

MINUTES OF MEETING JULY 21, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 21st day of July 2009, the Commissioners' Court convened the Voting Session at 9:12 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 Two Commissioner Sarah Eckhardt was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 12:02 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:42 PM and adjourned at 1:45 PM.

The Commissioners Court reconvened the Voting Session at 1:46 PM.

The Commissioners Court retired to Executive Session at 2:23 PM.

The Commissioners Court reconvened the Voting Session at 3:52 PM.

The Commissioners Court adjourned the Voting Session at 4:01 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 10 AND 11, BLOCK B OF APACHE SHORES, SECTION SEVEN SUBDIVISION. (COMMISSIONER HUBER) (ACTION ITEM #10) (9:13 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 10 for a summary of the action item.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to open the public hearing.

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

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

Motion by Commissioner Gómez **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	absent
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; and Maurice Priest, Travis County Resident. (9:14 AM)

CONSENT ITEMS

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; and John Hille, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 4, 5, 7, 8.A-D, 9, 10, 12, 14, 16, 17, 18, and 19. (9:24 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JUNE 30, 2009.
- C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 7, 2009.
- C4. APPROVE SETTING A PUBLIC HEARING DATE ON AUGUST 11, 2009 TO RECEIVE COMMENTS REGARDING REQUESTS TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED OF A 0.248 ACRE PORTION OF THE MANSFIELD DAM COURT RIGHT OF WAY AS DEDICATED THROUGH VOLUME 771, PAGE 543 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND LOCATED ADJACENT TO THE SOUTHERN LOT LINE OF LOT 1-A OF THE RESUBDIVISION OF LOT 1, SUNDAY HOUSE SUBDIVISION. (COMMISSIONER HUBER)
- C5. APPROVE SETTING A PUBLIC HEARING DATE ON AUGUST 25, 2009 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 2 AND 3, BLOCK B, ANGEL BAY SUBDIVISION (2 TOTAL LOTS). (COMMISSIONER HUBER)

SPECIAL ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:27 AM)

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

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Staff recommendation to renew the outdoor burn ban by executing another order which will be good for 30 days. We will leave this on the Courts agenda weekly, so if the situation changes dramatically we will be able to take immediate action.

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

Clerk's Note: The Court heard that the Governor has submitted a Disaster Declaration for a number of Texas Counties for the fire season. Staff will update the Court as necessary on how this will affect Travis County.

PURCHASING OFFICE ITEMS

3. A. DISCUSS AND APPROVE REVISED TRAVIS COUNTY PURCHASING POLICY AND PROCEDURE MANUAL TO REPLACE CHAPTER 32 OF THE TRAVIS COUNTY CODE.
- B. DISCUSS AND AMEND TRAVIS COUNTY FIXED ASSET POLICY AND PROCEDURE MANUAL TO REPLACE SECTION 4.6.1 OF CHAPTER 33 OF THE TRAVIS COUNTY CODE. (9:49 AM)

Clerk's Note: Items 3.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; John Hille, Assistant County Attorney; Bonnie Floyd, Assistant Purchasing Agent; and Jerome Guerrero, HUB Specialist, Purchasing.

Discussion only. No formal action taken.

Items 3.A&B to be reposted on July 28, 2009.

4. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS070349VR, AUSTIN FAMILY INSTITUTE, FOR ADDITION OF GROUP COUNSELING SERVICES TO THE COLLABORATIVE OPPORTUNITIES FOR POSITIVE EXPERIENCE/MENTAL HEALTH YOUTH PROGRAM AND FAMILIES. (JUVENILE PROBATION) (9:24 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.

