

MINUTES OF MEETING FEBRUARY 16, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 16th day of February 2010, the Commissioners' Court convened the Voting Session at 9:15 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:02 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:41 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 2:01 PM.

The Commissioners Court reconvened the Voting Session at 4:51 PM.

The Commissioners Court adjourned the Voting Session at 5:02 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Maurice Priest, Travis County Resident; and Gus Peña, Travis County Resident. (9:24 AM)

CONSENT ITEMS

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C3 and Items 2, 3, 5.A&B, 6, 7.A, 15, 16, 17, 20.A&B, 21, 22, 23, 24, and 25.A&B. (9:31 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE MINUTES FOR VOTING SESSION OF FEBRUARY 2, 2010.

RESOLUTIONS AND PROCLAMATIONS

- 2. APPROVE PROCLAMATION DESIGNATING FEBRUARY 2010 AS “BLACK HISTORY MONTH” IN TRAVIS COUNTY. (JUDGE BISCOE) (9:31 AM)

Clerk’s Note: Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

PLANNING AND BUDGET DEPT. ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:31 AM)

Clerk's Note: Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE PROPOSED FISCAL YEAR 2011 BUDGET GUIDELINES. (9:37 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; Jessica Rio, Assistant Budget Manager, PBO; Sherri Fleming, Executive Manager, TCHHS&VS; and Maurice Priest, Travis County Resident.

Discussion only. No formal action taken.

Item 4 to be reposted on February 23, 2010.

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:31 AM)
 - A. ANNUAL APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE TRAVIS COUNTY SHERIFF'S OFFICE TO RESUME THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM THAT PROVIDES OVERTIME RESOURCES TO TARGET ALCOHOL AND SPEED OFFENSE RELATED ENFORCEMENT; AND
 - B. NEW GRANT CONTRACT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS TO SUPPORT EXISTING SOLID WASTE ENFORCEMENT AND ILLEGAL DUMPING PROGRAMS IN THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT.

Clerk's Note: Items 5.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

- 6. 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 \$1,127,243.08 FOR THE PERIOD OF JANUARY 29 TO FEBRUARY 4, 2010. (9:31 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.

Clerk’s Note: The Court noted that they may need a discussion of invoices next week due to the escalating costs.

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:31 AM)

A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND

Clerk’s Note: Item 7.A 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 ON THE FOLLOWING: (10:05 AM)

B. NON-ROUTINE REQUEST FROM EMERGENCY SERVICES REGARDING CREATION OF TWO NEW JOB CLASSIFICATIONS, INCLUDING JOB DESCRIPTIONS, IN THE EMERGENCY SERVICES DEPARTMENT.

Members of the Court heard from: Tracey Calloway, Interim Director, Human Resources Management Department (HRMD); Todd Osburn, Compensation Manager, HRMD; Danny Hobby, Executive Manager, Travis County Emergency Services; and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 7.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

- 8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REVISIONS TO THE JOB DESCRIPTION OF DIRECTOR OF THE HUMAN RESOURCES MANAGEMENT DEPARTMENT. (9:15 AM)

Item 8 postponed.

JUSTICE AND PUBLIC SAFETY ITEMS

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON ESTABLISHMENT OF AND APPOINTMENTS TO THE TRAVIS COUNTY LOCAL DATA ADVISORY BOARD AS REQUIRED BY CHAPTER 60 OF THE TEXAS CODE OF CRIMINAL PROCEDURE, AS AMENDED BY HOUSE BILL 2730 PASSED BY THE 81ST TEXAS LEGISLATURE. (JUDGE BISCOE) (11:07 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); Steve Capelle, Senior Chief Deputy, Travis County Attorney’s Office; Deece Eckstein, Intergovernmental Relations Officer; and Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS).

Motion by Judge Biscoe and seconded by Commissioner Huber that we appoint the individuals identified in Mr. Jefferies’ memo dated February 8, 2010, thereby establishing the Local Data Advisory Board as required by State Law.

Motion carried:

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

10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING STAR FLIGHT BUSINESS PLAN OPTIONS AND RECOMMENDATIONS. (10:13 AM)

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services; and Stan Wedell, Helicopter Maintenance Manager, STAR Flight.

Discussion only. No formal action taken.

Item 10 to be reposted on February 23, 2010.

11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING STAR FLIGHT PROGRAM OVERVIEW AND PROPOSALS REGARDING THE HOUSING OF AVAILABLE STAR FLIGHT AIRCRAFT AT THEIR LOCATIONS: (10:42 AM)

A. SETON FAMILY OF HOSPITALS; AND

B. ST. DAVID'S HEALTHCARE AND ST. DAVID'S FOUNDATION.

Clerk's Note: Items 11.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services.

Discussion only. No formal action taken.

Items 11.A&B to be reposted on February 23, 2010.

Clerk's Note: The Court indicated their intention to take action on both Items 10 and 11.A&B on Tuesday, February 23, 2010. Staff noted that both hospitals will be making their presentations to the Commissioners Court.

PURCHASING OFFICE ITEMS

- 12. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 10) TO CONTRACT NO. 01T0068-OJ, SEDGWICK CLAIM MANAGEMENT SERVICES, INC., FOR THE THIRD PARTY ADMINISTRATION FOR COUNTY’S SELF FUNDED PROGRAMS FOR WORKERS COMPENSATION AND AUTO LIABILITY. (11:46 AM)

Members of the Court heard from: Dan Mansour, Risk and Benefits Manager, HRMD; Bonnie Floyd, Assistant Purchasing Agent; and Barbara Wilson, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve Item 12.

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

- 13. APPROVE CONTRACT AWARD TO THE LOW RESPONSIVE BIDDER, QA CONSTRUCTION SERVICES, INC., FOR IFB NO. B100078-JT, RE-ROOF OF DESIGNATED AREAS AT THE GARDNER BETTS JUVENILE JUSTICE CENTER. (11:54 AM)

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing; and Roger El Khoury, Director, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 13.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

14. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 10) TO CONTRACT NO. 01T0069-OJ, FORTE INC., FOR MEDICAL AUDIT SERVICES. (11:57 AM)

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

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

15. APPROVE INTERLOCAL AGREEMENT WITH TEXAS DEPARTMENT OF PUBLIC SAFETY FOR THE PURCHASE OF BLOOD ALCOHOL TEST KITS. (9:31 AM)

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

16. APPROVE CONTRACT AWARD FOR IFB NO. B100029-DR, INMATE WELFARE ITEMS, TO THE LOW BIDDER, BOB BARKER COMPANY, INC. (9:31 AM)

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

17. APPROVE CONTRACT AWARD FOR ELECTRONIC AGENDA/MINUTES AND AUDIO/VIDEO STREAMING SYSTEM, RFP NO. P090043-SW, TO THE MOST QUALIFIED RESPONDENT, IQM2, INC. (9:31 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO PARTICIPATE WITH THE CITY OF AUSTIN IN DEVELOPING ITS STRATEGIC MOBILITY PLAN BY IDENTIFYING POTENTIAL COST-SHARE PROJECTS FOR POSSIBLE INCLUSION IN FUTURE CITY AND COUNTY BOND REFERENDA. (1:48 PM)

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

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(1:55 PM) (2:01 PM) (4:51 PM)

- A. AMENDMENT TO CHAPTER 82, TRAVIS COUNTY CODE, TO REQUIRE A PLAT NOTE REGARDING THE COUNTY'S LIMITED ABILITY TO REGULATE LAND USE IN THE UNINCORPORATED AREA; (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY)
- B. AMENDMENT TO TITLE 30, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE, TO MODIFY SECTION 30-2-83 TO REQUIRE A PLAT NOTE ON ALL PLATS REGARDING THE LIMITED ABILITY TO REGULATE LAND USE IN THE UNINCORPORATED AREA (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY); AND

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

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

Clerk's Note: Judge Biscoe announced that Items 19.A&B 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 approve Items 19.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	absent

ITEM 19 CONTINUED

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(4:52 PM)

C. INSTRUCT TRANSPORTATION AND NATURAL RESOURCES AND INTER-GOVERNMENTAL RELATIONS DEPARTMENT TO WORK WITH MEDIA SERVICES TO PREPARE MULTI MEDIA PRESENTATIONS REGARDING THE COUNTY LIMITED ABILITY TO REGULATE LAND USE IN THE UNINCORPORATED AREA TO AIR ON CABLE CHANNEL 17. (COMMISSIONER DAVIS)

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

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 19.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	absent

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:31 AM)

A. REQUEST FOR A VARIANCE TO SECTION 30-3-191, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE, SIDEWALK INSTALLATION IN SUBDIVISIONS, FOR RESUBDIVISION OF BALLI SUBDIVISION LOT 4, BLOCK A; AND

B. SET A PUBLIC HEARING ON MARCH 9, 2010 TO RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT ONE: RESUBDIVISION OF BALLI SUBDIVISION LOT 4, BLOCK A (2 TOTAL LOTS). (COMMISSIONER DAVIS)

Clerk’s Note: Items 20.A&B 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 A CASH SECURITY AGREEMENT WITH STREETMAN HOMES FOR SIDEWALK FISCAL FOR WEST CYPRESS HILLS SUBDIVISION, PHASE ONE, SECTION 3A, LOT 37, BLOCK B. (COMMISSIONER HUBER) (9:31 AM)

Clerk's Note: Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON A CASH SECURITY AGREEMENT WITH STREETMAN HOMES FOR SIDEWALK FISCAL FOR WEST CYPRESS HILLS SUBDIVISION, PHASE ONE, SECTION 3A, LOT 38, BLOCK B. (COMMISSIONER HUBER) (9:31 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. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION ON THE POSSIBLE DISPOSITION OF 0.733 ACRES OF UNUSED, EXCESS RIGHT OF WAY ADJACENT TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4 FIRE STATION ON HUNTER BEND ROAD, AS REQUESTED BY TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4. (COMMISSIONER DAVIS) (9:31 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. CONSIDER AND TAKE APPROPRIATE ACTION TO ENABLE COUNTY EMPLOYEES TO PARTICIPATE IN THE CITY OF AUSTIN'S IMAGINE AUSTIN COMPREHENSIVE PLAN SURVEY. (9:31 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.

- 25. A. APPROVE SETTING PUBLIC MEETING DATES FOR THE CONCEPT PLAN OF THE UNION CREEK GREENWAY AND ITS PHASE ONE MASTER PROJECT PLAN, AND THE PROPOSED TIMBER CREEK PARK PLAN ON MARCH 1, 2010 AT THE COMMISSIONERS COURTROOM, AND ON MARCH 3, 2010 AT COUNTY'S EAST SERVICE CENTER; AND
- B. APPROVE SETTING A PUBLIC HEARING DATE ON MARCH 9, 2010 AT COMMISSIONERS COURT FOR THE CONCEPT PLAN OF THE UNION CREEK GREENWAY AND ITS PHASE 1 MASTER PROJECT PLAN.
(9:31 AM)

Clerk's Note: Items 25.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

Clerk's Note: The Court requested copies of the report to be available for Travis County Residents.

OTHER ITEMS

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATION TO ESTABLISH A CITIZENS WORK GROUP ON POLICIES AND FEE SCHEDULE REGARDING HORSE EVENTS AT THE TRAVIS COUNTY EXPOSITION CENTER. (11:57 AM)

Motion by Judge Biscoe and seconded by Commissioner Davis that the Commissioners Court come up with a charge for the February 23, 2010 voting session; and ask the different horse event groups to each designate a representative; and for Travis County get Michael Norton, Director, Travis County Exposition Center, Roger El Khoury, Director, Facilities Management, and one or two members of the Commissioners Court to serve on that work group; and basically, try to work through the issues and come back with a recommendation.

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

27. CONSIDER AND TAKE APPROPRIATE ACTION ON LETTER REQUESTING THAT TRAVIS COUNTY BE INCLUDED WITHIN THE SERVICE AREA OF FOREIGN TRADE ZONE NUMBER 183, SPONSORED BY THE FOREIGN TRADE ZONE OF CENTRAL TEXAS, INC. (JUDGE BISCOE) (11:30 AM)

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

Discussion only. No formal action taken.

Item 27 to be reposted on March 2, 2010.

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.

- 28. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON REVISION OF POLICY RELATED TO FAMILY AND MEDICAL LEAVE BASED ON FINAL REGULATION PROMULGATED BY DEPARTMENT OF LABOR AND RECENT REVISIONS TO LAW. ¹ (2:01 PM) (4:55 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Huber that we give direction to put together a draft policy using Option 1, Option 3B, and Option 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	absent

Clerk's Note: The Court noted that:

- Option 1 would be the choice for Issue #1
- Option 3B would be the choice for Issue #2
- Option 2 would be the choice for Issue #3
- The draft policy to be brought back to Court when ready.

29. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN THE MATTER OF TRAVIS COUNTY V. FLINT HILLS RESOURCES, L.P. AND KOCH PIPELINE CO., L.P. ¹ (2:01 PM) (4:58 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 29.

30. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO ERIC BRADLEY. ¹ (2:01 PM) (4:58 PM)

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Davis that we reject the offer and counter in the amount of \$4,000.00.

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	absent

31. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING BRIAN BERNARD'S FULFILLMENT OF THE TERMS OF A SETTLEMENT AGREEMENT AND THE COUNTY'S EXECUTION OF A RELEASE OF LIEN. ¹ (2:01 PM) (4:58 PM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we release the lien that we placed on certain property owned by Mr. Bernard.

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	absent

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION TO ACCEPT, REJECT OR COUNTER SETTLEMENT OFFER IN CLAUDIA SCOTT-DAVIS V. TRAVIS COUNTY. ¹ (2:01 PM) (4:59 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 Judge Biscoe and seconded by Commissioner Davis that we reject the offer to settle; and authorize the County Attorney to continue negotiating with the other side, and the minute they get to a reasonable counter-offer in that lawyer's view, that we put this matter back on the Court's agenda for further consideration.

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 absent

33. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING CASE OF STRICKLAND, ET AL. VS. TRAVIS COUNTY AND THE CITY OF AUSTIN. ¹ (2:01 PM) (4:59 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.

Motion by Commissioner Huber and seconded by Commissioner Davis that we give the Precinct 3 Commissioner the authority to work with Staff to develop a settlement agreement for this case.

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 absent

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING VARIOUS PROVISIONS IN THE CONTRACTS TRAVIS COUNTY HAS WITH THE STAR OF TEXAS RODEO AND G & M CATERING. ^{1 AND 2} (1:42 AM) (2:01 PM) (5:00 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.

Members of the Court heard from: Bucky Lamb, General Manager, Star of Texas Fair and Rodeo; Michael Norton, Director, Travis County Exposition Center; and Tenley Aldredge, Assistant County Attorney.

Motion by Commissioner Huber **and seconded by** Commissioner Davis that without modifying or affecting G&M Catering’s existing contractual obligations to Travis County, Travis County will not consider it a breach of GMC’s contractual obligations to Travis County if GMC does either one of the following:

- Redraw its Texas Alcoholic Beverage Commission (TABC) license, as requested by the Star of Texas Fair and Rodeo, for approval by TABC
- Agrees to an arrangement with the Star of Texas Fair and Rodeo under which GMC accepts tokens in lieu of cash payments for concessions (food and drink) items.

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 if GMC Catering had any questions regarding the content or intention of this motion to contact any member of the Commissioners Court or Tenley Aldredge, Assistant County Attorney.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON CLAIM FROM KENNETH LEWIS FOR WRONGFUL ARREST AND PROSECUTION. ¹ (2:01 PM) (5:01 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.

No action required on Item 35.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT FOR MANCHACA COMMUNITY CENTER. ^{1 AND 2} (2:01 PM) (5:01 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.

Discussion only. No formal action taken.

Item 36 to be reposted on February 23, 2010.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON BROKERAGE SERVICES AGREEMENT WITH UGL EQUIS CORPORATION. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:01 PM) (5:02 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.

Item A1 was not discussed.

- A2. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN THE CENTRAL AUSTIN AREA, AND ISSUES RELATED THERETO. (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) (2:01 PM) (5:02 PM)

Clerk's Note: Judge Biscoe announced that Item A2 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 our broker to communicate with the potential lessees and current lessees at this real property along the lines consistent with our discussion in Executive Session.

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	absent

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Huber to adjourn the Voting Session. (5:02 PM)

Motion carried:

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – FEBRUARY 16, 2010

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 16th day of February 2010, the Commissioners’ Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:40 PM in the Commissioners’ Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:41 PM.

1. AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS.
(1:40 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve the investments in 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

2. APPROVE N.W.T.C.R.D.#3 MINUTES FOR THE VOTING SESSION OF
FEBRUARY 2, 2010. (1:41 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

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to adjourn the Voting Session of the Northwest Travis County Road District No. 3. (1:41 PM)

Motion carried:

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

MINUTES APPROVED BY THE ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – FEBRUARY 16, 2010

TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1

On Tuesday, the 16th 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 1:41 PM in the Commissioners’ Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:42 PM.

- 1. AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS.
(1:41 PM)

Motion by Commissioner Gómez **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 FEBRUARY 2, 2010. (1:41 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

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to adjourn the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) (1:42 PM)

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

MINUTES APPROVED BY THE ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge