

MINUTES OF MEETING APRIL 28, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 28th day of April 2009, 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 12:04 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:43 PM and adjourned at 1:44 PM.

The Commissioners Court reconvened the Voting Session at 1:44 PM.

The Commissioners Court retired to Executive Session at 1:44 PM.

The Commissioners Court reconvened the Voting Session at 2:31 PM.

The Commissioners Court adjourned the Voting Session at 2:33 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Karen Ruzicka, Secretary, Mountain View Estates Homeowners Association; Gus Peña, Travis County Resident; Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Andrea Colunga Bussey, Division Director, Family Support Services, Travis County Health and Human Services and Veteran Services (TCHHS&VS); Ana Almaguel, Planner, TCHHS&VS; Ronnie Gjemre, Travis County Resident; and Maurice Priest, Travis County Resident. (9:15 AM)

CONSENT ITEMS

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the following Consent Items: C1-C2 and Items 2, 3.A&B, 4, 6, 7, 8, 9, 10, 11, 12, 18, 19, 20, 22.A-I, 22.K, 24, 26, 27, 28.A-C, 31, and A1.A&B. (9:40 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE SETTING A PUBLIC HEARING ON MAY 19, 2009 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 7.5 FOOT PUBLIC UTILITY EASEMENT LOCATED PARALLEL TO THE SOUTHWESTERLY LOT LINE OF LOT 5 OF CAMELOT SECTION 4 SUBDIVISION IN PRECINCT THREE.
(COMMISSIONER HUBER)

RESOLUTIONS AND PROCLAMATIONS

1. APPROVE PROCLAMATION TO OBSERVE NATIONAL COUNTY GOVERNMENT WEEK MAY 3 THROUGH 9, 2009; PUBLIC SERVICE RECOGNITION WEEK MAY 4 THROUGH 10, 2009; AND TRAVIS COUNTY EMPLOYEE RECOGNITION DAY, TUESDAY, MAY 12, 2009.
(COMMISSIONER GÓMEZ) (9:45 AM)

Members of the Court heard from: Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Kris Nilsen, Human Resources Specialist, HRMD.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve the proclamation in Item 1.

Motion carried:

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

ADMINISTRATIVE OPERATIONS ITEMS

2. 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 \$838,227.39 FOR THE PERIOD OF APRIL 10 TO 16, 2009. (9:40 AM)

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

3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:40 AM)
 - A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
 - B. REQUEST FROM TRAVIS COUNTY COUNSELING AND EDUCATION SERVICES FOR AN EXCEPTION TO TRAVIS COUNTY CODE CHAPTER 10.03006, CRITERIA FOR DETERMINING PAY FOR NEW HIRES.

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

4. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL LEASE BETWEEN HARRY M. WHITTINGTON, D/B/A TRAVIS PROPERTIES AND TRAVIS COUNTY, TEXAS. (9:40 AM)

Clerk's Note: Item 4 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

5. RECEIVE UPDATE ON STATUS OF OFFICE OF CHILD REPRESENTATION AND OFFICE OF PARENTAL REPRESENTATION. (9:51 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); Stephanie Ledesma, Managing Attorney, Office of Parental Representation; and Leslie Hill, Managing Attorney, Office of Child Representation.

Discussion only. No formal action taken.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE LAW ENFORCEMENT STAFFING COMMITTEE TO CONTINUE WORK WITH THE TRAVIS COUNTY SHERIFF'S OFFICE LAW ENFORCEMENT BUREAU THROUGH FISCAL YEAR 2010. (9:40 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.

PURCHASING OFFICE ITEMS

7. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (9:40 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. APPROVE CONTRACT NO. PS090038VR, TANIA GLENN & ASSOCIATES, PA, TO PROVIDE PROFESSIONAL VISITATION SERVICES FOR THE DOMESTIC RELATIONS OFFICE. (9:40 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. REJECT ALL BIDS RECEIVED FOR IFB NO. B090187RG, ARMORED CAR SERVICE AND RE-SOLICIT. (9:40 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. APPROVE CONTRACT NO. PS090055VR, LIFETIME RECOVERY CHEMICAL DEPENDENCY TREATMENT CENTER, TO PROVIDE RESIDENTIAL SUBSTANCE ABUSE TREATMENT SERVICES FOR THE DRUG DIVERSION COURT PROGRAM. (9:40 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. APPROVE MODIFICATION NO. 1, ASSIGNMENT OF CONTRACT NO. PS030160JW FROM CAMPBELL A. GRIFFIN TO CORNELL CORRECTIONS OF TEXAS, INC., FOR RESIDENTIAL TREATMENT SERVICES. (9:40 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.