5. APPROVE MODIFICATION NO. 1 TO P.O. NO. 423124, SHAFFER CONCRETE, FOR EAST METRO PARK ADA SIDEWALK IMPROVEMENTS. (TNR) (9:24 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS070340DG FOR PROFESSIONAL CONSULTING SERVICES TO VANDERWEIL FACILITY ADVISORS, INC. (FACILITIES MANAGEMENT) (9:29 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 6.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

7. APPROVE CONTRACT NO. PS0902 66VR, NEURO INSTITUTE OF AUSTIN, L.P., TO PROVIDE INPATIENT RESIDENTIAL TREATMENT SERVICES. (HHS&VS) (9:24 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 THE FOLLOWING REGARDING SEXUAL ASSAULT NURSE EXAMINER SERVICES: (9:24 AM)

A. MODIFICATION NO. 6 TO CONTRACT PS070028JT, AUSTIN TRAVIS COUNTY SANE, INC;

B. MODIFICATION NO. 3 (TERMINATION NOTICE) TO CONTRACT PS070177JT, RACHEL HERRERA;

C. CONTRACT PS090265VR, TO MOIRA FOLEY; AND

D. CONTRACT PS090271VR, TO VERONICA C. KERN. (SHERIFF'S OFFICE)

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

9. APPROVE CONTRACT AWARD FOR WELLS BRANCH PKWY AND THERMAL DR. SIDEWALK IMPROVEMENTS PROJECT, IFB NO. B090259-JW, TO THE LOW BIDDER, CEDA-TEX SERVICES. (TNR). (9:24 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 10 AND 11, BLOCK B OF APACHE SHORES, SECTION SEVEN SUBDIVISION. (COMMISSIONER HUBER) (9:24 AM)

Clerk's Note: Item 10 is the action item for the public hearing on Agenda Item 1.

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 A REQUEST FOR A VARIANCE TO TITLE 30-2-151 OF CHAPTER 30, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION, WHICH REQUIRES THAT STREETS OF A NEW SUBDIVISION BE ALIGNED WITH EXISTING STREETS ON ADJOINING PROPERTY (NAVARRO CREEK ROAD) FOR A PRELIMINARY PLAN IN SUN CHASE PHASE 1 SUBDIVISION. (COMMISSIONER GÓMEZ) (10:22 AM)

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the variance in Item 11.

Motion carried:

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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROPOSED INTERLOCAL COOPERATION AGREEMENT WITH THE PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT FOR SHARING HALF THE COST OF THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF DESSAU ROAD AT THE ENTRANCE TO DESSAU MIDDLE SCHOOL. (COMMISSIONER ECKHARDT) (9:24 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO COMPENSATE PROPERTY OWNER \$6,410 IN LIEU OF CONSTRUCTING A FENCE AS PART OF THE ANDERSON MILL ROAD EXPANSION PROJECT RIGHT-OF-WAY ACQUISITION AGREEMENT. (COMMISSIONER HUBER) (10:25 AM)

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR; and Ronnie Gjemre, Travis County Resident.

Motion by Commissioner Huber **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	absent
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

PLANNING AND BUDGET DEPT. ITEMS

14. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:24 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:33 AM)
- A. GRANT APPLICATION TO SUPREME COURT OF TEXAS, PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES TO CONTINUE THE OFFICE OF CHILD REPRESENTATION THROUGH FISCAL YEAR 2010;
 - B. GRANT APPLICATION TO SUPREME COURT OF TEXAS, PERMANENT JUDICIAL COMMISSION FOR CHILDREN, YOUTH AND FAMILIES TO CONTINUE THE OFFICE OF PARENTAL REPRESENTATION THROUGH FISCAL YEAR 2010;
 - C. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO CONTINUE TO PROVIDE WEATHERIZATION REPAIRS FOR LOW INCOME HOUSEHOLDS THROUGH THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM WEATHERIZATION PROGRAM;
 - D. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO CONTINUE TO PROVIDE WEATHERIZATION REPAIRS FOR LOW INCOME HOUSEHOLDS THROUGH THE DEPARTMENT OF ENERGY WEATHERIZATION PROGRAM; AND
 - E. CLOSE-OUT OF THE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR CRIMINAL JUSTICE DIVISION FOR THE FISCAL YEAR 2008 DRUG DIVERSION COURT AND DE-OBLIGATE \$6,674 OF UNSPENT FUNDS.

Clerk's Note: Items 15.A-E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Katie Peterson, Budget Analyst, Planning and Budget Office (PBO); Rodney Rhoades, Executive Manager, PBO; Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); Stephanie Ledesma, Managing Attorney, Office of Parental Representation; and Travis Gatlin, Budget Analyst, PBO.

ITEM 15 CONTINUED

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 15.A&B.

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

Motion by Commissioner Davis and seconded by Commissioner Gómez to approve Items 15.C&D.

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

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

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

ADMINISTRATIVE OPERATIONS ITEMS

16. 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 \$537,585.76 FOR THE PERIOD OF JULY 3, 2009 TO JULY 9, 2009. (9:24 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:24 AM)

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.

OTHER ITEMS

18. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 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 REQUEST FROM CONSTABLE PRECINCT TWO FOR AN INTERLOCAL AGREEMENT WITH LEANDER INDEPENDENT SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICERS. (9:24 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 REGARDING RECOMMENDATIONS FROM THE TRAVIS COUNTY PARKING COMMITTEE: (1:46 PM)

- A. REQUIRE THE USE OF LOCATION CODES WITHIN INDIVIDUAL EMPLOYEE RECORDS IN H.T.E.; AND
- B. APPOINT A PERMANENT PARKING COMMITTEE WITH THE CHARGE TO INCLUDE REVISION OF THE CURRENT PARKING POLICY, CHAPTER 11, DEVELOP AND ADMINISTER PARKING GRIEVANCE PROCESS AND IMPLEMENT THE RECOMMENDATIONS MADE IN THE PARKING COMMITTEE REPORT. (COMMISSIONER ECKHARDT)

Clerk's Note: Items 20.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sydnia Crosbie, Lead Financial Analyst, TNR, and Co-Chair, Parking Committee; Lisa Rush, Manager, Law Library, Records Management and Communication Resources (RMCR), and Co-Chair, Parking Committee; Susan Spataro, Travis County Auditor; Alicia Perez, Executive Manager, Administrative Operations; Leroy Nellis, Budget Manager, PBO; and John Hille, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 20.A, that is the location codes within individual employee records in HTE.

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

Clerk's Note: The Court gave directions to the Parking Committee regarding Item 20.B:

- Leave the current sub-committee in place
- Bring back a list of proposed members to serve on the Permanent Parking Committee for approval by the Court
- Create a charge and scope of work for the Permanent Parking Committee, and
- Present a strategy for implementation of the post of Parking Administrator.

Item 20.B was discussion only.

Item 20.B to be reposted on August 4, 2009.

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.

21. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT PROPOSALS IN THE FOLLOWING PENDING EMINENT DOMAIN PROCEEDINGS FOR THE CAMERON ROAD EXTENSION AND BRIDGE CONSTRUCTION PROJECT: (2:23 PM) (3:54 PM)

A. TRAVIS COUNTY VS. KINGS GATE L.P.;

B. TRAVIS COUNTY VS. NORTH GATE L.P.; AND

C. TRAVIS COUNTY VS. BISHOPS FIELD L.P. ^{1 AND 2}

Clerk's Note: Judge Biscoe announced that Items 21.A-C 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 Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 21, with the settlement agreement, and also that the Court will authorize Staff to provide the necessary papers and also the deliberations of the particular checks that need to be cut and that deliberations is for the North Gate, L.P., also Bishops Field, L.P., and also Kings Gate, L.P. with Travis County.

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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL APPROXIMATELY 90 ACRES OF UNDEVELOPED LAND IN PRECINCT FOUR, LOCATED EAST OF U.S. 183 AND UNION CREEK, FOR INCLUSION IN THE UNION CREEK OPEN SPACE PARKLAND - 2005 BOND PROGRAM. (COMMISSIONER GÓMEZ) ^{1 AND 2} (2:23 PM) (3:54 PM)

Clerk's Note: Judge Biscoe announced that Item 22 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe that we accept the offer of \$700,000.00 for the 90 acres, and that the source of revenue is the 2005 Bond Program.

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

23. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING A SETTLEMENT OFFER REGARDING CHARGES FOR STARFLIGHT SERVICES RENDERED TO CRYSTAL STEPHENS. ¹ (9:13 AM)

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

Item 23 pulled from the Agenda.

24. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING WHETHER TO FILE SUIT AGAINST ROCELLUS SLAUGHTER TO RECOVER FOR DAMAGE TO A COUNTY-OWNED GUARDRAIL. ¹ (2:23 PM) (3:55 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Huber that we authorize the County Attorney to file a lawsuit against Rocellus Slaughter for damaging the County-owned guardrail.

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

25. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO FILE A CHALLENGE TO COMMERCIAL APPRAISALS PERFORMED BY TRAVIS CENTRAL APPRAISAL DISTRICT OR REQUEST A PERFORMANCE AUDIT OF THE DISTRICT. ¹ (10:27 AM) (2:23 PM) (3:55 PM)

Clerk's Note: Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Bryan Rogers, Travis County Resident; Patrick Brown, Chief Appraiser, Travis Central Appraisal District; Maria Crigler, Director, Information Technology, TCAD; Bill Oakey, Consumer Advocate; Sabino Renteria, Cesar Chavez Planning Contact Team; Audrey Steiner, Travis County Resident; Cesar Ramirez, Travis County Resident; Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Daniel Yannis, Travis County Resident; Keith Donahoe, Vice President, Real Estate Council of Austin (RECA).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we indicate our rejection of the request to file a challenge, because the deadline for that has come and gone, and the request for a performance audit of the district, because by State Law there would be such an audit conducted every other year by the Comptroller; but, that at the same time we indicate our intention to pursue the following steps and that we will have a written document describing these in greater detail for formal action by the Court next week, Tuesday, July 28, 2009:

- That we indicate our intention to join the fight for mandatory disclosure and that we plan to hustle up not only the jurisdictions in Travis County to assist in the efforts but to contact all of our colleagues in governmental entities statewide.
- That we immediately work with other jurisdictions in Travis County, large and small, to get to the Travis Central Appraisal District (TCAD) as many of the appraisals and appraisal-type information as possible beginning immediately.
- That we work with the TCAD and assist in any way we can to clarify the appraisal and also protest process which we discussed a little bit in Court today, and
- That we brainstorm with the Chief Appraiser, TCAD to identify any other proactive steps that we can take in Travis County to make sure that the commercial appraisals are more accurate in the future.

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

Item 25 to be reposted on July 28, 2009.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2} (2:23 PM)

Clerk's Note: Judge Biscoe announced that Item 26 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 26 was not discussed.

27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSAL FOR DOWNTOWN OFFICE BUILDING BY D2000, A TURN KEY DEVELOPMENT COMPANY. ^{1 AND 2} (2:23 PM) (4:00 PM)

Clerk's Note: Judge Biscoe announced that Item 27 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.

Clerk's Note: The Court discussed the following recommendations:

- Consolidate the details in the draft Resolution into a letter
- Commissioner Huber and Judge Biscoe to negotiate with D2000
- Change the 60 days to 90 days to give an opportunity to work with Christian Smith, Special Assistant to the Commissioners Court who returns in September, 2009.

Motion by Judge Biscoe **and seconded by** Commissioner Huber to approve Item 27, with these recommendations.

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

ADDED ITEMS

- A.1 CONSIDER AND TAKE APPROPRIATE ACTION ON INVOICE RECEIVED FROM THIRD-PARTY INSPECTOR, CSF SERVICES, IN CONNECTION WITH 2009 STAR OF TEXAS FAIR AND RODEO ("STFR") EVENT AND PROPOSED CREDIT TO STFR TO OFFSET STFR'S IN-KIND SERVICES TOTAL SUM.
(2:16 PM) (3:52 PM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Roger El Khoury, Director, Facilities Management; Diana Warner, First Assistant County Auditor; Mike Crawford, Financial Auditor/Analyst V, Travis County Auditor's Office; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Clerk's Note: Item A1 was revisited at 3:52 PM.

Clerk's Note: The Court discussed a Staff recommendation to authorize the STFR to pay the invoice in full, and also for the Court to request from STFR a release of obligation, in writing, regarding the 2009 operating agreement.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; John Hille, Assistant County Attorney; and Diana Warner, First Assistant County Auditor.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item A1, based on that condition.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:01 PM)

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	absent
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