

## **MINUTES OF MEETING DECEMBER 8, 2009**

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

On Tuesday, the 8<sup>th</sup> day of December 2009, the Commissioners' Court convened the Voting Session at 9:12 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 record notes that Precinct Three Commissioner Karen Huber was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 9:18 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 9:18 AM and adjourned at 9:45 AM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 9:45 AM and adjourned at 9:51 AM.

The Commissioners Court reconvened the Voting Session at 9:51 AM.

The Commissioners Court recessed the Voting Session at 12:04 PM.

The Commissioners Court reconvened the Voting Session at 1:39 PM.

The Commissioners Court retired to Executive Session at 2:20 PM.

The Commissioners Court reconvened the Voting Session at 3:35 PM.

The Commissioners Court adjourned the Voting Session at 3:39 PM.

The Commissioners Court record notes that Precinct Three Commissioner Karen Huber was not present during this Voting Session.

**PUBLIC HEARINGS**

- 1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK A, LAKEWIND ESTATES, SECTION 1 SUBDIVISION (1 TOTAL LOT). (COMMISSIONER HUBER) (ACTION ITEM #5) (9:13 AM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 5 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (TNR)

**Motion by** Commissioner Davis **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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 2. RECEIVE COMMENTS REGARDING THE PROGRAM YEAR 2008 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (9:14 AM)

**Clerk's Note:** This Item is a public hearing to receive comments.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The County Judge noted that the public comment period on this item ends December 16, 2009 and that the item will be posted for action on December 22, 2009.

3. RECEIVE COMMENTS REGARDING THE ISSUANCE BY TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION OF ONE OR MORE SERIES OF REVENUE BONDS, THE PROCEEDS OF WHICH WILL BE LOANED TO WESTMINSTER MANOR FOR THE ACQUISITION, CONSTRUCTION, REHABILITATION, EXPANSION AND EQUIPPING OF A RETIREMENT AND HEALTHCARE CENTER. (ACTION ITEM #31) (9:16 AM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 31 for a summary of the action item.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to open the public hearing.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Members of the Court heard from:** Cliff Blount, Attorney for the Travis County Corporations.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to close the public hearing.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**\*RECESS VOTING SESSION AND CALL UP THE TRAVIS COUNTY HOUSING FINANCE CORPORATION AND THE TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION**

### CITIZENS COMMUNICATION

**Members of the Court heard from:** Maurice Priest, Travis County Resident; Paul Aviña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Neil Carmen, Director, Clean Air Program, Lone Star Chapter, Sierra Club; Paige Deshong, Travis County Resident; Susana Almanza, Co-Director, People Organized in the Defense of Earth and her Resources (PODER); and Donna Stirman, Risk Management, Human Resources Management Department (HRMD). (9:52 AM)

### CONSENT ITEMS

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve the following Consent Item: C1 and Items 5, 6, 7, 11.A&B, 12, 13, 20, 21, 22, 23.A-K, 26, 27, and 28. (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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

**RESOLUTIONS AND PROCLAMATIONS**

- 4. APPROVE PROCLAMATION HONORING THE 40<sup>TH</sup> ANNIVERSARY OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME). (JUDGE BISCOE) (10:18 AM)

**Members of the Court heard from:** Jesse Colunga, President, Local 1624, American Federation of State, County and Municipal Employees (AFSCME); and Andrea Colunga Bussey, Division Director, Family Support Services, Travis County Health and Human Services and Veteran Services (TCHHS&VS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Proclamation 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

- 5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK A, LAKEWIND ESTATES, SECTION 1 SUBDIVISION (1 TOTAL LOT). (COMMISSIONER HUBER) (10:15 AM)

**Clerk’s Note:** Item 5 is the action item for the public hearing on Agenda Item 1.

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

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ASSIGNMENT AND ASSUMPTION OF SUBDIVISION CONSTRUCTION AGREEMENT FOR LAKES AT NORTHTOWN SECTION 3 FINAL PLAT. (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.

