

MINUTES OF MEETING SEPTEMBER 28, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 28th day of September 2010, the Commissioners' Court convened the Voting Session at 9:14 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 11:53 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:46 PM and adjourned at 1:47 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:47 PM and adjourned at 1:49 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:49 PM and adjourned at 1:52 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:52 PM and adjourned at 1:55 PM.

The Commissioners Court reconvened the Voting Session at 1:56 PM.

The Commissioners Court retired to Executive Session at 2:38 PM.

The Commissioners Court reconvened the Voting Session at 3:43 PM.

The Commissioners Court adjourned the Voting Session at 3:46 PM.

- 4. RECEIVE COMMENTS ON FISCAL YEAR 2011 BUDGET AND TAX RATE FOR 2010 TAX YEAR. (ACTION ITEMS #18 AND 19)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Items 18 and 19 for summaries of the action items.

Clerk’s Note: The Court without Objection opened the Public Hearing.

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; Gus Peña, Travis County Resident; John Bush, Executive Director, Texans for Accountable Government (TAG).

Motion by Judge Biscoe **and seconded by** Commissioner Huber 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: Antonio Bigger, TAG; Fidel Acevedo, President, Local 4860, League of United Latin American Citizens (LULAC); Paulo Ortiz, Progressive Hispanic Democrats (PHD); John Bush, Executive Director, TAG; Bill Stout, Co-Chair Green Party; Karen Rennick, Founder, VoteRescue; Vicky Karp, Vote Rescue; Gus Peña, Travis County Resident; Maurice Priest, Travis County Resident; Linda Green, Travis County Resident; and Ronnie Gjemre, Travis County Resident. (9:27 AM)

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO CONTINUE THE ADMINISTRATION AND PLANNING AND PUBLIC SERVICE PROJECTS OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE 2010 PROGRAM YEAR WITH INTERNAL HEALTH AND HUMAN SERVICES AND VETERANS' SERVICE AND TRANSPORTATION AND NATURAL RESOURCES UNTIL A FULLY EXECUTED CONTRACT IS OBTAINED FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (10:08 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 ON A REQUEST TO APPROVE THE CERTIFICATES OF EXEMPTION FROM ENVIRONMENTAL ASSESSMENT FOR TWO COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS WITH FUNDING PROVIDED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (10:08 AM)
 - A. FAMILY SUPPORT SERVICES SOCIAL WORK SERVICE EXPANSION; AND
 - B. ADMINISTRATIVE AND PLANNING EXPENSES.

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

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO ADVANCE UP TO \$925,518 OF COUNTY RESOURCES PER THE SUB-RECIPIENT AGREEMENT WITH AUSTIN HABITAT FOR HUMANITY, INC. WITH FUNDS BEING REIMBURSED APPROXIMATELY 48 HOURS AFTER CLOSING FROM THE FEDERAL TREASURY AS A PART OF A LAND ACQUISITION PROJECT FUNDED THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (10:08 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.

12. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:08 AM)
- A. NEW APPLICATION TO THE TEXAS VETERANS COMMISSION TO RECEIVE FUNDING TO SUPPORT THE EXISTING VETERANS COURT PROGRAM IN THE CRIMINAL COURTS;
 - B. ANNUAL CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION TO CONTINUE THE FAMILY VIOLENCE ACCELERATED PROSECUTION PROGRAM IN THE COUNTY ATTORNEY'S OFFICE;
 - C. ANNUAL CONTRACT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR THE DISTRICT ATTORNEY'S OFFICE TO CONTINUE TO RECEIVE THE REIMBURSEMENT OF ELIGIBLE LEGAL EXPENSES FROM TITLE IV-E LEGAL ADMINISTRATION FUNDS;
 - D. AMENDMENT TO THE CONTRACT WITH THE ONE STAR FOUNDATION TO INCREASE THE COUNTY'S IN-KIND MATCH FOR THE AMERICORPS PROGRAM MANAGED BY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE;
 - E. PERMISSION TO CONTINUE THE FAMILY DRUG DIVERSION COURT PROGRAM IN THE CIVIL COURTS THROUGH THE END OF OCTOBER 2010 OR UNTIL THE FORTHCOMING AGREEMENT IS FULLY EXECUTED;
 - F. PERMISSION TO CONTINUE THE DRUG COURT PROGRAM IN THE CRIMINAL COURTS THROUGH THE END OF OCTOBER 2010 OR UNTIL THE FORTHCOMING AGREEMENT IS FULLY EXECUTED; AND
 - G. PERMISSION TO CONTINUE THE VETERANS COURT PROGRAM IN THE CRIMINAL COURTS THROUGH THE END OF OCTOBER 2010 OR UNTIL THE FORTHCOMING AGREEMENT IS FULLY EXECUTED.