12. APPROVE MODIFICATION NO. 5, TERMINATION OF CONTRACT NO. PS070124VR, THE AUSTIN TRAVIS COUNTY RE-ENTRY ROUNDTABLE. (9:40 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 MODIFICATION NO. 6 TO CONTRACT NO. 08T00073RG, A-TEX PEST MANAGEMENT, FOR PEST CONTROL SERVICES. (10:04 AM)

Members of the Court heard from: Bonnie Floyd, Assistant Purchasing Agent; and John Carr, Division Manager, Building Maintenance and Repair, Facilities Management.

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

14. APPROVE MODIFICATION NO. 1 TO PURCHASE ORDER NO. 403012, BJ ELECTRIC CO., FOR TRENCHING AND CONDUIT INSTALLATION FROM THE HOLT BUILDING TO THE RUSK BUILDING. (9:14 AM)

Item 14 postponed.

15. APPROVE MODIFICATION NO. 9 TO CONTRACT NO. PS070232DG, MWM DESIGN GROUP, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES AT LOT 3C, SMART FACILITY. (10:10 AM)

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing; John Hille, Assistant County Attorney; and Gabriel Stock, Senior Architectural Associate, Facilities Management.

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

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

16. APPROVE TERMINATION OF CONTRACT NO. PS040224ML, FATHER JESSE EURESTI, FOR CHAPLAIN SERVICES. (9:15 AM)

Item 16 postponed.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:15 AM)
- A. PROPOSED MODIFICATION TO TRAVIS COUNTY CODE CHAPTER 1.019, COUNTY VEHICLE USAGE POLICY; AND
- B. REQUEST TO APPROVE PAYMENT OF OUTSTANDING TOLL AMOUNTS.

Items 17.A&B postponed until May 5, 2009.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN NOACK HILL SUBDIVISION IN PRECINCT THREE. (COMMISSIONER HUBER) (9:40 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSAL TO QUITCLAIM DEED ALL INTEREST TRAVIS COUNTY MAY HAVE, IF ANY, IN A 1.18 ACRE TRACT OF LAND - PREVIOUSLY PART OF OLD HIGHWAY 71 RIGHT OF WAY - TO THE SOLE ADJOINING PROPERTY OWNER. (COMMISSIONER GÓMEZ) (9:40 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 REQUEST TO ENTER INTO THE HOWARD LANE II INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF AUSTIN FOR THE EXTENSION OF HOWARD LANE FROM CAMERON ROAD TO STATE HIGHWAY 130 IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:40 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.

PLANNING AND BUDGET DEPT. ITEMS

21. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:12 AM)

Members of the Court heard from: Diana Ramirez, Budget Analyst, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; and Rodney Rhoades, Executive Manager, PBO.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 21.

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

22. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:40 AM)
- A. NEW GRANT APPLICATION TO CAPITAL AREA COUNCIL OF GOVERNMENTS FOR TRAVIS COUNTY STAR FLIGHT EQUIPMENT ENHANCEMENTS;
 - B. NEW GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE – BUREAU OF JUSTICE ASSISTANCE FOR THE SHERIFF’S OFFICE TO BE REIMBURSED FOR EXPENSES INCURRED UNDER THE IMMIGRATION AND NATURALIZATION ACT OF 1994 FROM JULY 1, 2007 TO JUNE 30, 2008;
 - C. NEW GRANT APPLICATION TO THE TARGET CORPORATION FOR THE SHERIFF’S OFFICE TO TAKE THE SHATTERED DREAMS PROGRAM TO OTHER HIGH SCHOOLS IN THE COUNTY TO EDUCATE TEENAGERS ON THE DANGER OF DRINKING AND DRIVING;
 - D. NEW GRANT APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR JUVENILE PROBATION TO RECEIVE AMERICAN RECOVERY AND REINVESTMENT ACT RESOURCES FOR ONE-TIME FOOD SERVICE RELATED EQUIPMENT;

