

MINUTES OF MEETING NOVEMBER 9, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of November 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 10:44 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 11:45 AM and adjourned at 10:46 AM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 10:46 AM and adjourned at 10:47 AM.

The Commissioners Court reconvened the Voting Session at 10:48 AM.

The Commissioners Court retired to Executive Session at 10:49 AM.

The Commissioners Court reconvened the Voting Session at 12:40 PM.

The Commissioners Court adjourned the Voting Session at 12:43 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT ONE: RESUBDIVISION OF LOT 10, BLOCK A WILLOW CREEK SUBDIVISION (RESUBDIVISION FINAL PLAT – 2 LOTS – 9.9198 ACRES – BALLERSTEDT ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SEPTIC FACILITIES – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (ACTION ITEM #17) (9:15AM)

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 Huber 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, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR).

Motion by Commissioner Davis **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

2. RECEIVE COMMENTS REGARDING A PLAT VACATION FOR RECORDING IN PRECINCT ONE: TOTAL PLAT VACATION OF SHADOWGLEN PHASE 1 SECTION 9 (PLAT VACATION – 55 LOTS – 13.302 ACRES – LEXINGTON STREET – NO FISCAL REQUIRED – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (ACTION ITEM #18) (9:16 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 Davis **and seconded by** Commissioner Huber 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, Program Manager, Planning and Engineering, TNR,

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

3. RECEIVE COMMENTS PURSUANT TO TEXAS PARKS AND WILDLIFE CODE CHAPTER 26 REGARDING USE OF A PORTION OF THE PARKING LOT AND THE ENTRY PARK ROAD AT TRAVIS COUNTY SOUTHEAST METRO PARK BY THE CAPITAL AREA RURAL TRANSPORTATION SYSTEM FOR A PARK AND RIDE FACILITY. (ACTION ITEM #19) (9:18 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 19 for a summary of the action item.

Motion by Judge Biscoe **and seconded by** Commissioner Huber 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: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); and Ronnie Gjemre, Travis County Resident.

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: Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Morris Priest, Travis County Resident; Dr. John Kim, Travis County Resident; Neil Carmen, PhD, Travis County Resident ; Dr Paul Connett, Professor Emeritus, St. Lawrence University, New York; John Conrado, Travis County Resident; Bob Goodwin, Travis County Resident; Pam Baggett, Travis County Resident; and Rick Perkins, Travis County Resident. (9:20 AM)

CONSENT ITEMS

Members of the Court heard from: Dan Smith, former, Executive Assistant, County Judge’s Office.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C2 and Items 8, 9.A&B, 10, 11.A-C, 12.A-G, 13, 14, 17, 18, 19, 21.A&B, 22, 23, 24, 25, 26, and A1. (10:04 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.

RESOLUTIONS AND PROCLAMATIONS

- 4. APPROVE RESOLUTION RECOGNIZING NOVEMBER 11, 2010, AS “VETERANS’ DAY” IN TRAVIS COUNTY. (9:52 AM)

Members of the Court heard from: Olie Pope, Director, Veterans’ Services, Travis County Health and Human Services (TCHHS); and Dan Arellano, President, Tejano Genealogy Society of Austin

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Resolution 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

- 5. APPROVE RESOLUTION IN SUPPORT OF THE LOWER COLORADO RIVER AUTHORITY'S EFFORTS TO MANAGE AND ENHANCE WATER SUPPLIES WITH THE WATER MANAGEMENT PLAN. (JUDGE BISCOE AND COMMISSIONER HUBER) (10:01 AM)

Motion by Commissioner Huber **and seconded by** Judge Biscoe 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 absent

- 6. APPROVE PROCLAMATION DESIGNATING NOVEMBER, 2010 AS "OFFICIAL HOME CARE AND HOSPICE MONTH" IN TRAVIS COUNTY. (10:03 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Proclamation 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

PLANNING AND BUDGET DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:26 AM)

Members of the Court heard from: Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); Susan Spataro, Travis County Auditor; and Bill Derryberry, Senior Budget Analyst, Planning and Budget Office (PBO).

