

## **MINUTES OF MEETING SEPTEMBER 1, 2009**

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

On Tuesday, the 1<sup>st</sup> day of September 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 12:02 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:40 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 2:30 PM.

The Commissioners Court reconvened the Voting Session at 5:32 PM.

The Commissioners Court adjourned the Voting Session at 5:58 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING RESOLUTION OF THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS APPROVING THE EXTENSION OF THE MATURITY DATE AND THE WEIGHTED AVERAGE MATURITY OF THE TRINITY HIGHER EDUCATIONAL FACILITIES CORPORATION VARIABLE RATE DEMAND REVENUE BONDS (HUSTON-TILLOTSON UNIVERSITY PROJECT) SERIES 2008A. (ACTION ITEM #27) (9:16 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 27 for a summary of the action item.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe 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:** Harvey Davis, Manager, Travis County Corporations; and Cliff Blount, Attorney for the Travis County Corporations.

**Motion by** Commissioner Davis **and seconded by** Commissioner Eckhardt 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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Ronnie Gjemre, Travis County Resident; Gus Peña, Travis County Resident; Danny Hobby, Executive Manager, Travis County Emergency Services; Dr. Paul Hinchey, Medical Director, Austin/Travis County Emergency Services; Julie Holden, Travis County Resident; Diana Castañeda; Chairman, Unidos; Frances Martinez, Member, El Concilio; and Gavino Fernandez, Deputy Director, District 12, League of United Latin American Citizens (LULAC). (9:18 AM)

**CONSENT ITEMS**

**Members of the Court heard from:** Ronnie Gjemre, Travis County Resident; and Sarah Sumner, Planner, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C3 and Items 12.A-C, 14, 15, 17.A&B, 18, 19, 20, 21, 22, 23, 26, 27, 29, 30, 31, 33, 35, A2, A4, and A5. (9:43 AM)

<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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE SETTING A PUBLIC HEARING DATE ON SEPTEMBER 15, 2009 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT FOUR: MARIA GONZALEZ SUBDIVISION, RESUBDIVISION OF PART OF LOT 35, WH TOBIN SUBDIVISION (1 TOTAL LOT). (COMMISSIONER GÓMEZ)
- C3. APPROVE SETTING A PUBLIC HEARING DATE ON SEPTEMBER 22, 2009 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF OLD MANOR ROAD AND BOYCE LANE IN PRECINCT ONE. (COMMISSIONER DAVIS)

**SPECIAL ITEMS**

2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:47 AM)

**Members of the Court heard from:** Tony Callaway, Assistant 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 2 to be reposted on September 8, 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.

3. **REVISED LANGUAGE: SPECIAL ITEM:** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RECEIPT OF FEDERAL ECONOMIC STIMULUS - ENERGY, EFFICIENCY AND CONSERVATION BLOCK GRANT IN THE AMOUNT OF \$2,207,900.00 AND A PRESS RELEASE REGARDING THE SAME. (9:48 AM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; and Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO).

Discussion only. No formal action taken.

Item 3 to be reposted on September 15, 2009.

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

- 4. 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. (10:11 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Julie Joe, Assistant County Attorney.

**Motion by** Commissioner Huber **and seconded by** Commissioner Eckhardt to approve 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:** The Court noted that this will be adopted under Chapter 80 of the Travis County Code.

- 5. RECEIVE BRIEFING AND DISCUSS VISION PLAN FOR THE ONION CREEK GREENWAY. (10:20 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR.

Discussion only. No formal action taken.

- 6. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING COUNTY PARTICIPATION IN CITY OF AUSTIN'S COMPREHENSIVE PLANNING PROCESS. (10:43 AM)

**Members of the Court heard from:** Council Member Sheryl Cole, City of Austin; and Sue Edwards, Assistant City Manager, Development and Environment Services, City of Austin.

**Motion by** Commissioner Huber **and seconded by** Commissioner Eckhardt to appoint a sub-committee of the Court and to authorize Staff to pursue conversations with the City of Austin with the intention of exploring a partnership on the City of Austin Comprehensive Plan.

**Motion failed:**

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

Discussion only. No formal action taken.

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON FEE INCREASE PROPOSALS BY THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT, INCLUDING: (11:06 AM)

- A. ASSESSMENT OF FEES FOR RECOVERY OF TRAVIS COUNTY STORM WATER MANAGEMENT PROGRAM AND DEVELOPMENT REVIEW COSTS;
- B. INCREASES IN ON-SITE WASTEWATER FEES FOR FISCAL YEAR 2010; AND
- C. PROPOSED PARK FEES AND REFUND POLICY.

**Clerk's Note:** Items 7.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Tom Weber, Environmental Quality Program Manager, TNR; Stacey Scheffel, Flood Plain Manager, TNR; Charles Bergh, Division Director, Parks and Natural Resources, TNR; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

Items 7.A-C to be reposted on September 8, 2009.

- 8. 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) (10:10 AM)

**Members of the Court heard from:** Anna Bowlin, Division Director, Engineering Services, TNR.

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

**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

- 9. 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 9.A&B postponed.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 10. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT TO ADD A DATE TO CONDUCT INFLUENZA IMMUNIZATIONS AS PART OF THE PANDEMIC INFLUENZA RESPONSE PLAN AND WAIVE FEES FOR USE OF THE TRAVIS COUNTY EXPOSITION CENTER. (1:42 PM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 10.

**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**

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:54 AM)

**Members of the Court heard from:** Rodney Rhoades, Executive Manager, PBO; Stacy Suits, Chief Deputy, Constable Precinct 3; Julie Joe, Assistant County Attorney; and Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Budget Amendment 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



**ITEM 11 CONTINUED**

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Transfer Item T1, which would be the transfer into the medical services line item at the Sheriff's Office.

**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

Budget Transfer Items T2 and T3 in Item 11 to be reposted on September 15, 2009.

- 12. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:43 AM)
  - A. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR CONTINUATION OF TITLE IV-E LEGAL ADMINISTRATION FUNDS IN THE DISTRICT ATTORNEY'S OFFICE;
  - B. NEW GRANT CONTRACT WITH THE BUREAU OF JUSTICE ASSISTANCE FOR AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS TO RESTORE STATE FUNDED PROBATION OFFICER POSITIONS; AND
  - C. GRANT CONTRACT WITH THE OFFICE OF ATTORNEY GENERAL FOR TRAVIS COUNTY TO CONTINUE THE INTEGRATED CHILD SUPPORT SYSTEM PROGRAM IN JUVENILE PROBATION, DOMESTIC RELATIONS OFFICE, TO MONITOR AND ENFORCE COMPLIANCE WITH ALL NEW CHILD AND MEDICAL SUPPORT ORDERS.

**Clerk's Note:** Item 12.A-C 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 NEWSPAPER ADVERTISEMENTS, INCLUDING: (1:53 PM)
  - A. STATUTORILY REQUIRED NEWSPAPER ADVERTISEMENT FOR PUBLIC HEARING ON PROPOSED FISCAL YEAR 2010 TAX RATE; AND
  - B. OTHER ADVERTISEMENTS NECESSARY TO COMPLETE THE FISCAL YEAR 2010 BUDGET PROCESS.

**Clerk’s Note:** Items 13.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Rodney Rhoades, Executive Manager, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Items 13.A&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

**ADMINISTRATIVE OPERATIONS ITEMS**

- 14. 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 \$826,948.05 FOR THE PERIOD OF AUGUST 14 TO 20, 2009. (9:43 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:43 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM A LOCAL BUSINESS PERSON TO SET UP AND OPERATE A HOT DOG VENDING CART ON TRAVIS COUNTY PROPERTY LOCATED AT 5501 AIRPORT BOULEVARD. (2:24 PM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; and Tenley Aldredge, Assistant County Attorney.

Discussion only. No formal action taken.

Item 16 to be reposted September 15, 2009.

### JUSTICE AND PUBLIC SAFETY ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SUPPLEMENTAL EMPLOYMENT AGREEMENTS BETWEEN THE FOLLOWING FORENSIC MEDICAL EXAMINER INVESTIGATORS AND TRAVIS COUNTY: (9:43 AM)

A. INNA HOLMES; AND

B. YVETTE MURRIETA.

**Clerk's Note:** Items 17.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### PURCHASING OFFICE ITEMS

18. APPROVE MODIFICATION NO. 9 TO CONTRACT NO. PS970315LB, VINSON & ELKINS LLP, FOR PROFESSIONAL SERVICES RELATED TO THE PURCHASE OF A NEW FINANCIAL SYSTEM. (9:43 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. APPROVE ISSUANCE OF JOB ORDER NO. 9, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00308RV, TRIMBUILT CONSTRUCTION, INC. (9:43 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. APPROVE CONTRACT AWARD FOR FISCAL YEAR 2009 SIDEWALK MAINTENANCE PROGRAM, IFB NO. B090303-JW, TO THE LOW BIDDER, CEDA-TEX SERVICES. (9:43 AM)

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

21. APPROVE ISSUANCE OF JOB ORDER NO. 55, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:43 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. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 09K00209LP, FISCAL YEAR 2009 HMAC OVERLAY PROJECT, WHEELER COATINGS ASPHALT, L.P. (9:43 AM)

**Clerk's Note:** Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 09K00058LP, HOWARD LANE I IMPROVEMENT PROJECT, JOE BLAND CONSTRUCTION. (9:43 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.