Clerk's Note: Items 12.A-G 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 REQUEST TO APPROVE ORDER AMENDING CHAPTER 23 (INVESTMENT POLICY AND PROCEDURES) OF THE TRAVIS COUNTY CODE. (10:08 AM)

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

- 16. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER TO DESIGNATE THE REGULAR MEETING DAYS OF THE COMMISSIONERS COURT OF TRAVIS COUNTY DURING FISCAL YEAR 2011. (10:08 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.

Clerk's Note: The County Judge noted that the Commissioners Court will continue to meet every Tuesday in FY 2011.

ITEMS 17 THROUGH 19 WILL BE CONSIDERED AT 2:00 P.M.

- 17. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER SETTING SALARIES FOR ELECTED OFFICIALS FOR FISCAL YEAR 2011. (2:06 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proposed order for Item 17.

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

18. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER SETTING THE TRAVIS COUNTY TAX RATES FOR THE YEAR BEGINNING JANUARY 1, 2010: (2:08 PM)

- A. TOTAL MAINTENANCE AND OPERATIONS TAX RATE;
- B. TOTAL DEBT SERVICE TAX RATE; AND
- C. TOTAL COUNTY AD VALOREM TAX RATE.

Clerk’s Note: Items 18.A-C are action items for the public hearing on Agenda Item 4.

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO.

Clerk’s Note: Staff recommended that the Court adopt the total maintenance and operations tax rate of 0.3858 per \$100 of valuation.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that the property tax rate be increased by the adoption of a tax rate of 0.3858 for maintenance and operations which is effectively a 9.7% increase in the tax rate for maintenance and operations.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: Staff recommended that the Court adopt the total debt service tax rate of 0.0800 per \$100 of valuation.

Motion by Judge Biscoe and seconded by Commissioner Huber that the property tax rate be increased by the adoption of a tax rate of 0.0800 for debt service.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

ITEM 18 CONTINUED

Clerk’s Note: Staff recommended that the Court adopt the County ad valorem tax rate of 0.4658 per \$100 of valuation.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that the property tax rate be increased by the adoption of a tax rate of 0.4658 for the combined tax rate which is effectively a 10.51% increase in the combined tax rate.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

19. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER APPROVING THE TRAVIS COUNTY BUDGET FOR FISCAL YEAR 2011. (2:11 PM)

Clerk’s Note: Item 19 is an action item for the public hearing on Agenda Item 4.

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Leroy Nellis, Budget Manager, PBO; and Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the recommended Budget for FY 2011, which contains the many, many votes this Court has made over the last four or five months.

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: Rodney Rhoades, Executive Manager, PBO thanked his Staff for all their hard work on the FY 2011 budget. The Court thanked everyone for their efforts.

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 \$2,154,053.77 FOR THE PERIOD OF SEPTEMBER 10 TO SEPTEMBER 16, 2010. (10:08 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. (10:08 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 REGARDING EXECUTIVE MANAGER, ADMINISTRATIVE OPERATIONS: (2:17 PM)

A. POSTING THE POSITION; AND

B. SCHEDULE AND PROCESS FOR FILLING THE PENDING POSITION VACANCY; OR

C. A PROJECT INCLUDING PARTICIPANTS, LOCATION, DATE AND FACILITATOR OF A WORK SESSION TO DISCUSS AND DELIBERATE THE COUNTY ORGANIZATIONAL STRUCTURE.

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Danny Hobby, Executive Manager, Travis County Emergency Services; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Davis to approve Items 22.A&B.

Clerk’s Note: The Motion died for lack of a Second.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to implement Item 22.C, that we have October 28, 2010 as our first date, that if it is not workable we move to November 4, 2010, if it's not workable we move to November 10, 2010. In addition to what is listed in 22.C, part of the motion is that each of us will give an appropriate job description some thought prior to the Work Session and bring those ideas to the meeting, either in memory or in writing; and that's my way of saying if we could be in a position to discuss that, I think we would be better off in and the time would be more productive. The Core Team would be invited and would be asked to bring whatever ideas they had.

