

MINUTES OF MEETING MARCH 31, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 31st day of March 2009, the Commissioners' Court convened the Voting Session at 9:19 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 Three Commissioner Karen Huber was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 11:34 AM.

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

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

The Commissioners Court reconvened the Voting Session at 3:36 PM.

The Commissioners Court adjourned the Voting Session at 3:53 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; Gus Peña, Travis County Resident; Adele Noel, Air Quality Project Manager, Transportation and Natural Resources (TNR); Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Dr. Stephanie Roth, MD, Health and Wellness Clinic; and Craig Wojtowicz, President, Villages of Shady Hollow Homeowners Association (HOA), and Board Member, Oak Hill Association of Neighborhoods. (9:21 AM)

CONSENT ITEMS

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

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve the following Consent Items: C1-C6 and Items 6, 7, 8, 9, 10, 12, 14, 15, 16, 18, 19, 20, 22, 23, 24.A-C, 25, 26, 27, 28, 30, and 34. (9:34 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF MARCH 10 AND 17, 2009.
- C3. REAPPOINT JARREL LARSON TO SERVE ON THE BOARD OF COMMISSIONERS FOR TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 FOR A TWO-YEAR TERM EFFECTIVE IMMEDIATELY UNTIL JANUARY 1, 2011. (COMMISSIONER DAVIS)
- C4. REAPPOINT RICK CONEWAY TO SERVE AS A PRECINCT THREE REPRESENTATIVE ON THE BOARD OF EMERGENCY SERVICES NO. 3, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2010. (COMMISSIONER HUBER)
- C5. REAPPOINT JOHN VILLANACCI TO SERVE AS A PRECINCT THREE REPRESENTATIVE ON THE BOARD OF EMERGENCY SERVICES NO. 3, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2010. (COMMISSIONER HUBER)
- C6. REAPPOINT ROBERT TAYLOR TO SERVE AS A PRECINCT THREE REPRESENTATIVE ON THE BOARD OF EMERGENCY SERVICES NO. 3, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2010. (COMMISSIONER HUBER)

SPECIAL ITEMS

1. RECEIVE PRESENTATION OF CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY'S ANNUAL REPORT FOR FISCAL YEAR 2008. (9:36 AM)

Members of the Court heard from: Mike Heiligenstein, Director, Central Texas Regional Mobility Authority (CTRMA); Bill Chapman, Chief Financial Officer, CTRMA; and Mario Espinoza, Director of Community Development, CTRMA.

Discussion only. No formal action taken.

2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:47 AM)

Members of the Court heard from: Hershel Lee, Assistant Fire Marshal; and Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

Clerk's Note: Judge Biscoe announced that by taking no action the prohibition against outdoor burning stays in place.

Discussion only. No formal action taken.

RESOLUTIONS AND PROCLAMATIONS

3. APPROVE PROCLAMATION RECOGNIZING MARCH 29 THROUGH APRIL 4, 2009 AS "WILDFIRE AWARENESS WEEK" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:52 AM)

Members of the Court heard from: Mike Elliot, Assistant Fire Chief, Westlake and Oak Hill Fire Departments, representing the Capital Area Fire Chiefs Association; Hershel Lee, Assistant Fire Marshal; and Jan Fulkerson, Urban Wildland Interface Specialist, Texas Forest Service.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the proclamation 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

4. APPROVE RESOLUTION DEDICATING THE TRAVIS STATE JAIL VISITATION CENTER TO THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE. (JUDGE BISCOE) (10:01 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); and Roger El Khoury, Director, Facilities Management.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

HEALTH AND HUMAN SERVICES DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPLICANTS FOR TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS.
(3:48 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we select Anthony Haley.

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

Clerk's Note: The County Judge noted that this would be the joint City of Austin/Travis County appointment.

Motion by Commissioner Eckhardt **and seconded by** Judge Biscoe to approve Brenda Coleman-Beatty.

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

Clerk's Note: The County Judge noted that this is the Travis County appointment.

Clerk's Note: The Court directed Staff to send notification letters to the successful applicants and the City of Austin, with thank you letters being sent to the remaining applicants with the Court's encouragement to reapply when future vacancies occur.

PLANNING AND BUDGET DEPT. ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:34 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.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON NEW GRANT CONTRACT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT, SUPPLEMENTING BOND FUNDS APPROVED FOR ACQUISITION AND DEVELOPMENT OF MILTON REIMERS RANCH PARK IN SOUTHWESTERN TRAVIS COUNTY. (9:34 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.

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 \$899,860.53 FOR THE PERIOD OF MARCH 13 TO 19, 2009. (9:34 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:34 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.

JUSTICE AND PUBLIC SAFETY ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION ON STAR FLIGHT DISPATCH MATRIX REGARDING DISPATCH PROTOCOLS FOR STAR FLIGHT HELICOPTERS. (9:34 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. **REVISED LANGUAGE:** RECEIVE UPDATE ON EFFORTS TO ENHANCE EMPLOYMENT OPPORTUNITIES FOR EX-OFFENDERS IN TRAVIS COUNTY INCLUDING THE STATUS OF THE MOVE THE BOX **HIRING GUIDELINES** AND OFFENDER WORKFORCE DEVELOPMENT PROGRAM. (10:09 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, JPS; Mary Moran, Offender Workforce Development Specialist, Criminal Justice Planning (CJP); Terry Roeber, Employment Resource Specialist, Adult Probation, Community Supervision and Correctional Department (CSCD); and Kris Nilsen, Interim Manager, HRMD.

Discussion only. No formal action taken.

PURCHASING OFFICE ITEMS

12. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE, AND ORDER DESTROYED PURSUANT TO SECTION 4(b)(1) OF THE LIRAP CONTRACT. (9:34 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 CONTRACT AWARD FOR NATIVE HARVEST SEEDING AND PLANTING SERVICES, IFB NO. B090164DR, TO THE SOLE BIDDER, ENVIRONMENTAL SURVEY CONSULTING. (10:43 AM) (11:34 AM)

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk's Note: The Court revisited Item 13 at 11:34 AM.

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

14. APPROVE SOLE SOURCE EXEMPTION AND CONTRACT AWARD WITH AUSTIN AMERICAN STATESMAN FOR NEWSPAPER ADVERTISING SERVICES. (9:34 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 CONTRACT AWARD FOR AMMUNITION, IFB NO. B090070NB, TO THE LOW BIDDER, GT DISTRIBUTORS, INC. (9:34 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 MODIFICATION NO. 8 TO CONTRACT NO. PS070232DG, MWM DESIGN GROUP, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES AT DEL VALLE WELLNESS CLINIC. (9:34 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 MODIFICATION NO. 7 TO INTERLOCAL NO. IL010019JW, AUSTIN-TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION, FOR CHILDRENS' BEHAVIORAL HEALTH SERVICES THROUGH REFERRALS BY THE CHILDRENS' PARTNERSHIP. (11:29 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 17.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

18. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS070382VR, ASSIGNMENT OF CONTRACT FROM THE SPANGENBERG GROUP TO GEORGE MASON UNIVERSITY FOR EVALUATION PROGRAM SERVICES. (9:34 AM)

Clerk's Note: Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. APPROVE CONTRACT AND CONTRACT MODIFICATION FOR MEDICAL GASES, IFB NO. B090155RG, TO THE SOLE BIDDER, AIRGAS SOUTHWEST. (9:34 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. APPROVE CONTRACT AWARD WITH STREAM REALTY, RFQ NO. Q050119LP, PROFESSIONAL REAL ESTATE BROKERAGE POOL FOR TRAVIS COUNTY. (9:34 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. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS080190RE, EVERGREEN SOLUTIONS LLC., FOR COMPENSATION ANALYSIS SERVICES. (3:39 PM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Linda Moore Smith, Director, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we take one more week, and get the accurate back-up.

Motion carried:

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

Item 21 to be reposted April 7, 2009.

22. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS060343ML, SOURCE 1 SOLUTIONS, LLC., FOR DRUG AND ALCOHOL TESTING SERVICES. (9:34 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. APPROVE CONTRACT NO. PS090194RE WITH THE TRAVIS COUNTY HEALTHCARE DISTRICT AND THE CENTRAL TEXAS COMMUNITY HEALTH CENTERS FOR INTERPRETING SERVICES. (9:34 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

24. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL AGREEMENTS FOR THE LOCAL INITIATIVES PROJECTS GRANT WITH THE FOLLOWING GRANT SUB-RECIPIENTS: (9:34 AM)

A. CITY OF AUSTIN;

B. CITY OF MANOR; AND

C. MANOR INDEPENDENT SCHOOL DISTRICT.

Clerk's Note: Items 24.A-C 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 LICENSE AGREEMENT WITH BRIANNA SMITH FOR PURPOSES OF HAVING A DUATHLON RACE AT EAST METROPOLITAN PARK ON SATURDAY, APRIL 11, 2009. (COMMISSIONER DAVIS) (9:34 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.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH ROGUE TRAINING SYSTEMS FOR A CROSS-COUNTRY RUN/RACE AT MILTON REIMERS RANCH PARK ON SUNDAY, JUNE 21, 2009. (COMMISSIONER HUBER) (9:34 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 LICENSE AGREEMENT WITH RED LICORICE EVENTS FOR A TRIATHLON SERIES AT PACE BEND PARK. (COMMISSIONER HUBER) (9:34 AM)

Clerk's Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:34 AM)

Clerk's Note: Item 28 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO GOVERNOR PERRY IN CONNECTION WITH NEXT CHAIRMAN OF THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (JUDGE BISCOE) (11:30 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 29.

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

Clerk's Note: Judge Biscoe noted that by approving this motion, the Court authorizes the County Judge to send this letter on behalf of the Commissioners Court.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE TRAVIS COUNTY SHERIFF TO SIGN AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE TEXAS FOREST SERVICE RELATING TO PARTICIPATION IN THE STATE-WIDE REGIONAL INCIDENT MANAGEMENT TEAM. (9:34 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. RECEIVE UPDATE REGARDING THE MEMBERSHIP AND AGENDA FOR THE COUNTY CLERK'S 2009 ELECTION STUDY GROUP. (11:03 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO NOMINATE GOLFSMITH AS A TEXAS ENTERPRISE PROJECT. (JUDGE BISCOE) (10:44 AM)

Members of the Court heard from: Dustin McCormick, Economic Growth and Redevelopment Services Office, City of Austin; Jonathan Ferguson, Ryan Inc; Mary Etta Gerhardt, Assistant County Attorney; Ginny Kissling, Ryan Inc; and Jeanette Ramirez, Comptroller, Golfsmith Inc.

Discussion only. No formal action taken.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADDRESS WATER AVAILABILITY AND RELATED ISSUES AT TECOLOTE FARMS. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:20 AM)

Item 33 postponed until April 7, 2009.

34. RECEIVE ANNUAL REPORT FOR FISCAL YEAR 2008 FROM TRAVIS COUNTY PRETRIAL SERVICES DEPARTMENT AS REQUIRED BY TEXAS CODE OF CRIMINAL PROCEDURE, ARTICLE 17.42, SECTION 6. (JUDGE BISCOE) (9:34 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.

AT 11:00 A.M.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:08 AM)

- A. LEGISLATION RELATING TO ENVIRONMENTAL REGULATION, INCLUDING HOUSE BILLS 650, 721, 1909, 1920 AND 2495, AND SENATE BILL 16;
- B. HOUSE BILL 692 - RELATING TO THE JURISDICTION OF STATUTORY COUNTY COURTS;
- C. LEGISLATION RELATING TO LOCAL OPTIONS FOR TRANSPORTATION FUNDING, INCLUDING HOUSE BILLS 9, 1674, 3448, AND SENATE BILLS 855 AND 942; AND

Clerk's Note: Items 35.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer; Tom Weber, Environmental Quality Program Manager, Transportation and Natural Resources (TNR); Joe Gieselman, Executive Manager, TNR; and Greg Knaupe, Legislative Consultant, Santos Alliance, Inc.

Clerk's Note: The Court discussed HB 721, HB 2495 and SB 16 relating to legislation to ensure that the Texas Commission for Environmental Quality (TCEQ) has legislative authority to analyze individual and cumulative effects for air emissions from proposed significant point sources when considering a permit application.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we support the bills authorizing taking cumulative effects into account.

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

ITEM 35 CONTINUED

Clerk's Note: The Court discussed HB 1909 and HB 1920, legislation relating to year-round restrictions on idling of motor vehicles that have a gross weight of 6,000 lbs or more.

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

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

Clerk's Note: By passing the above motion the Commissioners Court indicates its support for HB 1909 and HB 1920.

Clerk's Note: The Court discussed HB 650, legislation relating to the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program (LIRAP), making alternative fuel vehicles eligible for the program.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve.

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

Clerk's Note: By approving the above motion the Commissioners Court indicates its support for HB 650.

ITEM 35 CONTINUED

Clerk's Note: The Court discussed HB 692, legislation relating to the jurisdiction of statutory county courts and that they send a letter to Chairman Solomon, author of HB 692, expressing the Court's concerns and opposition to HB 692.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve the letter and that we send it forward, showing our opposition.

A Clarification of the previous Motion was made by Judge Biscoe that we oppose the bill for the reasons stated in the letter.

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

Item 35.C discussion only. No formal action taken.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:08 AM)

D. **ADDED ITEM: SENATE BILL 312 - RELATING TO THE REGULATION AND CERTIFICATION OF MEDICAL EXAMINERS AND THE CONDUCT OF AUTOPSY AND INQUEST INVESTIGATIONS BY JUSTICES OF THE PEACE AND MEDICAL EXAMINERS.**

Item 35.D postponed until ready.

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 551.076, Security

Note 5 Gov't Code Ann 551.087, Deliberation Regarding 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.

36. A. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN JENNIFER MCPHAIL VS. TRAVIS COUNTY; AND ¹

B. CONSIDER AND TAKE APPROPRIATE ACTION ON MODIFICATION TO EXPOSITION CENTER FORM LICENSE AGREEMENT TO ADD CLAUSE REGARDING ADA ROUTES. ¹ (1:10 PM) (3:37 PM)

Clerk's Note: Judge Biscoe announced that Items 36.A&B 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 approve the language proposed by the County Attorney to settle the lawsuit of Jennifer McPhail vs. Travis County, and also to be included in Exposition Center Form License Agreements 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO JOIN CITY OF AUSTIN AND OTHER PARTNERS IN THE REDEVELOPMENT OF SEAHOLM POWER PLANT PROJECT, INCLUDING THE OFFERING OF FINANCING INCENTIVES FOR PROJECT GREEN. ⁵ (1:10 PM) (3:37 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.087, Deliberation Regarding Economic Development Negotiations.

Discussion only. No formal action taken.

Item 37 to be reposted on April 7, 2009.

38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR HEALTH AND HUMAN SERVICES DEPARTMENT EMPLOYEE, SLOT 178. ^{1 AND 3} (9:20 AM)

Clerk's Note: Judge Biscoe announced that Items 38 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.

Item 38 was pulled from the Agenda.

39. RECEIVE BRIEFING FROM SECURITY COMMITTEE, INCLUDING REQUEST FROM ANOTHER GOVERNMENTAL ENTITY, AND TAKE APPROPRIATE ACTION. ⁴ (1:10 PM) (3:37 PM)

Clerk's Note: Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.076, Security.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we approve the request made to us by the Texas Department of Public Safety regarding security measures at a State building.

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

Clerk's Note: The Court approved without objection that other recommendations will be posted on the Agenda next week, Tuesday, April 7, 2009, and the Court will receive a report regarding security matters in the law library in the Ned Granger Administration Building. There will also be a discussion regarding the full-time employee (FTE) for both.

40. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING CAUSE NO. D-1-GN-09-0005000; J. ADAN BALLESTEROS VS. TRAVIS COUNTY, TEXAS AND BOB VANN; IN THE 250TH DISTRICT COURT OF TRAVIS COUNTY, TEXAS AND TAKE APPROPRIATE ACTION REGARDING OUTSIDE COUNSEL REPRESENTATION ISSUES. ¹ (1:10 PM) (3:38 PM)

Clerk's Note: Judge Biscoe announced that Item 40 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 retain the firm of Walsh, Anderson, Brown, Aldridge, and Gallegos, PC.

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

41. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CONTRACT WITH THE STAR OF TEXAS FAIR AND RODEO, INCLUDING CERTAIN SIGNAGE PLACED IN THE LUEDECKE ARENA AT TRAVIS COUNTY EXPOSITION CENTER. ¹ (1:10 PM) (3:39 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 41.

Item 41 to be reposted on April 14, 2009.

ADDED ITEMS

- A.1 CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR COUNTY CONTRIBUTION TO AND PARTICIPATION IN THE UPCOMING URBAN MUSIC FESTIVAL, AN AFRICAN AMERICAN QUALITY OF LIFE EVENT. (11:00 AM)

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

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

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (3:53 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