

## **MINUTES OF MEETING FEBRUARY 2, 2010**

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

On Tuesday, the 2<sup>nd</sup> day of February 2010, the Commissioners' Court convened the Voting Session at 9:13 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 11:27 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:08 PM and adjourned at 1:09 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:09 PM and adjourned at 1:09 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:09 PM and adjourned at 1:10 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:10 PM and adjourned at 1:10 PM.

The Commissioners Court reconvened the Voting Session at 1:10 PM.

The Commissioners Court retired to Executive Session at 1:10 PM.

The Commissioners Court reconvened the Voting Session at 2:09 PM.

The Commissioners Court adjourned the Voting Session at 2:10 PM.









5. APPROVE RESOLUTION FROM THE SUSTAINABLE FOOD POLICY BOARD DECLARING COMMISSIONERS COURT SUPPORT FOR RESPONSIBLE AGRICULTURE/FARMS. (COMMISSIONER ECKHARDT) (10:07 AM)

**Members of the Court heard from:** Marla Camp, Chair, Sustainable Food Policy Board.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the Resolution in Item 5.

**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

6. APPROVE RESOLUTION SUPPORTING IMMIGRATION REFORM. (COMMISSIONER GÓMEZ) (10:11 AM)

**Members of the Court heard from:** Caroline Keating-Guerra, Coordinator, Immigrant Rights Coalition.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the Resolution in Item 6.

**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

## JUSTICE AND PUBLIC SAFETY ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR PAYMENT OF TRAVEL COSTS FROM THE FEDERAL SAFE HAVENS GRANT FOR A SAFE PLACE EMPLOYEE TO ATTEND SAFE HAVENS TRAINING. (9:51 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.

### PURCHASING OFFICE ITEMS

8. RATIFY RENEWAL OF CONTRACT NO. PS100037RE, WORKSOURCE-GREATER AUSTIN AREA WORKFORCE DEVELOPMENT BOARD FOR FISCAL YEAR 2010 CHILD CARE LOCAL MATCH TRANSFER AGREEMENT, WHICH CONTRACT NUMBER (PS090030RE) WAS INCORRECTLY CITED ON THE OCTOBER 20, 2009 COMMISSIONERS COURT AGENDA, ITEM NO. 21. (9:51 AM)

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

### TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 28 AND 29, BLOCK L, APACHE SHORES, SECTION FIVE SUBDIVISION. (COMMISSIONER HUBER) (9:51 AM)

**Clerk's Note:** Item 9 is the action item for the public hearing on Agenda Item 1.

**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.

10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 147 SQUARE FOOT PORTION OF TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 4 AND 5, BLOCK A, RIVER RIDGE SUBDIVISION. (COMMISSIONER HUBER) (9:51 AM)

**Clerk's Note:** Item 10 is the action item for the public hearing on Agenda Item 2.

**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 A PLAT FOR RECORDING IN PRECINCT FOUR: MCANGUS ROAD SUBDIVISION FINAL PLAT (8 TOTAL LOTS). (COMMISSIONER GÓMEZ) (9:51 AM)

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CALL DOWN OF A LETTER OF CREDIT FROM FIRST NATIONAL BANK FOR FISCAL POSTING FOR THE BLUFFS AT LAKE TRAVIS SUBDIVISION. (COMMISSIONER HUBER) (9:13 AM)

Item 12 pulled from the Agenda.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE USE OF AN ALTERNATIVE FISCAL AGREEMENT FOR HAZY HILLS OFFICE PARK SUBDIVISION. (COMMISSIONER HUBER) (9:51 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. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS IN PALOMINO RANCH SUBDIVISION. (COMMISSIONER HUBER) (9:51 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 THE FOLLOWING:  
(9:51 AM)
- A. ADVANCED FUNDING AGREEMENT FOR VOLUNTARY TRANSPORTATION IMPROVEMENT PROJECTS WITH THE STATE OF TEXAS AND TRAVIS COUNTY FOR THE PERMANENT TRAFFIC IMPROVEMENTS (INCLUDING SHOULDERS AND A TURN LANE) ON FM 969 AT GILBERT ROAD;
  - B. INDEMNIFICATION AGREEMENT WITH KNWL DEVELOPMENT LP TO FUND THE PERMANENT TRAFFIC IMPROVEMENTS ON FM 969 AT GILBERT ROAD;
  - C. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR GILBERT ROAD FROM FM 969 NORTH 2,778 LINEAR; AND
  - D. A PLAT FOR RECORDING IN PRECINCT ONE: GILBERT LANE, PHASE ONE FINAL PLAT (61 TOTAL LOTS). (COMMISSIONER DAVIS)

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

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

16. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO BECOME A FINANCIAL PARTNER TOWARD A FEASIBILITY STUDY TO REPLICATE A PITTSBURGH, PENNSYLVANIA HUMAN SERVICES PROGRAM IN AUSTIN-TRAVIS COUNTY. (11:01 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; and Mary Etta Gerhardt, Assistant County Attorney.

Discussion only. No formal action taken.

Item 16 to be reposted February 9, 2010.

**PLANNING AND BUDGET DEPT. ITEMS**

- 17. RECEIVE UPDATE FROM BROADDUS AND ASSOCIATES CONCERNING THE PHASE 1 CENTRAL CAMPUS NEEDS ASSESSMENT AND MASTER PLAN STUDY AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (10:14 AM)
  - A. STAFFING PROJECTIONS;
  - B. ADJACENCY MATRIX; AND
  - C. SPACE ALLOCATION NEEDS.

**Clerk’s Note:** Items 17.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christian Smith, Special Assistant to the Commissioners Court; Steven Coulston, Vice President, Planning, Broaddus and Associates; Susan Spataro, Travis County Auditor; Leslie Stricklan, Project Manager, Facilities Management; Ronnie Gjemre, Travis County Resident; and Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO).

**Motion by Judge Biscoe and seconded by** Commissioner Davis to approve the report, and give the Judges until April 1, 2010, so if they have specific changes they would like to make, let us know what they are. If that is not enough time and they think they need another 30 days or so, let us know that, and we'll figure that in, but as a general rule, design decisions will be made in the future.

**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, as a clarification for Travis County Residents, that the numbers will continue to change as we move through the planning and designing process and the Master Plan will be continually updated.

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:51 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:51 AM)
- A. ANNUAL GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE EXISTING RETIRED SENIOR VOLUNTEER PROGRAM IN HEALTH AND HUMAN SERVICES. GRANT PARTIALLY FUNDS A PORTION OF PROGRAM STAFF AND OPERATING EXPENSES; AND
  - B. ANNUAL GRANT CONTRACT FOR THE FORMULA GRANT – INDIGENT DEFENSE GRANTS PROGRAM FUNDED BY THE TASK FORCE ON INDIGENT DEFENSE FOR CONTINUED STATE SUPPORT OF TRAVIS COUNTY’S INDIGENT DEFENSE PROGRAM.

**Clerk’s Note:** Items 19.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

20. 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 \$984,912.81 FOR THE PERIOD OF JANUARY 15 TO 21, 2010. (9:51 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:51 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.

**OTHER ITEMS**

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DECOMMISSION BUILDINGS NOS. 155 (10), 210 (CCA), 240 (CCC), 300 (CCD), 320 (CCF), AND 330 (CCG) AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX FOR REPURPOSING. (9:51 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE DOWNTOWN ALLIANCE FOR COUNTY PARTICIPATION IN STUDY OF THE FEASIBILITY OF A DOWNTOWN AUSTIN TRANSPORTATION MANAGEMENT ASSOCIATION. (COMMISSIONER ECKHARDT) (11:23 AM)

**Members of the Court heard from:** Thomas Butler, Transportation Program Director, Downtown Austin Alliance (DAA).

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the \$6,000.00 to the DAA feasibility study for a Transportation Management Association. Funding would be from Allocated Reserve.

**Motion carried:**

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

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPOINT THE TRAVIS COUNTY 2010 SECURITY COMMITTEE MEMBERS. (JUDGE BISCOE) (9:51 AM)

**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.

**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.

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON ACQUISITION OF APPROXIMATELY 260.4 ACRES OF LAND OWNED BY NEW LIFE INTERNATIONAL IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. <sup>1 AND 2</sup> (1:10 PM) (2:09 PM)

**Clerk's Note:** Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Huber **and seconded by** Commissioner Gómez that we accept the counter-offer on the sale of the property of \$5,113,062.50.

<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



**ADDED ITEM**

A1. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. PS070316LC, BURTON GROUP, INC., FOR ADDITIONAL CONSULTING SERVICES PERTAINING TO BEFIT. (10:58 AM)

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Mike Wichern, Chief Assistant County Auditor, Travis County Auditor's Office.

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

<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

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (2:10 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**

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**Date of Approval**

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







**MINUTES OF MEETING – FEBRUARY 2, 2010**

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

On Tuesday, the 2<sup>nd</sup> day of February 2010, the Commissioners’ Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:09 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 Travis County Bee Cave Road District No. 1 (Galleria) at 3:46 PM.

1. AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS.  
(1:09 PM)

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the investments in Item 1.

**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

2. APPROVE TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1 MINUTES FOR THE VOTING SESSION OF JANUARY 19, 2010. (1:09 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve Item 2.

**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

