

MINUTES OF MEETING JULY 28, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 28th day of July 2009, the Commissioners' Court convened the Voting Session at 9:15 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 retired to Executive Session at 11:13 AM.

The Commissioners Court reconvened the Voting Session at 12:07 PM.

The Commissioners Court recessed the Voting Session at 12:07 PM.

The Commissioners Court reconvened the Voting Session at 1:39 PM.

The Commissioners Court retired to Executive Session at 2:55 PM.

The Commissioners Court reconvened the Voting Session at 6:34 PM.

The Commissioners Court adjourned the Voting Session at 6:42 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Maurice Priest, Travis County Resident; and Larry Tucker, Commissioners Court Appointee, City of Austin Animal Advisory Commission. (9:16 AM)

CONSENT ITEMS

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C4 and Items 3, 7, 9, 10, 12, 14, 15, 16.A, 17, 18, 21.A&B, 22, 28, 29, 30, 31, 32, and 33. (9:30 AM)

Motion carried:

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| 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. REAPPOINT MIKE CLAYPOOL TO THE EMERGENCY SERVICES DISTRICT NO. 8 BOARD. (COMMISSIONER HUBER)
- C3. REAPPOINT CARL JOHNSON AND STEVE WILSON TO THE EMERGENCY SERVICES DISTRICT NO. 9 BOARD. (COMMISSIONER HUBER)
- C4. REAPPOINT TOM STEVENSON TO THE EMERGENCY SERVICES DISTRICT NO. 14 BOARD. (COMMISSIONER HUBER)

SPECIAL ITEMS

1. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:38 AM)

Members of the Court heard from: Hershel Lee, Assistant Fire Marshal.

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

Discussion only. No formal action taken.

Item 1 to be reposted on August 4, 2009.

Clerk's Note: The County Judge noted that if Travis County residents have any questions regarding the prohibition on outdoor burning they can call:

- The Fire Marshal's Office at 512-854-4621,
- The Emergency Services Department at 512-854-9637, or,
- Check the website at www.co.travis.tx.us/fire_marshal.

PURCHASING OFFICE ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT MODIFICATION NO. 5 TO CONTRACT NO. PS050216MB, HOK, FOR PROFESSIONAL CONSULTING SERVICES FOR TRAVIS COUNTY CORRECTIONAL COMPLEX DESIGN-BUILD PROJECT. (9:39 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Ken Gaede, Project Manager, Facilities Management.

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

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| 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 | yes |

3. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 06T00061OJ, LIFE INSURANCE CO. OF NORTH AMERICA, FOR THE PROVISION OF VOLUNTARY ACCIDENTAL DEATH AND DISMEMBERMENT COVERAGE FOR TRAVIS COUNTY EMPLOYEES. (9:30 AM)

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

4. APPROVE ISSUANCE OF JOB ORDER NO. 50, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:44 AM) (9:55 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Huber **and seconded by** Commissioner Gómez to approve Item 4.

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| 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: Item 4 was revisited at 9:55 AM.

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing; Roger El Khoury, Director, Facilities Management; and Cyd Grimes, Travis County Purchasing Agent.

Discussion only. No formal action taken.

5. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. 05AE0140JJ, HALFF ASSOCIATES, INC., FOR MCKINNEY FALLS PARKWAY PROJECT. (9:49 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Barbara Wilson, Assistant County Attorney; and Steve Manilla, Director, Public Works, Transportation and Natural Resources (TNR).

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve Item 5.

Motion carried:

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

6. APPROVE CONTRACT AWARD FOR EMERGENCY RESPONSE AND REMEDIATION SERVICES, IFB NO. B090278-LD, TO THE QUALIFIED LOW BIDDERS: (9:53 AM)

A. TAS ENVIRONMENTAL SERVICES, PRIMARY CONTRACTOR; AND

B. EAGLE CONSTRUCTION, SECONDARY CONTRACTOR.

Clerk's Note: Items 6.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve Items 6.A&B.

Motion carried:

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| 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 |

7. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 09K00198JT FOR ASSIGNMENT OF PAYMENTS FROM SEGURA CONSTRUCTION, LLC TO SURETEC INFORMATION SYSTEMS, INC. (9:30 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 AWARD FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR TRAVIS COUNTY CORRECTIONAL COMPLEX CONTROL PANEL UPGRADES-BUILDINGS TWO AND THREE TO PROFESSIONAL SYSTEMS ENGINEERING, LLC. (9:37 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 8.

Motion carried:

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| 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 |

9. APPROVE ISSUANCE OF JOB ORDER NO. 7, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00308RV, TRIMBUILT CONSTRUCTION, INC. (9:30 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO INTERLOCAL AGREEMENT NO. IL060335RE, PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT, FOR THE OUT OF SCHOOL PROGRAM. (9:30 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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON REVISED TRAVIS COUNTY PURCHASING POLICY AND PROCEDURES MANUAL TO REPLACE CHAPTER 32 OF THE TRAVIS COUNTY CODE; AND

B. AMEND TRAVIS COUNTY FIXED ASSET POLICY AND PROCEDURE MANUAL TO REPLACE SECTION 4.6.1 OF CHAPTER 33 OF THE TRAVIS COUNTY CODE. (10:07 AM)

Clerk's Note: Items 11.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; and Barbara Wilson, Assistant County Attorney.

Discussion only. No formal action taken.

Items 11.A&B to be reposted on August 4, 2009.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED LICENSE AGREEMENT WITH THE CITY OF AUSTIN FOR A TEMPORARY CONSTRUCTION AREA AT RICHARD MOYA PARK. (COMMISSIONER GÓMEZ) (9:30 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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

13. CONSIDER AND TAKE APPROPRIATE ACTION TO REAPPOINT LARRY TUCKER TO THE ANIMAL ADVISORY COMMISSION, EFFECTIVE JULY 31, 2009 THROUGH AUGUST 1, 2012. (9:35 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 13.

Motion carried:

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| 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE REGARDING COLLABORATION ON THE AUSTIN HEALER WOMEN INTERVENTION PROJECT WITH THE UNIVERSITY OF TEXAS, THE AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT AND THE TRAVIS COUNTY HEALTHCARE DISTRICT. (9:30 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.

Clerk's Note: Item 14 was revisited at 10:00 AM.

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

Discussion only. No formal action taken.

PLANNING AND BUDGET DEPT. ITEMS

15. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:30 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:30 AM)

A. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICE FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO CONTINUE TO OBTAIN RESOURCES FOR YOUTH AND FAMILIES PARTICIPATING IN THE REINTEGRATION PROJECT; AND

Clerk's Note: Item 16.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

16. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:04 AM)

B. GRANT CONTRACT WITH THE UNIVERSITY OF NORTH TEXAS FOR THE HEALTH AND HUMAN SERVICES DEPARTMENT TO CONTINUE THE SENIORS AND VOLUNTEERS FOR CHILDHOOD IMMUNIZATION PROJECT.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 16.B.

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| 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

17. 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 \$641,691.60 FOR THE PERIOD OF JULY 10 TO 16, 2009. (9:30 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.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:30 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 THE FOLLOWING: (10:18 AM)

- A. PRINTING OF THE WILLIAM B. TRAVIS HISTORY DAY BROCHURE; AND
- B. DECLARE AUGUST 7, 2009 TRAVIS COUNTY HISTORY DAY.

Clerk's Note: Items 19.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Steven Broberg, Director, Records Management and Communication Resources (RMCR); Margie Alford, Travis County Historical Commission; John Hille, Assistant County Attorney; and Ronnie Gjemre, Travis County Resident.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 19.A&B, including the printing of whatever we need to do to make this a successful event.

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM A LOCAL BUSINESS PERSON TO SET UP AND OPERATE A VENDING CART ON TRAVIS COUNTY PROPERTY LOCATED AT 5501 AIRPORT BOULEVARD. (10:58 AM) (2:55 PM) (6:34 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Cheryl Goldberg, applicant; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

Clerk's Note: Judge Biscoe announced that Item 20 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 ask Facilities Management and other appropriate County Staff to take about a month to look into this matter, and:

- Touch base with the Tax Assessor-Collector and County Clerk to see if the employees in those departments at this location are interested in this kind of cart concession
- Look into other, hopefully better sites than the ones suggested by the person who appeared before us today
- Look into the possibility of issuing an appropriate Request For Proposals (RFP), especially one that would have some financial return to the County if we pursue this
- Any and all other related issues
- Notify Ms. Goldberg that it will take about a month to land on it, but we are pursuing it and trying to make it happen.