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

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 requested a progress report on Budget Amendment A1, BEFIT Auditor.

ADMINISTRATIVE OPERATIONS ITEMS

8. 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 \$1,046,388.94 FOR THE PERIOD OF OCTOBER 22 TO OCTOBER 28, 2010. (10:04 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.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR HUMAN RESOURCES MANAGEMENT DEPARTMENT: (10:04 AM)

A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND

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

Clerk's Note: Items 9.A&B 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 REQUEST TO APPROVE VARIOUS REVISED JOB DESCRIPTIONS. (10:04 AM)

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 THE FOLLOWING DEFERRED COMPENSATION PLAN ITEMS: (10:04 AM)

A. SUMMARY PLAN RESULTS AND PERFORMANCE;

B. RECOMMENDATION FROM THE DEFERRED COMPENSATION OVERSIGHT COMMITTEE TO ELIMINATE PIONEER HIGH YIELD Y BOND FUND INVESTMENT OPTION AND REPLACE WITH METROPOLITAN WEST HIGH YIELD BOND M OPTION; AND

C. NEW DEFERRED COMPENSATION OVERSIGHT COMMITTEE MEMBERS.

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

JUSTICE AND PUBLIC SAFETY ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING BETWEEN THE TEXAS ENGINEERING EXTENSION SERVICE (TEEX) AND TASK FORCE ONE MEMBER AND THE PARTICIPATING AGENCY/EMPLOYER FOR THE FOLLOWING TRAVIS COUNTY STAR FLIGHT STAFF: (10:04AM)
- A. AARON BARBIN;
 - B. TIM BOUGIE;
 - C. BILL DERRICK;
 - D. JENNIFER FIELDING;
 - E. ROB GALE;
 - F. BRIAN HILL; AND
 - G. CLAY PRESTON.

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.

PURCHASING OFFICE ITEMS

13. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS090067RE, ORION RESEARCH AND MANAGEMENT SERVICES, FOR WILDLIFE MANAGEMENT SERVICES. (10:04 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 MODIFICATION NO. 6 TO CONTRACT NO. PS070371JW, ESPEY CONSULTANTS, INC., CONSULTING SERVICES FOR HAMILTON POOL POLLUTION. (10:04 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. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. CM090310LC, EXECUTIVE INFORMATION SYSTEMS, LLC., FOR DATAFLUX SOFTWARE LICENSE AND MAINTENANCE SERVICES. (10:07 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Joe Harlow, Chief Technology Officer, ITS.

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

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

16. DISCUSS AND APPROVE ISSUANCE OF REQUEST FOR SERVICES FOR REDISTRICTING SERVICES FOR TRAVIS COUNTY.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Deece Eckstein, Intergovernmental Relations Officer; Dan Smith, former Executive Assistant, County Judge's Office; Peck Young, Director, Center for Public Policy and Political Studies, Austin Community College; and John Hille, Assistant County Attorney.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber to approve Item 16 as written, with a modification of language regarding the software.

Withdrawal of the previous Motion and Second was made by Commissioner Eckhardt and Commissioner Huber.

Item 16 to be reposted on November 16, 2010.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT ONE: RESUBDIVISION OF LOT 10, BLOCK A WILLOW CREEK SUBDIVISION (RESUBDIVISION FINAL PLAT – 2 LOTS – 9.9198 ACRES – BALLERSTEDT ROAD – NO FISCAL REQUIRED – SEWAGE SERVICE TO BE PROVIDED BY ON-SEPTIC FACILITIES – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (10:04 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 VACATION FOR RECORDING IN PRECINCT ONE: TOTAL PLAT VACATION OF SHADOWGLEN PHASE 1 SECTION 9 (PLAT VACATION – 55 LOTS – 13.302 ACRES – LEXINGTON STREET – NO FISCAL REQUIRED – CITY OF MANOR ETJ). (COMMISSIONER DAVIS) (10:04 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.