- 7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REVISIONS TO DEVELOPMENT FEES BY THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT, TO BE EFFECTIVE JUNE 1, 2010, INCLUDING ASSESSMENT OF INCREASED FEES FOR RECOVERY OF TRAVIS COUNTY STORM WATER MANAGEMENT PROGRAM COSTS. (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 REGARDING PARK FEE AND REFUND POLICY PROPOSALS BY THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. (11:52 AM)

**Members of the Court heard from:** Charles Bergh, Division Director, Parks and Natural Resources, TNR; Kurt Nielsen, Parks Operations Manager, East Side, TNR; and Joe Gieselman, Executive Manager, TNR.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve the proposed fee and refund policy changes.

**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

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 9. RECEIVE BRIEFING FROM HEALTH AND HUMAN SERVICES AND VETERANS SERVICE DEPARTMENT ON THE IMPACT OF THE ECONOMIC DOWNTURN ON EMERGENCY ASSISTANCE PROGRAMS AND TAKE APPROPRIATE ACTION. (11:51 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS.

Discussion only. No formal action taken.

Item 9 to be reposted December 15, 2009.

**PLANNING AND BUDGET DEPT. ITEMS**

10. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (1:52 PM)

**Members of the Court heard from:** Norman McRee, Financial Analyst, Lead, HRMD; Susan Spataro, Travis County Auditor; and Cyd Grimes, Travis County Purchasing Agent.

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

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

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

A. GRANT APPLICATION WITH THE OFFICE OF THE ATTORNEY GENERAL OF TEXAS FOR THE INFORMATION AND TELECOMMUNICATIONS DEPARTMENT TO BE REIMBURSED FOR COSTS ASSOCIATED WITH TRAVIS COUNTY’S EXTENSION OF THE STATEWIDE AUTOMATED VICTIM NOTIFICATION SERVICE TO THE COURTS AND DESIGNATE THE DIRECTOR OF ITS AS THE PERSON WHO DEFINES THE STANDARD FOR TIMELINESS AND ACCURACY OF DATA INPUT INTO THIS SYSTEM; AND

B. GRANT APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION AND NATURAL RESOURCES TO EXPAND TRANSPORTATION CHOICES BY CONNECTING EXISTING OR PROPOSED BIKE/PED PATHS AND TRAIL SEGMENTS IN SOUTHEAST TRAVIS COUNTY.

**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.



**ADMINISTRATIVE OPERATIONS ITEMS**

- 12. 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 \$839,621.87 FOR THE PERIOD OF NOVEMBER 20 TO 26, 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.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRAVIS COUNTY FIRE ACADEMY FOR A REDUCED FEE TO USE THE TRAVIS COUNTY EXPOSITION CENTER FOR CADET GRADUATION. (10:22 AM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; and Michael Norton, Director, Travis County Exposition Center.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve the discount requested by the Fire Academy.

**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

15. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRANSPORTATION AND NATURAL RESOURCES (TNR) DEPARTMENT FOR A REDUCED FEE TO USE THE TRAVIS COUNTY EXPOSITION CENTER BANQUET HALL FOR TNR EMPLOYEE DEVELOPMENT DAY. (10:28 AM)

**Members of the Court heard from:** Michael Norton, Director, Travis County Exposition Center; Joe Gieselman, Executive Manager, TNR; and Roger El Khoury, Director, Facilities Management.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 15.

**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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRAVIS COUNTY YOUTH SHOW FOR A REDUCED FEE TO USE THE TRAVIS COUNTY EXPOSITION CENTER, MAKE EXCEPTION TO SECTION 14, FOOD AND BEVERAGE CATERING OF THE TRAVIS COUNTY EXPOSITION CENTER LICENSE AGREEMENT, AND ENTER INTO A FIVE YEAR CONTRACT STARTING IN 2011 WITH SAME TERMS AS 2010 CONTRACT. (10:31 AM)

**Clerk’s Note:** The County Judge noted that the Court is planning a review of Chapter 45 of the Travis County Code and, therefore, will not be approving the request for a five-year contract.

**Members of the Court heard from:** Jim Sylvester, Chief Deputy, Travis County Sheriff’s Office (TCSO) and Vice President, Travis County Youth Show; and Carl Dahlstrom, President, Travis County Youth Show.

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

**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

**Clerk’s Note:** By approving Item 16 the Court agreed to the reduced fee, and the exception to Section 14, but not to enter into a five-year contract.