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| 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 |

21. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:30 AM)
- A. RENEW THE 24-HOUR FITNESS CORPORATE AGREEMENT INCLUDING THE REVISED FEE OF \$20.99 FOR ADDITIONAL ENROLLEES IN THE SAME HOUSEHOLD; AND
 - B. AUTHORIZE THE COUNTY JUDGE TO SIGN THE 24-HOUR FITNESS CORPORATE AGREEMENT.

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.

OTHER ITEMS

22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:30 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. RECEIVE AND DISCUSS THE THIRD REVENUE ESTIMATE FOR THE FISCAL YEAR 2010 BUDGET PROCESS. (10:25 AM)

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

Discussion only. No formal action taken.

24. PRESENTATION BY NELDA SPEARS, TAX ASSESSOR-COLLECTOR, REGARDING HOUSE BILL 3613, PASSED BY THE 81ST LEGISLATURE, TO EXEMPT DISABLED VETERANS FROM PAYING PROPERTY TAXES.
(2:24 PM)

Members of the Court heard from: Nelda Wells Spears, Travis County Tax Assessor Collector; Patrick Brown, Chief Appraiser, Travis Central Appraisal District (TCAD); Olie Pope, Director, Veterans' Services, Travis County Health and Human Services (TCHHS); David Escamilla, Travis County Attorney; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

25. RECEIVE PRESENTATION FROM CITY OF AUSTIN ON THE WALLER CREEK TUNNEL PROJECT. (10:40 AM)

Members of the Court heard from: Joe Pantalione, Deputy Director, Watershed Department, City of Austin; and Leslie Browder, Chief Financial Officer, City of Austin.

Discussion only. No formal action taken.

26. RECEIVE UPDATE REGARDING STATUS OF TRAVIS COUNTY DWI COURT. (1:39 PM)

Members of the Court heard from: Kasey Hoke, Planner, Criminal Courts; The Honorable Elisabeth Earle, Judge, County Court at Law Number Seven; Dr. Geraldine Nagy, Director, Adult Probation, Community Supervision and Corrections Department (CSCD); Vicki Skinner, Director, District Attorney's Office; Bradley Hargis, Defense Attorney, DWI Court; Connor Troy, Program Participant; and Aaron Marks, Program Participation.

Discussion only. No formal action taken.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON MEMORANDUM OF UNDERSTANDING WITH GOLFSMITH RELATED TO ENTERPRISE PROJECT NOMINATION. (2:52 PM)

Clerk's Note: The Court discussed incorporating into the Memorandum of Understanding that the "County" is to be defined as the Executive Manager of the Planning and Budget Office (PBO).

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 27 with the changes.

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| 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 | no |
| Precinct 4, Commissioner Margaret J. Gómez | yes |

28. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONTRACT AMENDMENT WITH THE TRAVIS COUNTY HOUSING FINANCE CORPORATION IN ORDER TO PROVIDE FUNDS TO CONVERT A PART-TIME SENIOR FINANCIAL ANALYST TO FULL-TIME STATUS FOR FISCAL YEAR 2010. (9:30 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 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. (9:30 AM)

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL AGREEMENT WITH THE CITY OF AUSTIN FOR MONITORING OF COMPLIANCE WITH THE TERMS OF THE TRAVIS COUNTY AGREEMENT WITH EGP MANAGEMENT, LLC (THE DOMAIN). (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A LEASE AGREEMENT BETWEEN WILLIE G. RODRIGUEZ AND THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR PROPERTY AT 110 CHALMERS, SUITES B AND C, AUSTIN, TEXAS 78702. (9:30 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.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPOINTMENT OF EDWARD WALKER TO THE EMERGENCY SERVICES DISTRICT NO. 8 BOARD. (COMMISSIONER HUBER) (9:30 AM)

Clerk's Note: Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPOINTMENT OF JOHN TORRES TO THE EMERGENCY SERVICES DISTRICT NO. 14 BOARD. (COMMISSIONER HUBER) (9:30 AM)

Clerk's Note: Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

34. CONSIDER AND TAKE APPROPRIATE ACTION ON PROCESS TO FILL VACANCY ON CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD. (JUDGE BISCOE) (2:48 PM)

Discussion only. No formal action taken.

Item 34 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.

35. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY ON ISSUES REGARDING IMPLEMENTATION AND STATUS OF THE HUMAN RESOURCES MANAGEMENT DEPARTMENT DEVELOPMENT PLAN FOR EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS AND DIRECTOR OF HUMAN RESOURCES AND TAKE APPROPRIATE ACTION. ¹ (11:13 AM) (2:55 PM) (6:36 PM)

Clerk's Note: Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

36. DELIBERATE IMPLEMENTATION AND STATUS OF HUMAN RESOURCES MANAGEMENT DEPARTMENT DEVELOPMENT PLAN FOR EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS AND DIRECTOR OF HUMAN RESOURCES AND TAKE APPROPRIATE ACTION. ³ (11:13 AM) (2:55 PM) (6:36 PM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we:

- Put the Executive Manager of Administrative Operations and the Director of Human Resources on leave with pay for two weeks beginning immediately, and up to August 11th, 2009, when this matter will be on the Court's agenda again
- Indicate the Court's position that we are looking for either a voluntary severance or involuntary severance
- Ask both of them to vacate or to pick up their personal belongings from the County by noon tomorrow, which is Wednesday, July 29th, 2009
- Indicate our intention to use the County Attorney's office to help us implement this decision to the extent possible
- Ask the subcommittee of the Court, Commissioner Gomez and the County Judge, who have been serving as a subcommittee, at least for the last three and a half to four months, to continue to serve; and if these Managers need to contact members of the Court between now and August 11th, 2009, then they contact Commissioner Gomez and the County Judge and we will discuss with them any issues and items related to this Motion.

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

37. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH BETTY KALLESTAD FOR THE ACQUISITION OF PROPERTY ON WHIRLAWAY ST. (COMMISSIONER GÓMEZ) ² (2:55 PM) (6:39 PM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we purchase this property for the sum of \$82,500.00, and that's to accept the counter-offer. This is part of the Timber Creek Project.

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| 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 |

38. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2}
(2:55 PM) (6:39 PM)

Clerk's Note: Judge Biscoe announced that Item 38 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 the County Judge to chat with Peter Barlin try to come to terms that are acceptable to both parties and plan to take action on the tract that he's interested in as well as the City of Austin on August 4, 2009.

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| 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 38 to be reposted on August 4, 3009.

39. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING CHARGES FOR STAR FLIGHT SERVICES PROVIDED TO JOSEPH PETRUCELLI. ¹ (2:55 PM) (6:40 PM)

Clerk's Note: Judge Biscoe announced that Item 39 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 notify Mr. Petrucelli that the County is willing to enter into some arrangement with him, in which he pays the County \$500.00 per month to satisfy the amount owed us. I understand that part of that has been paid already. There's an outstanding balance of a little bit more than \$2,500.00, so we are willing to do a five- to six-month payout.

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| 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 |

40. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POLICY ADDRESSING ANY PENDING AND FUTURE REQUESTS FOR LEAVE BY EXECUTIVE MANAGERS AND ALL OTHER EMPLOYEES REPORTING DIRECTLY TO THE COMMISSIONERS COURT. ³ (11:13 AM) (2:55 PM) (6:41 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 and Gov't. Code Ann. 551.074, Personnel Matters.

Clerk's Note: The County Judge noted that they had been given precise language for changes to Travis County Code Chapter 10.04501.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we approve Item 40.

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| 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 | yes |

41. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING NOTICE OF TERMINATION OF INTERLOCAL AGREEMENT FOR ENFORCEMENT OF TRAVIS COUNTY FIRE CODE BETWEEN TRAVIS COUNTY AND CITY OF JONESTOWN. ¹ (2:55 PM) (6:41 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.

Motion by Judge Biscoe **and seconded by** Commissioner Huber that we terminate the Interlocal Agreement, and that we get our lawyers to include an additional paragraph two indicating the reasons why in language as diplomatic, yet effective, as possible.

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| 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. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON LIFE SAFETY ISSUES RELATED TO MANCHACA COMMUNITY CENTER LOCATED AT 1310 FM 1626. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:55 PM) (6:42 PM)

Clerk's Note: Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Huber **and seconded by** Commissioner Davis that we instruct the Fire Marshal to use the normal procedures in relation to fire code violations, and also to send notice of breach of License Agreement based upon the known breaches.

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| 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 |

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Eckhardt to adjourn the Voting Session. (6:42 PM)

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| 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