19. CONSIDER AND TAKE APPROPRIATE ACTION PURSUANT TO TEXAS PARKS AND WILDLIFE CODE CHAPTER 26 REGARDING USE OF A PORTION OF THE PARKING LOT AND THE ENTRY PARK ROAD AT TRAVIS COUNTY SOUTHEAST METRO PARK BY THE CAPITAL AREA RURAL TRANSPORTATION SYSTEM FOR A PARK AND RIDE FACILITY. (10:04 AM)

Clerk's Note: Item 19 is the action item for the public hearing on Agenda Item 3.

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 REQUEST TO AMEND CHAPTER 92 OF THE TRAVIS COUNTY CODE TO ADD A PROVISION REGARDING THE USE OF PROCEEDS FROM THE SALE OF OPEN SPACE PARKLAND, PARKS AND PRESERVES. (COMMISSIONER ECKHARDT) (9:15 AM)

Item 20 postponed until November 16, 2010.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING, IN PRECINCT THREE: (10:04 AM)
- A. ACCEPTANCE OF DEDICATION OF GRANADA OAKS; AND
 - B. A LICENSE AGREEMENT WITH THE GRANADA OAKS HOMEOWNERS ASSOCIATION, INC. (COMMISSIONER HUBER)

Clerk's Note: Items 21.A&B 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 ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES WITHIN CYPRESS CANYON, SECTION THREE-C, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER HUBER) (10:04 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 A PROPOSED UTILITY EASEMENT FROM TRAVIS COUNTY TO PEDERNALES ELECTRIC COOPERATIVE, INC. (PEC), AS REQUIRED BY PEC FOR THEIR INSTALLATION AND PROVISION OF ELECTRICAL UTILITY SERVICE TO COUNTY IMPROVEMENTS PLANNED FOR REIMERS RANCH PARK IN PRECINCT THREE. (COMMISSIONER HUBER) (10:04 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 ON A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 107, 108 AND 109, BLOCK A, BELVEDERE PHASE II – A SUBDIVISION (REVISED PLAT – 2 LOTS – 3.949 ACRES – FLAGLER DRIVE – NO FISCAL REQUIRED – WATER SERVICE TO BE PROVIDED BY THE LOWER COLORADO RIVER AUTHORITY AND SEWAGE TO BE PROVIDED BY ON-SITE SEPTIC FACILITIES – NO ETJ). (COMMISSIONER HUBER) (10:04 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. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT WITH FORESTAR (USA) REAL ESTATE GROUP, INC. FOR THE ACQUISITION OF APPROXIMATELY 232 ACRES OF LAND IN NORTHWEST TRAVIS COUNTY IN PRECINCT THREE IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER HUBER) (10:04 AM)

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

OTHER ITEMS

26. CONSIDER AND TAKE APPROPRIATE ACTION ON EQUITABLE SHARING AGREEMENT AND CERTIFICATION FOR FEDERAL FORFEITURE PROCEEDS FOR THE DISTRICT ATTORNEY'S OFFICE. (10:04 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.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS INCLUDING A DETERMINATION OF LEGISLATIVE PRIORITIES FOR THE 82ND TEXAS LEGISLATURE FROM THE LIST OF POLICY POSITIONS PREVIOUSLY ADOPTED BY THE COMMISSIONERS COURT. (9:15 AM)

Item 27 postponed until November 16, 2010.

28. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING COUNTY PROPERTY AT 700 LAVACA STREET: (12:14 PM)
- A. THE USE OF EXTERNAL OR INTERNAL PROJECT MANAGEMENT FOR THE PROJECT IN WHOLE OR PART;
 - B. SCOPE OF SERVICES FOR ARCHITECTURAL AND ENGINEERING SERVICES; AND
 - C. DIRECTIONS ON HOW TO PROCEED TOWARD ISSUANCE OF A REQUEST FOR QUALIFICATIONS, NO. Q100247RV, AND SELECTION PROCESS.