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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

23. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ACCEPT \$300 CASH DONATION BY RONALD BEARD TO THE TRAVIS COUNTY LAW LIBRARY. (10:08 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.

Clerk’s Note: The Court expressed appreciation to Ronald Beard for his kind donation.

JUSTICE AND PUBLIC SAFETY ITEMS

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN TO PROVIDE BOOKING SERVICES FOR THE AUSTIN POLICE DEPARTMENT. (11:06 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS).

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

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

- 25. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUESTS FROM LOCAL HOSPITALS FOR STATIONING OF AVAILABLE STAR FLIGHT AIRCRAFT. (10:12 AM)

Item 25 postponed until October 19, 2010.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT FOR TRAVIS COUNTY TO REIMBURSE THE CITY OF MANOR USING GRANT FUNDS FOR THE PURCHASE OF SEVEN MOBILE DATA COMPUTERS. (10:08 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.

30. APPROVE CONTRACT NO. PS110003EC, WORKFORCE SOLUTIONS - CAPITAL AREA WORKFORCE BOARD, FOR FISCAL YEAR 2011 CHILD CARE LOCAL MATCH TRANSFER AGREEMENT. (10:08 AM)

Clerk's Note: Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. APPROVE MODIFICATION NO. 3 TO INTERLOCAL AGREEMENT NO. IL060352JT, AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, D/B/A AUSTIN TRAVIS COUNTY INTEGRAL CARE, FOR OUTPATIENT CASE MANAGEMENT, PROJECT RECOVERY PROGRAM SERVICES. (10:16 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Huber to approve Item 31.

Motion carried:

County Judge Samuel T. Biscoe	abstain
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. **REVISED LANGUAGE:** APPROVE MODIFICATION NO. 9 TO INTERLOCAL AGREEMENT NO. **IL060341RE**, AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, D/B/A AUSTIN TRAVIS COUNTY INTEGRAL CARE, FOR SUBSTANCE ABUSE SERVICES. (10:17 AM)

Motion by Commissioner Huber **and seconded by** Commissioner Davis to approve Item 32.

Motion carried:

County Judge Samuel T. Biscoe	abstain
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. APPROVE MODIFICATION NO. 7 TO INTERLOCAL AGREEMENT NO. IL070037RE, AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, D/B/A AUSTIN TRAVIS COUNTY INTEGRAL CARE, FOR SYSTEM OF CARE SERVICES. (10:17 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Item 33.

Motion carried:

County Judge Samuel T. Biscoe	abstain
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. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 10K00017JW, J.D. RAMMING PAVING COMPANY, LTD., FOR 2009 STREET OVERLAY PROJECT. (10:08 AM)

Clerk’s Note: Item 34 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 35. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 9) TO CONTRACT NO. 02T000380J, UNUM LIFE INSURANCE COMPANY, FOR BASIC LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT. (10:08 AM)

Clerk’s Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 36. APPROVE CONTRACT AWARD FOR PRINTING AND MAILING SERVICES, IFB NO. B100231-RG, TO THE LOW BIDDER, INFORMATION MANAGEMENT SOLUTIONS. (10:08 AM)

Clerk’s Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

37. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 7) TO CONTRACT NO. 04T00301OJ, UNUM LIFE INSURANCE COMPANY, FOR OPTIONAL LIFE, ACCIDENTAL DEATH & DISMEMBERMENT, SHORT TERM DISABILITY AND LONG TERM DISABILITY FOR TRAVIS COUNTY EMPLOYEES AND RETIREES. (10:08 AM)

Clerk's Note: Item 37 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

38. A. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 10) TO CONTRACT NO. 02T00005OJ, UNITEDHEALTHCARE INSURANCE COMPANY, FOR THE: (10:08 AM)
1. COBRA ADMINISTRATIVE SERVICES AGREEMENT;
 2. CUSTOMER REPORTING SYSTEM INTERNET ACCESS AGREEMENT;
AND
 3. STOP LOSS AGREEMENT.
- B. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 11) TO CONTRACT NO. 02T00005OJ, UNITEDHEALTHCARE INSURANCE COMPANY, FOR THE ADMINISTRATIVE SERVICES AGREEMENT FOR TRAVIS COUNTY EMPLOYEES, RETIREES AND THEIR DEPENDENTS.