- 24. DECLARE CERTAIN MEDIA EQUIPMENT AS SURPLUS AND AUTHORIZE TRADE-IN FOR NEW MEDIA EQUIPMENT, PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE. (1:49 PM)

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve Item 24.

<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

- 25. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION RELATED TO MODIFICATION NO. 2, CONTRACT NO. PS090100RE, WITH AMERICAN YOUTHWORKS, FOR PARKS SERVICES AS FOLLOWS: (1:50 PM)

- A. RATIFY WORK DONE PRIOR TO EXECUTION OF THE AMENDMENT;
- B. AMEND THE CONTRACT TO ADD THE RANGER STATION PROJECT AND THE NATURE TRAIL AT MILTON REIMERS RANCH PARK PROJECT; AND
- C. AMEND THE CONTRACT TO CLARIFY THE WORKFORCE TRAINING NATURE OF THE AGREEMENT.

**Clerk’s Note:** Items 25.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Marvin Brice, Construction Procurement Management, Purchasing; and Jose Palacios, Chief Assistant County Auditor, Travis County Auditor’s Office.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Items 25.A-C.

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

**OTHER ITEMS**

26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:43 AM)

**Clerk's Note:** Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION OF THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS APPROVING THE EXTENSION OF MATURITY OF THE TRINITY HIGHER EDUCATIONAL FACILITIES CORPORATION VARIABLE RATE DEMAND REVENUE BONDS, SERIES 2008A (HUSTON-TILLOTSON UNIVERSITY PROJECT). (9:43 AM)

**Clerk's Note:** Item 27 is the action item for the public hearing on Agenda Item 1.

**Clerk's Note:** Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(2:05 PM)
- A. RECEIVE BRIEFING ON RECOMMENDATION FROM THE PARKING SUBCOMMITTEE REGARDING PARKING ADMINISTRATOR POSITION;
  - B. REQUEST TO APPOINT MEMBERS OF NEW PARKING COMMITTEE;  
AND
  - 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)

**Clerk’s Note:** Items 28.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Sydnia Crosbie, Lead Financial Analyst, TNR, and Co-Chair, Parking Committee; Tenley Aldredge, Assistant County Attorney; and Roger El Khoury, Director, Facilities Management.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we approve the committee, including the alternates plus the advisory committee.

**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 Huber** to approve the charge in Item 25.C.

**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 28 CONTINUED**

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez that the parking committee be directed to pursue further investigation and the next steps for outsourcing the parking.

**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:** The Court thanked the original parking committee members for their contributions over the previous two years.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT NUMBER ONE TO INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN FOR REIMBURSEMENT OF OVERTIME EXPENDITURES BY THE SHERIFF'S OFFICE DURING THE COURSE OF PARTICIPATION IN THE HUMAN TRAFFICKING LAW ENFORCEMENT TASK FORCE JOINT INVESTIGATIVE PROJECT. (9:43 AM)

**Clerk’s Note:** Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM CONSTABLE PRECINCT THREE TO ESTABLISH A CHANGE FUND IN THE AMOUNT OF \$200.00. (9:43 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 ON REQUEST TO DISTRIBUTE FLIERS ENCOURAGING ORGAN DONATION FOR DONATE LIFE TEXAS WITH THE SEPTEMBER 15<sup>TH</sup> PAYROLL CHECKS. (JUDGE BISCOE) (9:43 AM)

**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: (1:45 PM)
  - A. SUGGESTED TOPICS FOR SUCH CHARGES; AND
  - B. RECOMMENDATIONS FOR PROPOSING SUCH CHARGES TO THE APPROPRIATE MEMBERS OF THE LEGISLATURE.

**Clerk’s Note:** Items 32.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; and Greg Knaupe, Legislative Consultant, Santos Alliance, Inc.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve the list in Item 32.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 Court, without objection, approved the recommendations in Item 32.B.

- 33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO USE TRAVIS COUNTY SEAL TO PUBLICIZE COMMUNITY PRESENTATION OF THE CITY OF SEATTLE’S HOMELESS AND HOUSING PROGRAMS BY BILL HOBSON, SEATTLE DOWNTOWN EMERGENCY SERVICES CENTER. (9:43 AM)

**Clerk’s Note:** Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

**AT 11:30 A. M.**

34. RECEIVE VIDEO PRESENTATION ON TRAVIS COUNTY FAMILY DRUG TREATMENT COURT PROGRAM AND PRESENTATION OF SUCCESS STORIES AND RESULTS. (11:40 AM)

**Members of the Court heard from:** The Honorable Darlene Byrne, Judge, 126<sup>th</sup> District; Michelle Kimbrough, Court Coordinator, Travis County Family Drug Treatment Court; Sherri Fleming, Executive Manager, TCHHS&VS; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

35. 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. (9:43 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.

**Clerk's Note:** The County Judge noted that by approving Item 35 the Court authorizes the use of email to employees to inform them about the campaign and request their participation.

**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.

- 36. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND OUTSIDE COUNSEL, RENEA 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> (2:30 PM) 5:32 PM)

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

Discussion only. No formal action taken.

Item 36 to be reposted when ready.

- 37. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION'S (CAMPO) PROPOSED CHANGES TO BYLAWS. <sup>1</sup> (2:30 PM) (5:33 PM)

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

Discussion only. No formal action taken.

Item 37 to be reposted on September 8, 2009.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR AMENDMENT TO SUBLEASE OF EXPOSITION CENTER WITH CERTAIN TERMS AND CONDITIONS FROM STAR OF TEXAS RODEO AND RELATED ISSUES AND AGREEMENTS. <sup>1</sup> (2:30 PM) (5:33 PM)

**Clerk's Note:** Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 38 to be reposted on September 8, 2009.

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON CLAIMS FROM TECOLOTE FARMS, INC. REGARDING WATER AVAILABILITY AND RELATED ISSUES. <sup>1</sup> (2:00 PM) (2:30 PM) (5:33 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.

**Members of the Court heard from:** Katie Kraemer-Pitre, Owner, Tecolote Farms; Sherine Thomas, Assistant County Attorney; John Hille, Assistant County Attorney; and Charles Bergh, Division Director, Parks and Natural Resources, TNR.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez that we hold true to the County’s previous position that we indicated by vote on April 14, 2009; that after an appropriate survey by Dr. John Sharp, Professor, Department of Ground Water Sciences, University of Texas at Austin and his people, the County would be willing to drill five test wells on the property after seeing the results of the survey; the survey was real positive as to three locations, and in my view, the County should hold true to this commitment and agree to drill for those wells; and the funds will be taken from the Risk Management Fund.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Davis that the possibility of applying for federal dollars be looked into.

**Clerk’s Note:** The Friendly Amendment was not accepted.

**An Addition to the previous Motion was made by** Judge Biscoe that the Motion would end with Travis County drilling test wells in the top three locations that surfaced in the survey; and that the County then will negotiate a settlement agreement to address the claim.

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

40. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE EMPLOYMENT OF THE EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS. <sup>1 AND 3</sup> (2:30 PM) (5:57 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 and Gov’t. Code Ann. 551.074, Personnel Matters.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber that we terminate employment as of today, September 1, 2009, and continue negotiating on a possible settlement of any legal claims with regard to the termination.

<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	no

41. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE EMPLOYMENT OF THE DIRECTOR OF THE HUMAN RESOURCES MANAGEMENT DEPARTMENT. <sup>1 AND 3</sup> (2:30 PM) (5:58 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.074, Personnel Matters.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber that we terminate employment as of today, September 1, 2009, and continue negotiating on a possible settlement of any legal claims with regard to termination.

<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	no

**ADDED ITEMS**

A1. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT OFFER FROM THE CITY OF AUSTIN TO SELL APPROXIMATELY 79 ACRES OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN FOR PARK PURPOSES. (2:30 PM) (5:32 PM)

**Clerk’s Note:** Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we approve the prepared purchase and sale agreement; that we authorize the County Judge to sign the same on behalf of the Commissioners Court.

**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. APPROVE MODIFICATION NO. 1, AN ASSIGNMENT OF CONTRACT NO. 09T001990J, FROM CORPORATE EXPRESS TO STAPLES ADVANTAGE. (9:43 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.

A3. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER SETTING FEES TO BE CHARGED BY THE OFFICES OF THE SHERIFF’S AND CONSTABLES IN CALENDAR YEAR 2010. (2:00 PM)

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item A3.

**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

A4. APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 22, 2009 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A PORTION OF OLD MANOR ROAD AND BOYCE LANE IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:43 AM)

**Clerk’s Note:** Item A4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

A5. CONSIDER AND TAKE APPROPRIATE ACTION TO EXTEND THE DEADLINE FOR ACCEPTING APPLICATIONS FOR APPOINTMENT TO THE VACANT SEAT ON THE BOARD OF DIRECTORS OF THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (9:43 AM)

**Clerk’s Note:** Item A5 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 by approving Item A5 the Court has extended the deadline by 30 days to October 8, 2009.

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (5:58 PM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner 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**