Clerk’s Note: The Court discussed the following:

- A cooperative collaboration between Facilities Management and an external Project Manager
- External Project Manager will manage the basement, first, and second floors
- Facilities Management will manage floors 3 through 15
- Clear chain of command - any issues that cannot be solved between the two parties will be taken to the Purchasing Agent, if they cannot be resolved at this level they will be taken to the 700 Lavaca Sub-Committee, if further action needs to be taken unresolved issues will be brought before the Commissioners Court
- Timeline for the selection of an external Project Manager including exempting the project from a formal competitive bid process to an informal process to speed the project along
- There will be a small evaluation committee who will select companies to bid, names to be suggested November 16, 2010, including a disinterested party from the construction community
- Scope of Services for the External Project Management
- Bring back a clean version of the compromise plan November 16, 2010

Members of the Court heard from: William Allensworth, Adjunct Professor, Construction Law and Construction Litigation, University of Texas School of Law; Cyd Grimes, Travis County Purchasing Agent; Tenley Aldredge, Assistant County Attorney; and John Hille, Assistant County Attorney.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 28, that is to bring this back Tuesday, November 16, 2010, have a good look at a document that clearly sets forth everything discussed earlier, so we'll know exactly what we've done and we'll have precise minutes to refer to 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

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.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO RONNIE CRUZ. ¹ (10:49 AM) (12:40 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.

Discussion only. No formal action taken.

- 30. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO GABRIEL SIVELLS. ¹ (10:49 AM) (12:40 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 Gómez that we accept the counteroffer to pay Travis County the lump sum \$5,900.00.

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	yes

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE SALVATION ARMY TO POSITION BELL RINGERS AT COUNTY FACILITIES DURING THE 2010 CAMPAIGN. ¹ (10:49 AM) (12:40 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 simply apply County Policy, and accept the offer not to ring those bells.

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

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING NOTICE OF INTENT TO SUE FOR VIOLATIONS OF THE ENDANGERED SPECIES ACT IN THE BALCONES CANYONLANDS CONSERVATION PLAN (PERMIT NO. PRT-788841). ¹ (10:49 AM) (12:41 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.

Discussion only. No formal action taken.

Item 32 to be reposted on November 16, 2010.

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. ^{1 AND 2}
 (10:49 AM) (12:41 PM)

Clerk’s Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize our broker to issue a letter of intent, and report back to the Court any response as soon as possible.

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

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSAL FOR DOWNTOWN OFFICE BUILDING BY D2000, A TURN KEY DEVELOPMENT COMPANY. ^{1 AND 2} (10:49 AM) (12:42 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.

Motion by Judge Biscoe and seconded by Commissioner Davis that we authorize County Staff to meet with D2000 representatives to get any and all questions and issues answered or addressed, and report back to the Court on those matters.

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

Item 34 to be reposted on November 16, 2010.

ADDED ITEMS

A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR THE TRAVIS COUNTY SHERIFF'S OFFICE TO WORK WITH THE UNITED STATES DEPARTMENT OF JUSTICE REGARDING VARIOUS UNDERCOVER LAW ENFORCEMENT OPERATIONS. (10:04 AM)

Clerk's Note: Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

A2. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS ASSOCIATED WITH THE 2010 TRAVIS COUNTY COMBINED CHARITIES CAMPAIGN INCLUDING THE 2010 FISCAL AGENT AGREEMENT. (10:41 AM)

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

Clerk's Note: The Court discussed the 2010 Fiscal Agent Agreement.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Fiscal Agent Agreement.

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 discussed printing 4,000 booklets to be distributed to employees regarding information about the 2010 Combined Charities campaign.

Motion by Judge Biscoe **and seconded by** Commissioner Huber to approve printing 4,000 booklets.

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 County Judge urged all of the managers who work for Elected Officials as well as the Commissioners Court to work their departments on fundraising. The County Judge also noted that the County Clerk had offered her support during the campaign.

- A3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO USE THE NAME "TRAVIS COUNTY FARMERS MARKET." (EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN 551.071, CONSULTATION WITH ATTORNEY) (10:49 AM) (12:43 PM)

Clerk's Note: Judge Biscoe announced that Item A3 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

ADJOURNMENT

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to adjourn the Voting Session. (12:43 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 COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge