

MINUTES OF MEETING JUNE 1, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 1st day of June 2010, the Commissioners' Court convened the Voting Session at 9:11 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 record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:43 AM.

The Commissioners Court reconvened the Voting Session at 12:09 PM.

The Commissioners Court recessed the Voting Session at 12:09 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:39 PM and adjourned at 2:08 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation, convened at 2:08 PM and adjourned at 2:09 PM.

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

The Commissioners Court retired to Executive Session at 2:10 PM.

The Commissioners Court reconvened the Voting Session at 2:49 PM.

The Commissioners Court adjourned the Voting Session at 2:50 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS ON A REVISED PLAT FOR RECORDING IN PRECINCT THREE: THE SECOND REVISED PLAT OF LOTS 2 AND 3, BLOCK A, REVISED PLAT, ROCKY POINT SUBDIVISION (2 TOTAL LOTS). (COMMISSIONER HUBER) (ACTION ITEM #17) (9:11 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 17 for a summary of the action item.

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

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

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

- 2. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 3B, REVISED PLAT OF LOTS 2 AND 3, BLOCK B AND LOT 4, BLOCK B, ANGEL BAY SUBDIVISION. (COMMISSIONER HUBER) (ACTION ITEM #18) (9:12 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 18 for a summary of the action item.

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

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

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

CITIZENS COMMUNICATION

Members of the Court heard from: Kenneth Snyder, Northridge Acres Resident; Ronnie Gjemre, Travis County Resident; Maurice Priest, Travis County Resident; and Chuck Watt, Occupational Health and Safety Engineer, Human Resources Management Department (HRMD). (9:13 AM)

CONSENT ITEMS

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

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve the following Consent Items: C1-C4 and Items 6.A&B, 9, 10.A, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, and A2. (9:28 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	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE SETTING A PUBLIC HEARING ON JUNE 15, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE ALLEN ROAD FROM PINNACLE ROAD TO EASY STREET IN PRECINCT THREE FOR CONSTRUCTION OF 16-INCH WATER LINES AND A PUMPING STATION BEGINNING JUNE 16, 2010, AND CONTINUING THROUGH APRIL 17, 2011, OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER HUBER)
- C4. APPROVE MINUTES OF SPECIAL VOTING SESSION OF MAY 14, 2010.

RESOLUTIONS AND PROCLAMATIONS

- 3. APPROVE RESOLUTION RECOGNIZING THE 10TH ANNUAL FATHER’S DAY PARADE AND FIESTA SPONSORED BY THE RIVER CITY YOUTH FOUNDATION. (COMMISSIONER GÓMEZ) (9:33 AM)

Members of the Court heard from: Mona Gonzalez, Founder and Executive Director, River City Youth Foundation.

Motion by Judge Biscoe **and seconded by** Commissioner Huber to approve the Resolution in Item 3.

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

- 4. APPROVE PROCLAMATION RECOGNIZING FIRE CHIEF DON SMITH FOR HIS OUTSTANDING 45 YEAR CAREER IN FIRE SERVICE. (COMMISSIONER DAVIS AND COMMISSIONER HUBER) (9:45 AM)

Members of the Court heard from: Don Smith, Retiring Chief, Emergency Service District #4 (ESD # 4); Kevin MacDonnell, President, ESD #4 Board; Danny Hobby, Executive Manager, Travis County Emergency Services; and Flo Soliz, New Chief, ESD #4.

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

PLANNING AND BUDGET DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:00 AM)

Members of the Court heard from: Randy Lott, Budget Analyst, Planning and Budget Office (PBO); and Leroy Nellis, Budget Manager, PBO.

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

6. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:28 AM)
- A. NEW APPLICATION TO THE WALMART FOUNDATION FOR THE TRAVIS COUNTY SHERIFF'S OFFICE TO PURCHASE A LOVE SEAT AND PORTABLE PLAYPEN FOR THE CHILD ABUSE UNIT'S FAMILY ROOM AT THE AUSTIN RIDGE CAMPUS UNDER THE WALMART FOUNDATION LOCAL COMMUNITY CONTRIBUTION PROGRAM; AND
 - B. ANNUAL CONTRACT WITH THE EMERGENCY FOOD AND SHELTER LOCAL BOARD FOR HEALTH AND HUMAN SERVICES TO CONTINUE TO PROVIDE EMERGENCY UTILITY ASSISTANCE TO QUALIFIED TRAVIS COUNTY RESIDENTS UNDER THE 2010 EMERGENCY FOOD AND SHELTER PROGRAM – PHASE 28.

Clerk's Note: Items 6.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 County Judge noted that by approving Item 6.A the Court are accepting a donation, total value of \$500.00, from the WalMart Foundation for the Travis County Sheriff's Office.

- 7. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION TO AUTHORIZE STAFF AND CONSULTANTS TO MOVE FORWARD WITH THE REFINANCING OF A PORTION OF TRAVIS COUNTY’S OUTSTANDING DEBT OBLIGATIONS, AND AUTHORIZE FINANCIAL ADVISOR TO SELECT UNDERWRITING GROUP WITH WHOM TO NEGOTIATE SALE. (10:06 AM)

Members of the Court heard from: Ladd Pattillo, Travis County Financial Adviser; and Ronnie Gjemre, Travis County Resident.

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

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	absent

- 8. RECEIVE UPDATE FROM THE PLANNING AND BUDGET OFFICE ON FISCAL YEAR 2011 BUDGET. (10:13 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; Travis Gatlin, Budget Analyst, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

Discussion only. No formal action taken.

ADMINISTRATIVE OPERATIONS ITEMS

- 9. 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 \$486,551.40 FOR THE PERIOD OF MAY 14 TO 20, 2010. (9:28 AM)

Clerk’s Note: Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:28 AM)

A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND

Clerk's Note: Item 10.A 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 ON THE FOLLOWING:
(10:37 AM)

B. NON-ROUTINE REQUEST FROM THE TRAVIS COUNTY CONSTABLE PRECINCT THREE'S OFFICE FOR A VARIANCE TO TRAVIS COUNTY CODE CHAPTER 10.0295, PEACE OFFICER PAY SCALE.

Members of the Court heard from: Tracey Calloway, Interim Director, Human Resources Management Department (HRMD); Todd Osburn, Compensation Manager, HRMD; Stacy Suits, Chief Deputy, Constable Precinct 3; and Ronnie Gjemre, Travis County Resident.

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt 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	absent

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRAVIS COUNTY SHERIFF'S OFFICE (TCSO) TO WAIVE FEE TO USE THE TRAVIS COUNTY EXPOSITION CENTER FOR THE PURPOSE OF THE TCSO JOB EXPO TO BE HELD ON JUNE 23, 2010. (9:28 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.

PURCHASING OFFICE ITEMS

12. APPROVE MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT NO. IL080039VR, VICTORIA COUNTY, FOR RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (9:28 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. APPROVE ISSUANCE OF JOB ORDER NO. 75, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:28 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. APPROVE EXEMPTION ORDER AND CONTRACT AWARD FOR DEPENDENT ELIGIBILITY AUDIT SERVICES TO SAGEBRUSH SOLUTIONS. (9:28 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. DECLARE CERTAIN EQUIPMENT AS SURPLUS AND AUTHORIZE DISPOSAL PURSUANT TO SECTION 263.152 (A) (3) OF THE TEXAS LOCAL GOVERNMENT CODE. (9:28 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. AUTHORIZE PURCHASING AGENT TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, HUITT-ZOLLARS, INC., RFQ NO. Q100091-LP, PROFESSIONAL ENGINEERING SERVICES FOR HAMILTON POOL ROAD IMPROVEMENTS. (10:45 AM)

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR; Annie Borden, Travis County Resident; Maura Uric, Travis County Resident; Hope Phillips, Travis County Resident; Nell Penridge, Travis County Resident; Charles Harrison, Travis County Resident; Ronnie Gjemre, Travis County Resident; Maurice Priest, Travis County Resident; Michael Ollick, Huitt-Zollars, Inc.; Tom Wald, Executive Director, League of Bicycling Voters; Cyd Grimes, Travis County Resident; and Tim Mulletts, Huitt-Zollars, inc.

Motion by Commissioner Huber **and seconded by** Commissioner Davis that the Court direct the Purchasing Agent not to proceed with negotiations for a contract for the design of improvements to Hamilton Pool Road; and that we hold the Bond funds in reserve for the time being, pending further review by Bond Counsel as to the possible reallocation of those funds to another project.

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

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON A REVISED PLAT FOR RECORDING IN PRECINCT THREE: THE SECOND REVISED PLAT OF LOTS 2 AND 3, BLOCK A, REVISED PLAT, ROCKY POINT SUBDIVISION (2 TOTAL LOTS). (COMMISSIONER HUBER) (9:28 AM)

Clerk’s Note: Item 17 is the action item for the public hearing on Agenda Item 1.

Clerk’s Note: Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 3B, REVISED PLAT OF LOTS 2 AND 3, BLOCK B AND LOT 4, BLOCK B, ANGEL BAY SUBDIVISION. (COMMISSIONER HUBER) (9:28 AM)

Clerk's Note: Item 18 is the action item for the public hearing on Agenda Item 2.

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.

OTHER ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACT FOR TRAVIS COUNTY TO PERFORM ADMINISTRATIVE, ACCOUNTING AND CLERICAL SERVICES FOR THE TRAVIS COUNTY CORPORATIONS FROM OCTOBER 1, 2010 TO SEPTEMBER 30, 2011. (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF RONALD O. FOWLER TO THE EMERGENCY SERVICES DISTRICT NO. 12 BOARD OF COMMISSIONERS, TERM EFFECTIVE IMMEDIATELY THROUGH DECEMBER 2011. (COMMISSIONER DAVIS) (9:28 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF APRIL, 2010. (9:28 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.

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

Note 4 Gov't Code Ann 551.087, Economic Development Negotiations

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.

- 22. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LEASE WITH HOUSING AUTHORITY OF TRAVIS COUNTY FOR SPACE LOCATED IN NORTH AUSTIN. ² (11:43 AM) (2:10 PM) (2:49 PM)

Clerk's Note: Judge Biscoe announced that Item 22 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 Huber that we approve the proposed lease.

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

- 23. DISCUSS AND TAKE APPROPRIATE ACTION ON ECONOMIC DEVELOPMENT PROJECT IN PRECINCT ONE. ⁴ (11:43 AM) (2:50 PM)

Clerk's Note: Judge Biscoe announced that Item 23 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't Code Ann 551.087, Economic Development Negotiations.

Discussion only. No formal action taken.

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. ¹
(11:42 AM)

Clerk's Note: Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 24 postponed until June 8, 2010.

25. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE FROM TRAVIS REALTY CORP. FOR PROPERTY LOCATED AT 700 LAVACA STREET. ^{1 AND 2} (11:42 AM)

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.

Item 25 postponed until June 8, 2010.

ADDED ITEMS

- A1. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION REGARDING REQUEST FOR CERTAIN RECORDS REGARDING ACQUISITION OF OPEN LAND IN PRECINCT ONE. ¹ (2:10 PM) (2:49 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.

Discussion only. No formal action taken.

Clerk's Note: The County Judge noted that a diligent search will be made for the requested records.

A2. RATIFY ACTION OF MAY 25, 2010 REGARDING THE ACQUISITION OF APPROXIMATELY 15.0 ACRES OF LAND ON FISHER HOLLOW OWNED BY JAVIER SALDIVAR, IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (9:28 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.

Clerk’s Note: The County Judge noted that by approving Item A2 the Court has authorized the correction of the spelling error in Mr. Saldivar’s name in the purchase contract.

ADJOURNMENT

Motion by Judge Biscoe and seconded by Commissioner Davis to adjourn the Voting Session. (2:50 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