ITEM 22 CONTINUED

- E. NEW GRANT APPLICATION TO THE GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT FOR HOMELAND SECURITY GRANT FOR A VIDEO CONFERENCING NETWORK IN EMERGENCY SERVICES;
- F. CONTINUATION GRANT APPLICATION TO THE OFFICE OF ATTORNEY GENERAL TO CONTINUE THE VICTIM COORDINATOR AND LIAISON GRANT IN THE DISTRICT ATTORNEY'S OFFICE;
- G. CONTINUATION GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR TO CONTINUE DWI COURT PROGRAM IN THE ADULT PROBATION DEPARTMENT;
- H. CONTINUATION GRANT APPLICATION THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR TRAVIS COUNTY TO PARTICIPATE IN THE THIRD YEAR OF THE POTENTIAL FIVE-YEAR PARENTING IN RECOVERY PROJECT WITH TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICES SERVING AS THE REGIONAL PARTNERSHIP PROJECT LEAD. THE APPLICATION INCLUDES A CASH MATCH REQUIREMENT FOR FISCAL YEAR 2010 THAT WILL BE REQUESTED AND REVIEWED AS A PART OF THE BUDGET PROCESS;
- I. CONTINUATION GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION TO CONTINUE THE FAMILY DRUG TREATMENT COURT TO PROTECT THE SAFETY AND WELFARE OF CHILDREN BY ASSISTING PARENTS WITH SUBSTANCE ABUSE PROBLEMS;

Clerk's Note: Items 22.A-I approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

ITEM 22 CONTINUED

22. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:44 AM)

J. NEW GRANT CONTRACT WITH AUSTIN-TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION TO FUND A CARE COORDINATOR POSITION IN THE HEALTH AND HUMAN SERVICES DEPARTMENT TO SUPPORT THE COMMUNITY AND FAMILY REINTEGRATION PROJECT; AND

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 22.J.

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	yes

22. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:40 AM)

K. GRANT CONTRACT AMENDMENT WITH THE STATE OF TEXAS OFFICE OF THE ATTORNEY GENERAL FOR JUVENILE PROBATION TO EXTEND THE GRANT TERM TO SEPTEMBER 30, 2009 FOR THE COURT ORDER PARENT EDUCATION PROJECT.

Clerk's Note: Item 22.K 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 PROCEDURE FOR COORDINATING GRANT APPLICATIONS FROM VARIOUS COUNTY DEPARTMENTS. (COMMISSIONER ECKHARDT) (10:27 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Susan Spataro, Travis County Auditor; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Huber that we authorize the Commissioners Eckhardt and Gomez to work with our Executive Managers and Deece Eckstein, Intergovernmental Relations Officer, to the extent that he can become available, representatives from the Sheriff's Office, the Auditor or representative from the Auditor's office and Purchasing, to put together a proposal that enables us to cooperate and collaborate more, and be more systematic in our efforts to access the national stimulus dollars.

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 23 to be reposted May 5, 2009.

Clerk's Note: The Court expressed their appreciation to the Staff who have been working on this project so far.

OTHER ITEMS

24. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:40 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.

AT 11:00 A.M.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:15 AM)

A. STATUS REPORT ON THE 81ST TEXAS LEGISLATURE;

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Discussion only. No formal action taken.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:54 AM)

B. STATUS REPORT ON TRAVIS COUNTY LEGISLATIVE PRIORITIES, INCLUDING HOUSE BILLS 612, 1119, 1335, 1440, 1531, 1981, 2100, 2161, 2162, 2167, 2414, 2693, 3468, 3585, 3616, 3787, 3963, 4175 AND 4262, AND SENATE BILLS 497, 578, 1299, 1783, 2202, 2280, 2451, 2452 AND 2472;

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer; and Bill Derryberry, Senior Budget Analyst, PBO.

Discussion only. No formal action taken.

ITEM 25 CONTINUED

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:18 AM)

C. STATUS REPORT ON TRAVIS COUNTY LEGISLATIVE ACTIVITIES, INCLUDING HOUSE BILLS 2, 9, 17, 46, 78, 88, 117, 127, 133, 134, 337, 402, 561, 562, 564, 612, 650, 692, 701, 711, 721, 765, 773, 987, 1015, 1029, 1038, 1092, 1211, 1271, 1284, 1483, 1507, 1575, 1576, 1674, 1909, 1920, 2369, 2495, 2524, 2573, 2859, 3158, 3448, 3607, 3983, 4729 AND 4756; HOUSE JOINT RESOLUTIONS 15, 22, 36, 43, 55 AND 84; SENATE BILLS 1, 16, 18, 218, 253, 294, 299, 383, 402, 555, 624, 678, 678, 700, 721, 771, 855, 942, 2294 AND 2474; AND SENATE JOINT RESOLUTIONS 10 AND 48;

Clerk's Note: The Court discussed SB 402 and 700, relating to appraisal caps, regarding a draft letter presented by Staff explaining the Commissioners Court's reasons for opposing these bills.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Motion by Commissioner Huber **and seconded by** Commissioner Davis that we accept and send these letters to Senator Watson, Senator Wentworth, and any other senator as appropriate.

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

Clerk's Note: The Court noted that the letter would be sent to all senators and to the Conference of Urban Counties (CUC).

ITEM 25 CONTINUED

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:16 AM)

D. SENATE BILL 1323 AND HOUSE BILL 1906 - RELATING TO THE AMOUNT OF A SURCHARGE ASSESSED ON CONVICTION OF CERTAIN INTOXICATED DRIVER OFFENSES ON THE DRIVER'S LICENSE OF CERTAIN PERSONS WHO COMPLETE A DRUG COURT PROGRAM;

Members of the Court heard from: The Honorable Elisabeth Earle, Judge, County Court at Law Number Seven; and Deece Eckstein, Intergovernmental Relations Officer.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that we actively support SB 1323 and HB 1906.

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

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:26 AM)

E. **ADDED ITEM:** HOUSE BILL 1976 - RELATING TO THE OPERATION OF PROPERTY OWNERS' ASSOCIATIONS;

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Discussion only. No formal action taken.

ITEM 25 CONTINUED

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:28 AM)

F. ADDED ITEM: HOUSE BILL 755 - RELATING TO THE CREATION OF THE COUNTY AND DISTRICT COURT TECHNOLOGY FUND; IMPOSING A FEE;

Clerk's Note: The Court discussed:

- That the \$4 technology fee meets Travis County criteria for a new fee, and is included in another bill which is supported by the County;
- That the increase from \$5 to \$50 for the juvenile delinquency prevention and graffiti eradication fee does not meet the criteria;
- That the fee collected would not stay within the County but would go to the State;
- That part of the fee would be assessed against all defendants but used to fund something unrelated.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to oppose it, especially the \$50 fee for the reasons stated above.

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 25 CONTINUED

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:33 AM)

G. ADDED ITEM: SENATE BILL 2301 - RELATING TO THE CALCULATION OF THE AD VALOREM ROLLBACK TAX RATES OF CERTAIN TAXING UNITS;

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to oppose SB 2301.

A Friendly Amendment to the previous Motion was offered by Judge Biscoe that we add to our opposition letter that the portion of our property taxes that goes back to State be shown on every Homeowner's tax bill.

Acceptance of the Friendly Amendment was made by Commissioner Gómez **and** Commissioner Huber.

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 25 CONTINUED

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:45 AM)

H. ADDED ITEM: HOUSE BILL 2007 - RELATING TO THE PAYMENT OF COSTS INCURRED BY INITIATION OF EMERGENCY DETENTION HEARINGS FOR PERSONS WITH MENTAL ILLNESS;

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to support it.

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: By approving the Motion in Item 25.H the Court expresses its support for HB 2007.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:48 AM)

I. ADDED ITEM: HOUSE BILL 2170 - RELATING TO THE MINIMUM NUMBER OF COUNTY JAILERS NECESSARY TO STAFF A COUNTY JAIL;

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Discussion only. No formal action taken.

ITEM 25 CONTINUED

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:50 AM)

J. ADDED ITEM: HOUSE BILL 1184 - RELATING TO DETERMINING POPULATION FOR THE CREATION OF CIVIL SERVICE SYSTEMS IN CERTAIN COUNTIES;

K. ADDED ITEM: HOUSE BILL 2673 - RELATING TO CONDITIONS OF EMPLOYMENT FOR AN EMPLOYEE OF CERTAIN SHERIFF'S DEPARTMENTS; AND

Clerk's Note: Items 25.J&K are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

No action required on Items 25.J&K.

Items 25.J&K to be reposted on May 5, 2009.

25. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:50 AM)

L. ADDED ITEM: SENATE BILL 1310 - RELATING TO A PROGRAM ALLOWING FOR COUNTYWIDE VOTING LOCATIONS IN CERTAIN ELECTIONS.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to support HB 1310 if, based on our understanding, that it is permissive, and it authorizes this but does not mandate.

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

26. RECEIVE RACIAL PROFILING REPORT FOR CALENDAR YEAR 2008 FROM TRAVIS COUNTY CONSTABLE PRECINCT THREE. (9:40 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. RECEIVE RACIAL PROFILING REPORT FOR CALENDAR YEAR 2008 FROM TRAVIS COUNTY CONSTABLE PRECINCT TWO. (9:40 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.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON RENEWAL BONDS FOR THE FOLLOWING VISITING JUSTICES OF THE PEACE: (9:40 AM)

- A. CELIA CASTRO;
- B. DEBORAH LYNN RICHARDSON; AND
- C. HARRIET M. MURPHY. (JUDGE BISCOE)

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

29. RECEIVE NOTICE OF REVISED FEE SCHEDULE RELATED TO LIVESTOCK ESTRAY IMPOUND AND STORAGE FEES CHARGED BY THE TRAVIS COUNTY SHERIFF AS ALLOWED BY TEXAS AGRICULTURAL CODE CHAPTER 142. (11:58 AM)

Members of the Court heard from: Francisco Ordaz, Financial Manager, Travis County Sheriff's Office (TCSO); and Janis Bading, Sergeant, Estray Unit, TCSO.

Discussion only. No formal action taken.

30. RECEIVE AND DISCUSS AS NECESSARY THE FISCAL YEAR 2009 MID-YEAR REPORT AND TAKE APPROPRIATE ACTION. (11:03 AM)

Members of the Court heard from: Blain Keith, Chief Assistant County Auditor, Travis County Auditor's Office; Susan Spataro, Travis County Auditor; and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

Item 30 to be reposted on May 12, 2009.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SET A PUBLIC HEARING DATE FOR MAY 19, 2009 TO RECEIVE COMMENTS REGARDING A PROPOSED ISSUANCE OF THE OGLESBY EDUCATIONAL FACILITIES CORPORATION BONDS, SERIES 2009 (CHAPARRAL STAR ACADEMY, INC. D/B/A STAR CHARTER SCHOOL PROJECT). (9:40 AM)

Clerk's Note: Item 31 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.

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2}
(9:15 AM)

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 and Gov't. Code Ann. 551.072, Real Property.

Item 32 postponed.

33. RECEIVE UPDATE REGARDING PARKE OWNERS ASSOCIATION RELATIONSHIP TO COUNTY BALCONES CANYONLAND PRESERVE LAND AND TAKE APPROPRIATE ACTION. ^{1 AND 2} (1:44 PM) (2:31 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 Huber that we authorize the two County staff currently on the board to seek re-election; and that we authorize them to take reasonable steps to obtain a third Travis County representative; and that they work with Legal to put together a strategy for us to achieve a permanent solution to this issue.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN MATTHEW DOOLITTLE VS. JOHN CHARLES LOUGHRAN, INDIVIDUALLY AND AS REPRESENTATIVE OF THE TRAVIS COUNTY SHERIFF'S OFFICE, TRAVIS COUNTY SHERIFF'S OFFICE AND TRAVIS COUNTY. ¹ (1:44 PM) (2:32 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Attorney to bring a third party into the lawsuit.

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

ADDED ITEM

A1. APPROVE THE FOLLOWING CONTRACT AWARDS FOR RFS NO. S090063RE FOR WORKFORCE DEVELOPMENT SERVICES: (9:40 AM)

- A. PS090063RE - VENTANA DEL SOL; AND
- B. PS090234 - WORKFORCE SOLUTIONS.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (2:33 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