Clerk's Note: Items 38.A.1-2 and 38.B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

39. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS100126DW, SOUTHERN CORRECTIONS OF AUSTIN, L.L.C., FOR TEMPORARY EMERGENCY HOUSING SERVICES. (10:08 AM)

Clerk's Note: Item 39 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

40. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS090266VR, NEURO INSTITUTE OF AUSTIN, L.P., TO PROVIDE INPATIENT RESIDENTIAL TREATMENT SERVICES. (10:08 AM)

Clerk's Note: Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. A. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. 07T00006OJ, ARTHUR J. GALLAGHER, FOR AVIATION INSURANCE COVERAGE; AND
- B. REJECT TRIA COVERAGE (TERRORISM COVERAGE) AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE TRIA DISCLOSURE FORM.
(10:08 AM)

Clerk's Note: Item 41 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

42. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. PS080222RE, FOUNDATION COMMUNITIES, FOR PARENTING IN RECOVERY SERVICES. (10:08 AM)

Clerk's Note: Item 42 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

43. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. PS080113RE, ENCOMPASS MEDICAL MANAGEMENT, FOR EVALUATION SERVICES. (10:08 AM)

Clerk's Note: Item 43 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

44. APPROVE CONTRACT AWARD FOR AN ELECTRONIC CITATION SYSTEM, RFP NO. P100208-LC, TO THE HIGHEST RANKED PROPOSER, BRAZOS TECHNOLOGY. (10:08 AM)

Clerk's Note: Item 44 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

45. APPROVE CONTRACT AWARD FOR AERO MEDICAL BILLING AND COLLECTION SERVICES, RFQ NO. Q100187-ML, TO THE MOST HIGHLY QUALIFIED FIRM, ADVANCED DATA PROCESSING, INC., D/B/A INTERMEDIX. (10:08 AM)

Clerk's Note: Item 45 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

46. APPROVE TWENTY-FOUR MONTH EXTENSION (MODIFICATION NO. 3) TO CONTRACT NO. 08T00263OJ, FROST INSURANCE AGENCY, FOR EXCESS WORKERS' COMPENSATION INSURANCE. (10:08 AM)

Clerk's Note: Item 46 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

47. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO TEMPORARILY CLOSE MANDA CARLSON ROAD AND NEW SWEDEN CHURCH ROAD IN PRECINCT ONE FOR CULVERT REPLACEMENTS BEGINNING OCTOBER 4, 2010 AND CONTINUING THROUGH OCTOBER 29, 2010 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAVIS) (10:08 AM)

Clerk's Note: Item 47 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Item 47 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

48. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 449 SQUARE FOOT PORTION OF A 10 FOOT WIDE DRAINAGE EASEMENT WHICH TRAVERSES LOT 6, BLOCK 17 OF AUSTIN LAKE ESTATES, SECTION ONE – A SUBDIVISION IN TRAVIS COUNTY, PRECINCT THREE. (COMMISSIONER HUBER) (10:08 AM)

Clerk's Note: Item 48 is the action item for the public hearing on Agenda Item 2.

Clerk's Note: Item 48 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

49. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE RESUBDIVISION OF LOT 9, BLOCK A, ANGELWYLDE SECTION THREE (RESUBDIVISION FINAL PLAT - 9 TOTAL LOTS: 8 SINGLE FAMILY LOTS AND ONE PRIVATE STREET LOT - 40.333 ACRES - ANGELWYLDE DRIVE - APPROPRIATE FISCAL HAS BEEN POSTED WITH CITY OF AUSTIN - SEWAGE SERVICE TO BE ON SITE SEWAGE FACILITIES - CITY OF AUSTIN ETJ). (COMMISSIONER HUBER) (10:08 AM)

Clerk's Note: Item 49 is the action item for the public hearing on Agenda Item 3.

Clerk's Note: Item 49 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

50. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSITION ANNOUNCEMENT FOR EXECUTIVE MANAGER, TRANSPORTATION AND NATURAL RESOURCES. (1:57 PM)

Members of the Court heard from: Diane Blankenship; Director, Human Resources Management Department (HRMD); and Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 50, and the job description included in the position announcement for Executive Manager for TNR.

