position, to fill it as soon as possible, with an eye to bringing in a person with a benefits background and some interest in financial systems, and expect all of us to work together and help Cindy Purinton, Benefit Administrator, HRMD and bring this person up to speed on Travis County benefits.

**Motion carried:**

|  |     |
|--|-----|
| County Judge Samuel T. Biscoe              | yes |
| Precinct 1, Commissioner Ron Davis         | no  |
| 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 continue working to fill the last two slots:

- Medical Director for the Wellness Clinic
- HR Analyst Specialist II (Senior Compensation Analyst)

**ITEM 38 CONTINUED**

Items 38.A.1-3&B were revisited at 1:48 PM.

**Members of the Court heard from:** Todd Osburn, Compensation Manager, Human Resources Management Department (HRMD); Dan Mansour, Risk and Benefits Manager, HRMD; and Norman McRee, Financial Analyst, Lead, HRMD.

**Motion by** Commissioner Huber that we delay the hiring for the top two positions, the Administrative Operations, Executive Manager and the Director of HRMD, and direct the executive management team to work with the HRMD leadership team to come up with a plan for covering in the short-term, the different departments in Administrative Operations; with looking at that, from a perspective of time and how long they could feel that such a plan would be workable with the idea in mind that we would be interested in entertaining a long-term organizational assessment under that management plan.

**A Division of the Vote was requested by** Judge Biscoe.

**First Division of the Vote:**

**Motion by** Commissioner Huber **and seconded by** Commissioner Eckhardt to delay the hiring of the Director for HRMD.

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|--|---------|
| <b>Motion carried:</b> 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     |

**ITEM 38 CONTINUED**

**Second Division of the Vote:**

**Motion by** Commissioner Huber **and seconded by** Commissioner Eckhardt to delay the hiring of the Executive Manager for Administrative Operations, looking to the executive management team to assess how long they could manage the pieces of Administrative Operations pursuant to organizational assessment.

**Withdrawal of the Previous Motion was made by** Commissioner Huber.

**Motion by** Commissioner Eckhardt to include two Executive Managers on the leadership team, and to task the four Executive Managers with an examination of organizational assessment and to come up with deliverables for that tasking.

**A Division of the Vote was requested by** Judge Biscoe.

**First Division of the Vote:**

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber to include one or two Executive Managers on the leadership team.

**A Restatement of the Motion was made by** Commissioner Eckhardt to place one member of the executive management team on the HRMD leadership team to provide that perspective and that continuity, and the Motion doesn't entertain who the Executive Manager would be.

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|-----------------------|--|---------|
| <b>Motion failed:</b> | County Judge Samuel T. Biscoe              | no      |
|                       | Precinct 1, Commissioner Ron Davis         | abstain |
|                       | Precinct 2, Commissioner Sarah Eckhardt    | yes     |
|                       | Precinct 3, Commissioner Karen Huber       | yes     |
|                       | Precinct 4, Commissioner Margaret J. Gómez | no      |

**ITEM 38 CONTINUED****Second Division of the Vote:**

**Motion by** Commissioner Eckhardt **and seconded by** Judge Biscoe to task our executive management team with looking at organizational re-assessment; and we would come back at a later date with a list of deliverables for their examination of organizational assessment.

**Motion carried:**

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|--|---------|
| 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:** The County Judge noted that the post for Assistant Director, HRMD will be kept on hold for the present unless a pressing need to fill the position occurs.

Items 38.A3 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.

39. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND OUTSIDE COUNSEL, RENE HICKS, ESQ. AND TAKE APPROPRIATE ACTION REGARDING THE MATTER OF NORTHWEST AUSTIN M.U.D. V. HOLDER IN THE SUPREME COURT OF THE UNITED STATES. <sup>1</sup> (1:47 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.

Item 39 postponed until September 1, 2009.

40. CONSIDER AND TAKE APPROPRIATE ACTION ON THE COMMISSIONERS COURT'S POLICY REGARDING THE USE OF EMINENT DOMAIN FOR THE ACQUISITION OF OPEN SPACE, PARK, AND/OR RECREATIONAL USE LAND AND ADOPT AMENDMENTS AND REVISIONS TO SUCH POLICY AS NEEDED. (COMMISSIONER DAVIS) <sup>1</sup> (2:19 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.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 40, which actually will direct Transportation and Natural Resources (TNR) to amend their particular policy to acquire open space, parkland, and recreational use, so we would like them to go ahead and use eminent domain and amend that policy accordingly; and authorize TNR to do what is necessary.

**A Friendly Amendment to the previous Motion was offered by** Judge Biscoe to get TNR to put something in writing that evidences this decision for the future reference as needed.

**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 Karen Huber                 | yes |
| Precinct 4, Commissioner Margaret J. Gómez           | yes |



41. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
 (2:19 PM) (4:47 PM)

A. AN OFFER TO SELL APPROXIMATELY 25 ACRES OF UNDEVELOPED LAND LOCATED SOUTH OF BURLSON 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) <sup>1 AND 2</sup>

**Clerk’s Note:** Judge Biscoe announced that Items 41.A&B 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 Gómez** that we reject the offer, in Item 41.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

**Clerk’s Note:** The County Judge noted that by passing the Motion on Item 41.A the Commissioners Court renders action on Item 41.B unnecessary.

42. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN AGREEMENT TO ACCEPT 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) <sup>1 AND 2</sup> (2:19 PM) (4:47 PM)

**Clerk's Note:** Judge Biscoe announced that Item 42 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 Eckhardt to approve Item 42.

**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 |

43. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO MANCHACA COMMUNITY CENTER LOCATED AT 1310 FM 1626. (COMMISSIONER HUBER) <sup>1</sup> (9:15 AM)

**Clerk's Note:** Judge Biscoe announced that Item 43 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 43 pulled from the Agenda.

**AT 2:30 P.M. OR UPON ADJOURNMENT OR RECESS OF THE COMMISSIONERS COURT**

44. CONDUCT HEARING AND TAKE APPROPRIATE ACTION ON APPEAL FROM JUNE 17, 2009 TRAVIS COUNTY GRIEVANCE PANEL DECISION IN NANCY DIMAS V. JUSTICE OF THE PEACE, PRECINCT 5, PURSUANT TO TRAVIS COUNTY CODE SECTION 9.257(K). <sup>1 AND 3</sup> (2:19 PM) (4:48 PM)

**Clerk's Note:** Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Eckhardt** that we reverse the decision of the Grievance Panel, which means, basically, no reinstatement for Ms. Dimas.

**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

**ADDED ITEMS**

A1. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE TO INSTALL THE SUPPLY AND RETURN LINE WITHIN PUBLIC UTILITY EASEMENTS AT 15212 GENERAL WILLIAMSON DRIVE. (COMMISSIONER HUBER) (2:17 PM)

**Members of the Court heard from:** Stacey Scheffel, Flood Plain Manager, TNR.

**Motion by Commissioner Huber and seconded by Commissioner Gómez** to approve Item A1.

**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

- A2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THIRD AMENDMENT TO PURCHASE CONTRACT WITH GRASON VOLENTE INVESTMENTS, LTD. FOR BALCONES CANYONLANDS PRESERVE LAND. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY, AND GOV'T CODE ANN. 551.072, REAL PROPERTY) (2:18 PM)

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

**Motion by** Commissioner Huber **and seconded by** Commissioner Gómez to approve Item A2.

**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 |

- A3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING FINAL PAYMENT (RETAINAGE) TO UNISM DEVELOPMENT CO. INC., A SUBCONTRACTOR OF FAULKNERUSA, FOR WORK PERFORMED ON THE TRAVIS COUNTY CORRECTIONAL COMPLEX ADDITIONS AND ALTERATIONS PROJECT. (11:17 AM)

**Clerk's Note:** The Court heard that:

- FaulknerUSA have reached an agreement with Travis County to pay Unism Development Co., Inc. in full seven days after official notification from the County that the invoice has been approved
- FaulknerUSA have had official notification today, August 25, 2009. Therefore, Unism Development Co., Inc. will be paid by September 2, 2009.

**Members of the Court heard from:** Marvin Brice, Construction Procurement Management, Purchasing; Chris Leestma, FaulknerUSA; and Ken Gaede, Project Manager, Facilities Management.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we approve the arrangement that has been described today to get Unism Development Co. Inc. paid.

**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 OF MEETING – AUGUST 25, 2009

## NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 25<sup>th</sup> day of August 2009, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:46 PM 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 Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:46 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:46 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve Item 1.

**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 OF MEETING – AUGUST 25, 2009**

**TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1**

On Tuesday, the 25<sup>th</sup> day of August, 2009, the Commissioners' Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:40 PM 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 record notes that Precinct Two Commissioner Sarah Eckhardt was not present during this Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:41 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:40 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to pay the claims in Item 1.

**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     |



## ADJOURNMENT

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to adjourn the Voting Session of the Travis County Bee Cave Road District No. 1. (1:41 PM)

**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

## MINUTES APPROVED BY THE ROAD DISTRICT BOARD

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**Date of Approval**

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