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LICENSE AGREEMENT WITH THE QUARTER HORSE ASSOCIATION FOR USE OF THE TRAVIS COUNTY EXPOSITION CENTER. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (10:35 AM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; Donna Arnett, Treasurer, Capital Area Quarter Horse Association; and Michael Norton, Director, Travis County Exposition Center.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve the \$450.00, and also waive the \$65.00 for the bleachers and dragging.

**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

**Clerk's Note:** By approving the Previous Motion the Court agreed to reduce the Show Barn rental fee to \$450.00, and waive the fees for bleacher rental and the dragging of the show ring.

**JUSTICE AND PUBLIC SAFETY ITEMS**

18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ADOPTION OF FIRE CODE CIVIL PENALTY GUIDELINES FOR TRAVIS COUNTY. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (10:45 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 18.

**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

- 19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING TRAVIS COUNTY REENTRY INITIATIVES, INCLUDING THE FOLLOWING: (10:46 AM)
  - A. BRIEFING ON IMPACT OF REENTRY EFFORTS IN THE LAST 18 MONTHS; AND
  - B. UPDATE OF TRAVIS COUNTY REENTRY SUCCESS GUIDE.

**Clerk’s Note:** Items 19.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); Cynthia Finnegan, Senior Planner, Criminal Justice Planning (CJP); Mark Spacht, Clinical Manager, Travis County Counseling and Education Services (TCES); Cathy McClaugherty, Senior Planner, CJP; Vennie Davis, Business Analyst II, CJP; Jeanette Kinard, Director, Travis County Mental Health Public Defender’s Office, CJP; Mary Moran, Social Services Program Administrator, CJP; Tyrone Campbell, Social Services Manager, TCES; Kimberly Pierce, Planning Manager, CJP; Erin Nelson, Planner, CJP; John Mark Carter, Graduate, Commitment to Change Program; and Ronnie Gjemre, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the update of the Travis County Reentry Success Guide in Item 19.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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 19.A discussion only. No formal action taken.

**PURCHASING OFFICE ITEMS**

- 20. RATIFY THE ISSUANCE OF RFP NO. P090339-VR AND APPROVE CONTRACT NO. PS090339VR WITH KERRY TATE COMMUNICATIONS, INC. D/B/A TATEAUSTINHAWN, FOR CONSULTING & MARKETING DEVELOPMENT SERVICES. (10:15 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 09K00147JT, GG'S CONSTRUCTION, FOR PAINTING SERVICES. (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. APPROVE CONTRACT AWARD FOR POLICE MOTORCYCLES, IFB NO. B10028-LD, TO THE LOW BIDDER, GEORGETOWN HONDA. (10:15 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 CONTINUED FUNDING RESOLUTION AND MODIFICATION NO. 1, TWELVE-MONTH EXTENSION, TO THE FOLLOWING CRIME VICTIM'S SERVICES CONTRACTS: (10:15 AM)

- A. PS090004VR, CENTER FOR CHILD PROTECTION;
- B. PS090009VR, TEXASRIO GRANDE LEGAL AID;
- C. PS090010VR, TRAVIS COUNTY DOMESTIC VIOLENCE AND SEXUAL ASSAULT SURVIVAL CENTER D/B/A SAFEPLACE;
- D. PS090006VR, YOUTH AND FAMILY ALLIANCE DBA LIFEWORKS;
- E. PS090003VR, CASA OF TRAVIS COUNTY;
- F. PS090005VR, FOR THE LOVE OF CHRISTI;
- G. PS090001VR, AUSTIN ACADEMY;
- H. PS090007VR, AUSTIN-TRAVIS COUNTY MENTAL HEALTH RETARDATION CENTER-CHILDREN AND FAMILY SERVICES (AUSTIN-TRAVIS COUNTY INTEGRAL CARE);
- I. PS090011VR, VOLUNTEER LEGAL SERVICES;
- J. PS090002VR, AUSTIN CHILD GUIDANCE; AND
- K. PS090008VR, TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT - CRIME VICTIM SERVICES POT OF GOLD PROGRAM.

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

**OTHER ITEMS**

24. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (3:38 PM)

**Motion by** Commissioner Davis **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	absent
	Precinct 4, Commissioner Margaret J. Gómez	yes

25. CONSIDER AND TAKE APPROPRIATE ACTION ON THE COMPOSITION AND CHARGE OF THE VEHICLE USERS COMMITTEE. (2:04 PM)

**Clerk’s Note:** The Court discussed the composition of the Vehicle Users Committee:

- Constable or designee – voting
- Sherriff Patrol representative – voting
- Sheriff Corrections representative – voting
- Transportation and Natural Resources (TNR) representative (chair) – voting
- Fleet representative – voting
- Juvenile and District Attorney representative – voting
- Planning and Budget (PBO) representative – voting
- Emergency Services representative – voting
- Purchasing representative – non-voting
- Information and Telecommunications Systems (ITS) representative – non-voting

**Members of the Court heard from:** Don Ward, Director, Road Maintenance and Fleet Services, TNR; Jessica Rio, Assistant Budget Manager, PBO; Mike Joyce, Fleet Manager, TNR; Danny Hobby, Executive Manager, Travis County Emergency Services; and Joe Gieselman, Executive Manager, TNR.

**Motion by Judge Biscoe and seconded by** Commissioner Eckhardt to approve the proposed eight voting members and two non-voting. The two non-voting will be Purchasing representative and ITS; so we are adding Emergency Services voting and leaving the other voting members as proposed.

**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 25 CONTINUED**

**Clerk’s Note:** The Court discussed the charge of the Committee:

- Perform a comprehensive review of the existing Vehicle Replacement Policy and make recommended changes
- Determine alternative approaches to ordering and receiving fleet vehicles
- Determine and recommend the most efficient method to install and equip vehicles including radios, MDT’s, etc.
- Determine and recommend alternative methods to improve overall fuel efficiencies of our fleet
- Determine and recommend the most efficient assignment and use of our new vehicles.

**Motion by** Commissioner Eckhardt to approve the bullets with the exception of striking the word “new” in the final bullet point.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve the amended charge or the charge as revised today, Tuesday, December 8, 2009.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk’s Note:** By approving the Previous Motion the Court agreed to revise the final bullet point to read as follows:

- Determine and recommend the safest and most efficient assignment and use of our vehicles.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT NUMBER ONE TO LEASE AGREEMENT BETWEEN TRAVIS COUNTY AND MF AUSTIN RIDGE, LLC AND PB AUSTIN RIDGE, LLC FOR THE CHILD PROTECTION TEAM. (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 the start date would now be September 18, 2010, and there is an updated legal description of the property attached to the lease agreement.



27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR A RESOLUTION FORMALLY DESIGNATING THE TRAVIS COUNTY DISTRICT ATTORNEY'S OFFICE TO OVERSEE THE ACTIVITIES OF THE ADULT FATALITY REVIEW TEAM AS CURRENTLY DESIGNATED THE DOMESTIC VIOLENCE FATALITY REVIEW TEAM, PURSUANT TO CHAPTER 672 OF THE TEXAS HEALTH AND SAFETY CODE. (10:15 AM)

**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 TRAVIS COUNTY ACTIVITIES SURROUNDING THE 2010 CENSUS, INCLUDING RATIFICATION OF REQUEST TO FILE PARTNERSHIP SUPPORT PROGRAM PROPOSAL WITH THE U.S. CENSUS BUREAU. (10:15 AM)

**Clerk's Note:** Item 28 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 28 the Court authorizes Deece Eckstein, Intergovernmental Relations Officer to sign the documents on behalf of the Commissioners Court.

29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY APPOINTMENT TO THE CAPITAL METROPOLITAN TRANSIT AUTHORITY BOARD OF DIRECTORS: (1:40 PM)

A. REVIEW APPLICATIONS RECEIVED; AND

B. DETERMINE A PROCESS FOR SELECTING WHICH CANDIDATES TO BE INTERVIEWED BY THE COMMISSIONERS COURT ON A DATE CERTAIN.

**Clerk's Note:** Items 29.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 John Hille, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that each member of the Commissioners Court would rank the top three, give that to Deece Eckstein, Intergovernmental Relations Officer by 10:00 AM, Wednesday, December 9, 2009.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The County Judge noted that the interviews will be scheduled for the voting session of Tuesday, December 15, 2009 starting at 2:00 PM.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON SELECTION PROCESS TO FILL VACANCY ON THE BOARD OF DIRECTORS OF THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (2:00 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to set the interviews of the two applicants for Wednesday, December 16, 2009 at 10:00 AM. Deece Eckstein, Intergovernmental Relations Officer will be charged with contacting the applicants.

**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

31. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION APPROVING REVENUE BONDS TO BE ISSUED BY TRAVIS COUNTY HEALTH FACILITIES DEVELOPMENT CORPORATION FOR THE BENEFIT OF WESTMINSTER MANOR. (2:00 PM)

**Clerk’s Note:** Item 31 is the action item for the public hearing on Agenda Item 3.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 31.

**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

**EXECUTIVE SESSION ITEMS**

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

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 CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO ADAMARD HOWELL. <sup>1</sup> (2:20 PM) (3:35 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.

**Motion by** Commissioner Davis **and seconded by** Commissioner Eckhardt to reject 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PURCHASE CONTRACT WITH GRASON VOLENTE INVESTMENTS, LTD. FOR BALCONES CANYONLAND PRESERVE LAND. <sup>1 AND 2</sup> (2:20 PM) (3:36 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 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 that we extend the purchase contract an additional 90 days.

**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

34. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TRANSPORTATION AND NATURAL RESOURCES ON STATUS OF ACQUISITION OF OPEN SPACE LAND ON THE RISON TRACTS. <sup>1 AND 2</sup> (2:20 PM) (3:36 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 Ann. 551.072, Real Property.

No action required on Item 34.

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN AREA. <sup>1 AND 2</sup> (2:20 PM) (3:36 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 and Gov't. Code Ann. 551.072, Real Property.

No action required on Item 35.

Item 35 to be reposted December 15, 2009.

36. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. <sup>1 AND 2</sup> (2:20 PM) (3:37 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 and Gov't. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we authorize the County Attorney's office to prepare an appropriate sale and purchase agreement along the terms and conditions that we were briefed on, present those to the other side and back to the Court with a signed document, or any issues.

**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

- 37. RECEIVE LEGAL BRIEFING ON ISSUES RELATED TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT WEATHERIZATION GRANT. <sup>1</sup> (2:21 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.

Item 37 postponed until December 15, 2009.

- 38. A. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TO TRAVIS COUNTY APPROXIMATELY 90 ACRES OF UNDEVELOPED LAND LOCATED AT THE CONFLUENCE OF ONION CREEK AND THE COLORADO RIVER IN PRECINCT FOUR, FOR INCLUSION IN THE ONION CREEK OPEN SPACE PARKLAND – 2005 BOND PROJECT; AND
- B. UPON FULL EXECUTION OF THE CONTRACT AND FULL AUDIT OF THE CLAIM, THE COUNTY AUDITOR IS REQUESTED TO ISSUE A CHECK FOR \$15,000 TO HERITAGE TITLE COMPANY OF AUSTIN, AND THE COUNTY TREASURER IS AUTHORIZED TO RELEASE THE CHECK TO THE VENDOR. <sup>1 AND 2</sup> (2:20 PM) (3:37 PM)

**Clerk’s Note:** Judge Biscoe announced that Items 38.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 approve the purchase contract for approximately 90 acres; that we authorize the County Judge to sign it; and that we also, in 38.B, authorize payment of the amount of \$15,000.00 to Heritage Title Company after full execution of the contract and a full audit of the claim; further, that we authorize the County Treasurer to authorize the release of that payment to the vendor after execution of the contract in full and that audit.

**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

## ADDED ITEMS

- A.1 APPROVE ORDER EXEMPTING THE PURCHASE OF SERVICES OF A PLACEMENT FIRM TO SEARCH, SELECT, AND EMPLOY AN INTERIM HUMAN RESOURCES DIRECTOR FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT AND AUTHORIZE PURCHASING AGENT TO SIGN RESULTING CONTRACT. (1:39 PM) (1:58 PM)

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

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** Item A1 was revisited at 1:58 PM

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to reconsider 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to delete the part of the Motion previously to authorize the Purchasing Agent to sign the contract.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** By approving the Previous Motion the Court directed Staff to bring the contract back to the Commissioners Court for approval.

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:39 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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