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

51. APPROVE LICENSE AGREEMENT WITH XXTRA MILE, LLC FOR THE BICYCLE PORTION OF THE TREK WOMEN'S TRIATHLON AT PACE BEND PARK. (COMMISSIONER HUBER) (10:08 AM)

Clerk's Note: Item 51 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 52. CONSIDER AND TAKE APPROPRIATE ACTION ON A CASH SECURITY AGREEMENT WITH PERFORMANCE BUILDERS FOR SIDEWALK FISCAL FOR NORTH TOWN WEST SECTION 1 LOT 26 BLOCK G IN PRECINCT ONE. (COMMISSIONER DAVIS) (10:08 AM)

Clerk's Note: Item 52 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 53. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (10:39 AM)
 - A. REQUEST TO SUBMIT TO CAMPO TRAVIS COUNTY'S PROJECTS FOR INCLUSION IN THE 2035 REGIONAL TRANSPORTATION PLAN ILLUSTRATIVE PROJECT LIST; AND
 - B. REQUEST TO SUBMIT TO CAMPO AN AMENDMENT TO THE CURRENT TRANSPORTATION PROGRAM TO INCLUDE THE CONSTRUCTION OF THE MCKINNEY FALLS PARKWAY PEDESTRIAN WAY PROJECT IN FISCAL YEAR 2012.

Clerk's Note: The Court discussed a revised list of projects and a request to remove Hamilton Pool Road and Reimers Peacock Road.

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR; Charlie Watts, TNR; Joe Gieselman, Executive Manager, TNR; and Ronnie Gjemre, Travis County Resident.

Motion by Judge Biscoe and seconded by Commissioner Huber to approve Items 53.A&B. That is the revised list with the deletion of the two roads.

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

- 54. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CAPITAL AREA RURAL TRANSPORTATION SYSTEM FOR THE USE OF TRAVIS COUNTY'S SOUTHEAST METRO PARK FOR A PARK AND RIDE FACILITY. (COMMISSIONER GOMEZ) (10:57 AM)

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

Discussion only. No formal action taken.

- 55. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION CONCERNING THE REVISED FEE SCHEDULE FOR PARTICIPATION UNDER THE BALCONES CANYONLANDS CONSERVATION PLAN – SHARED VISION FROM OCTOBER 1, 2010 UNTIL SEPTEMBER 30, 2011. (COMMISSIONER HUBER) (10:58 AM)

Members of the Court heard from: Jennifer Brown, Environmental Specialist, TNR.

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt to approve Item 55.

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

56. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSED ELEMENTS OF THE TRAVIS COUNTY COMPREHENSIVE PLAN. (COMMISSIONER ECKHARDT) (11:14 AM)

Clerk’s Note: The Court discussed the Plan consisting of a Comprehensive Plan Short Report and a Background report covering six areas:

- Introduction
- Transportation
- Water Resources
- Green Infrastructure
- Land Use and Growth Management
- Implementation Plan

The Court also noted there will be a Community Outreach Program.

Members of the Court heard from: Randy Nicholson, Comprehensive Planning Manager, TNR; Ronnie Gjemre, Travis County Resident; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the framework, which is a high level document that is supported by a much more substantive drill-down in these six areas.

A Substitute Motion was made by Commissioner Davis that we include some of the things that Commissioner Davis added here this morning, especially land use authority, into this process, because otherwise we'll come out here half stepping and the folks won't understand what direction we're going in. They do understand land use and they know they are being bombarded by situations where they would like to be notified as far as what's going on next door to them. So again, Commissioner Davis thinks that land use authority needs to be flushed out a little more and especially under Title 30, Commissioner Davis thinks the Court needs to push forward with that. That may be farther down the road, but at least it gives us an opportunity to state out front where we are within this framework and Commissioner Davis would just like to make sure it's included in the process.

Clerk’s Note: The Substitute Motion died for lack of a Second.

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

OTHER ITEMS

- 57. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ACCEPT A TOTAL OF \$200 IN MONETARY DONATIONS FROM THE FAMILY OF JAMES DAVIS POWEL TO BE USED BY THE TRAVIS COUNTY SHERIFF'S OFFICE CRISIS INTERVENTION TEAM IN HIS MEMORY. (10:08 AM)

Clerk's Note: Item 57 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 expressed appreciation to the Powell family for their kind donations.

- 58. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CONTINUATION OF THE SHERIFF'S OFFICE DISPATCH INTERLOCAL AGREEMENTS WITH THE FOLLOWING MUNICIPALITIES FOR THE NEXT FISCAL YEAR: (10:08 AM)

- A. JONESTOWN;
- B. MUSTANG RIDGE;
- C. ROLLINGWOOD;
- D. SUNSET VALLEY; AND
- E. MANOR.

Clerk's Note: Items 58.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 59. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER TO DESIGNATE ELECTION POLLING PLACES FOR THE NOVEMBER 2, 2010 JOINT GENERAL AND SPECIAL ELECTIONS. (10:20 AM)

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt to approve Item 59.

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

60. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER DESIGNATING THE MAIN EARLY VOTING LOCATION, ALL TEMPORARY EARLY VOTING LOCATIONS, AND MOBILE EARLY VOTING POLLING PLACES FOR THE NOVEMBER 2, 2010 JOINT GENERAL AND SPECIAL ELECTIONS. (10:21 AM)

Members of the Court heard from: Karen Rennick, Founder, VoteRescue.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 60.

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

61. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT AMENDMENTS TO CONTINUE THE TRUANCY COURT PILOT PROJECT FOR FISCAL YEAR 2011: (10:08 AM)

- A. AMENDMENT NUMBER NINE TO AGREEMENT WITH THE AUSTIN INDEPENDENT SCHOOL DISTRICT; AND
- B. AMENDMENT NUMBER TEN TO AGREEMENT WITH THE CITY OF AUSTIN.

Clerk's Note: Items 61.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

62. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF AUGUST, 2010. (10:08 AM)

Clerk's Note: Item 62 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

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.

- 63. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. ^{1 AND 2}
(2:38 PM) (3:44 PM)

Clerk's Note: Judge Biscoe announced that Item 63 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 sign the proposed confidentiality agreement after striking an indemnity agreement, and authorize the broker to move forward.

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

- 64. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR TRAVIS COUNTY JUVENILE PROBATION DEPARTMENT EMPLOYEE, SLOT NUMBER 615. ^{1 AND 3} (2:38 PM) (3:45 PM)

Clerk’s Note: Judge Biscoe announced that Item 64 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.074, Personnel Matters.

Clerk’s Note: The Court discussed a request for an additional five days leave with pay for the employee in Slot 615, Juvenile Probation.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we approve such leave for September 17 through September 21, 2010.

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

- 65. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LEASE AGREEMENTS AT 700 LAVACA WITH THE FOLLOWING: (2:38 PM) (3:45 PM)

- A. BRUCE A. LIPSHY D/B/A LIPSHY & ESCAMILLA, LLP; AND
- B. CAPITOL AREA CONTRACTORS, INC. ^{1 AND 2}

Clerk’s Note: Judge Biscoe announced that Items 65.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.

Discussion only. No formal action taken.

Items 65.A&B to be reposted on October 5, 2010.

MINUTES OF MEETING – SEPTEMBER 28, 2010

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 28th day of September 2010, the Commissioners’ Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:49 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 Commissioners Court record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:52 PM.

1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER SETTING THE NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO.3 TAX RATE FOR THE YEAR BEGINNING JANUARY 1, 2010: (1:49 PM)
 - A. TOTAL DEBT SERVICE TAX RATE; AND
 - B. TOTAL COUNTY AD VALOREM TAX RATE.

Clerk’s Note: Staff recommended that the Court adopt the total tax rate of 0.1450 per \$100 of valuation.

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

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt to approve Items 1.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

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER APPROVING THE ROAD DISTRICT BUDGET FOR FISCAL YEAR 2011. (1:52 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the budget in 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	absent

ADJOURNMENT

Motion by Commissioner Huber **and seconded by** Judge Biscoe to adjourn the Voting Session of the Northwest Travis County Road District No. 3. (1:52 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 ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – SEPTEMBER 28, 2010

TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1

On Tuesday, the 28th day of September, 2010, the Commissioners’ Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:52 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 Commissioners Court record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:55 PM.

1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER SETTING THE TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO.1 TAX RATE FOR THE YEAR BEGINNING JANUARY 1, 2009: TOTAL DEBT SERVICE TAX RATE; AND TOTAL COUNTY AD VALOREM TAX RATE.
(1:52 PM)
 - A. TOTAL DEBT SERVICE TAX RATE; AND
 - B. TOTAL COUNTY AD VALOREM TAX RATE.

Clerk’s Note: Staff recommended that the Court adopt the total tax rate of 0.8900 per \$100 of valuation.

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

Motion by Judge Biscoe **and seconded by** Commissioner Huber to approve Items 1.A&B.

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

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER APPROVING THE TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO.1 BUDGET FOR FISCAL YEAR 2011. (1:54 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO.

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

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

ADJOURNMENT

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt to adjourn the Voting Session of the Travis County Bee Cave Road District No. 1. (1:55 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 ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge