

MINUTES OF MEETING SEPTEMBER 15, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 15th day of September 2009, the Commissioners' Court convened the Voting Session at 9:25 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 Hubert was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:10 AM.

The Commissioners Court reconvened the Voting Session at 12:22 PM.

The Commissioners Court adjourned the Voting Session at 12:26 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT FOUR: MARIA GONZALEZ SUBDIVISION, RESUBDIVISION OF PART OF LOT 35, WH TOBIN SUBDIVISION (1 TOTAL LOT). (COMMISSIONER GÓMEZ) (ACTION ITEM #5) (9:25 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 5 for a summary of the action item.

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

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	absent
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 Davis to close the public hearing.

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

2. RECEIVE COMMENTS REGARDING THE ANNUAL WRITTEN PLANS FOR THE 028 RECORDS MANAGEMENT PRESERVATION FUND AND 057 COUNTY CLERK'S RECORDS ARCHIVAL FUND. (ACTION ITEM #29) (9:26 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 29 for a summary of the action item.

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

Motion carried:

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

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

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

Motion carried:

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

CITIZENS COMMUNICATION

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; Jeanette Kincaid, Travis County Resident; Gus Peña, Travis County Resident; Rick Perkins, President, Granada Homeowners Association (HOA); Maurice Priest, Travis County Resident; and Dana DeBeauvoir, Travis County Clerk. (9:29 AM)

CONSENT ITEMS

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 following Consent Items: C1 and Items 5, 6, 7, 8, 9.A&B, 10, 12, 13, 14, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 29, 36, A2, and A3. (9:44 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.

SPECIAL ITEMS

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

Clerk's Note: The Court discussed the Fire Marshal's recommendation that the ban on outdoor burning should be lifted.

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we follow the recommendation, and have it back on again in two weeks, September 29, 2009, and if we don't need it then, during the Agenda setting meeting the Wednesday before, September 23, 2009, we will make that decision.

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 County Judge noted that if Travis County residents have any questions regarding permits for outdoor burning they can call:

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

Item 3 to be reposted on September 29, 2009.

RESOLUTIONS AND PROCLAMATIONS

4. APPROVE PROCLAMATION DESIGNATING MONDAY, SEPTEMBER 28, 2009, AS "FAMILY DAY - A DAY TO EAT DINNER WITH YOUR CHILDREN" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:50 AM)

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

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT FOUR: MARIA GONZALEZ SUBDIVISION, RESUBDIVISION OF PART OF LOT 35, WH TOBIN SUBDIVISION (1 TOTAL LOT). (COMMISSIONER GÓMEZ) (9:44 AM)

Clerk's Note: Item 5 is the action item for the public hearing on Agenda Item 1.

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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO TEMPORARILY CLOSE BRIDGE 113 OVER WALNUT CREEK ON OLD MANOR ROAD IN PRECINCT ONE FOR CONSTRUCTION OF ROADWAY APPROACHES TO THE PROPOSED NEW BRIDGE BEGINNING ON OR ABOUT FEBRUARY 1, 2010 AND CONTINUING THROUGH APRIL 30, 2010 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAVIS) (9:44 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 REGARDING THE PURCHASE OF TWO SOLAR POWERED CHANGEABLE MESSAGE SIGNS (TRAILER MOUNTED) FROM K&K SYSTEMS. (9:44 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 INTERLOCAL AGREEMENT WITH THE CITY OF PFLUGERVILLE FOR THE TRANSFER OF BOUNDARY STREET FISCAL FOR ROADS ANNEXED BY THE CITY OF PFLUGERVILLE. (COMMISSIONER ECKHARDT) (9:44 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. APPROVE SETTING A PUBLIC HEARING ON OCTOBER 20, 2009 TO RECEIVE COMMENTS REGARDING FEE PROPOSALS BY THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT, INCLUDING: (9:44 AM)

A. ASSESSMENT OF FEES FOR RECOVERY OF TRAVIS COUNTY STORM WATER MANAGEMENT PROGRAM AND DEVELOPMENT REVIEW COSTS; AND

B. INCREASES IN ON-SITE WASTEWATER FEES FOR FISCAL YEAR 2010.

Clerk's Note: Items 9.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

PLANNING AND BUDGET DEPT. ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:44 AM)

Clerk's Note: Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON FISCAL YEAR 2010 BUDGET RULES. (10:04 AM)

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO); and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

Item 11 to be reposted on September 22, 2009.

12. REVIEW AND TAKE APPROPRIATE ACTION REGARDING A GRANT CONTRACT WITH THE CRIMINAL JUSTICE DIVISION OF THE GOVERNOR'S OFFICE TO CONTINUE OFFERING SPECIALIZED DRUG TREATMENT SERVICES AS PART OF THE CRIMINAL COURTS' DRUG COURT/SHORT PROGRAM. (9:44 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.

ADMINISTRATIVE OPERATIONS ITEMS

13. 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 \$765,056.86 FOR THE PERIOD OF AUGUST 28 TO SEPTEMBER 3, 2009. (9:44 AM)

Clerk's Note: Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:44 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM A LOCAL BUSINESS PERSON TO SET UP A FOOD VENDING CART ON TRAVIS COUNTY PROPERTY LOCATED AT 5501 AIRPORT BOULEVARD. (10:54 AM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we express our deep appreciation to this proposing party for coming forth with this offer, and that we advise her that after mulling over the matter for the better part of a month, we have decided to say thanks, but no thanks.

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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REVISIONS TO PURCHASE CONTRACT FROM THE CITY OF AUSTIN TO SELL APPROXIMATELY 73.03 ACRES OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN FOR PARK PURPOSES. (9:44 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.

PURCHASING OFFICE ITEMS

17. REJECT BID RECEIVED FOR IFB NO. B090264-NB, FIRE ALARM SYSTEMS SERVICES. (9:44 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. APPROVE MODIFICATION NO. 32 TO CONTRACT NO. MA980095, TIBURON, INC., FOR AGREEMENT FOR EXTENDED SERVICES. (10:12 AM)

Members of the Court heard from: Judy Pittsford, Information Technology Director, Information and Telecommunications Systems (ITS); Janice Brown, Division Manager, Application Support, ITS; John Hille, Assistant County Attorney; and Lori Clyde, Purchasing Assistant IV, Purchasing.

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 18.

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

19. APPROVE MODIFICATION NO. 18 TO CONTRACT NO. MA960322, EASY ACCESS, INC., FOR TAX OFFICE COMPUTER SYSTEM. (9:44 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 FOR ELECTRONIC MONITORING, RFP NO. P090193-OJ, TO THE BEST QUALIFIED RESPONDENT, VICTIM SAFETY FIRST, LLC. (9:44 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 ISSUANCE OF JOB ORDER NO. 58, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:44 AM)

Clerk's Note: Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

22. APPROVE MODIFICATION NO. 3, AN ASSIGNMENT OF CONTRACT NO. 07T00337RG, FROM CMD, INCORPORATED D/B/A TEXAS ALTERNATOR STARTER SERVICES TO MCADAMS GROUP, LLC D/B/A TEXAS ALTERNATOR STARTER SERVICES. (9:44 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 MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT NO. IL080007VR, HAYS COUNTY JUVENILE CENTER, FOR RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (9:44 AM)

Clerk's Note: Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL080039VR, VICTORIA COUNTY, FOR RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (9:44 AM)

Clerk's Note: Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

25. APPROVE CONTRACT AWARD FOR MECHANICAL ELECTRICAL AND PLUMBING ENGINEERING SERVICES FOR THE EXECUTIVE OFFICE BUILDING TO TEXAS ENERGY ENGINEERING SERVICES, INC. (9:44 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. APPROVE CONTRACT AWARD FOR HUNTERS BEND SIDEWALK IMPROVEMENTS PROJECT, IFB NO. B090302-JW, TO THE LOW BIDDER, THE BARR CO. (10:32 AM)

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing; and Steve Manilla, Director, Public Works, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 26.

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

OTHER ITEMS

27. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:44 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. RECEIVE STATUS REPORT AND COMMENTS FROM MANOS DE CRISTO REGARDING THE USE OF COUNTY OWNED PROPERTY AT 5335 AIRPORT BOULEVARD FOR THE BACK-TO-SCHOOL PROJECT FROM AUGUST 3 THROUGH 14, 2009. (12:26 PM)

Item 28 postponed until September 22, 2009.

29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE ANNUAL WRITTEN PLANS FOR THE 028 RECORDS MANAGEMENT PRESERVATION FUND AND 057 COUNTY CLERK'S RECORDS ARCHIVAL FUND. (9:44 AM)

Clerk's Note: Item 29 is the action item for the public hearing on Agenda Item 2.

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 ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE, TEMPORARY BRANCH EARLY VOTING POLLING PLACES AND HOURS FOR EARLY VOTING ON WEEKDAYS FOR THE NOVEMBER 3, 2009 SPECIAL JOINT ELECTIONS. (9:53 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 30.

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 noted that if Travis County Residents have any questions to:

- Call 512-238-VOTE (8683)
- Visit the website at http://www.co.travis.tx.us/county_clerk/election

31. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER DESIGNATING ELECTION DAY POLLING PLACES FOR THE NOVEMBER 3, 2009 JOINT SPECIAL ELECTIONS. (9:57 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 31.

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

32. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS ASSOCIATED WITH THE 2009 TRAVIS COUNTY COMBINED CHARITIES CAMPAIGN INCLUDING THE 2009 FISCAL AGENT AGREEMENT. (9:58 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and John Hille, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 32.

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM COUNTY CLERK TO RECLASSIFY ELECTION TEMPORARY PAYROLL SLOTS FROM THE ELECTION SPECIAL REVENUE FUND 056 TO THE GENERAL FUND 001. (10:01 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve Item 33.

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDATIONS FROM THE TRAVIS COUNTY ECONOMIC DEVELOPMENT SUBCOMMITTEE REGARDING A TAX ABATEMENT POLICY. (COMMISSIONER ECKHARDT) (10:36 AM)

Members of the Court heard from: Mary Etta Gerhardt, Assistant County Attorney; Jeremy Martin, Senior Vice President, Governmental Relations, Austin Chamber of Commerce; and Rodney Gonzalez, Acting Director, Economic Growth and Redevelopment Service Office, City of Austin.

Discussion only. No formal action taken.

Item 34 to be reposted on September 22, 2009.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERGOVERNMENTAL ACTIVITIES REGARDING FUNDING UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA), INCLUDING: (9:25 AM)
- A. BRIEFING ON ACTIVITIES OF THE INTERGOVERNMENTAL STEERING COMMITTEE AND WORKGROUPS TO DATE, AND
 - B. RESOLUTION ENCOURAGING TRAVIS COUNTY PARTICIPATION IN COLLABORATIVE EFFORTS TO IDENTIFY AND SECURE ARRA FUNDING.

Items 35.A&B postponed until September 22, 2009.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE PRINT SHOP TO PROCESS APPROXIMATELY 325,000 INSERTS FOR THE 2009 TAXPAYER NEWSLETTERS. (9:44 AM)

Clerk's Note: Item 36 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.

37. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING CHARGES FOR STAR FLIGHT SERVICES RENDERED TO DUSTIN GRIJALVA. ¹ (11:10 AM) (12:22 PM)

Clerk's Note: Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we accept the offer of an additional \$500.00.

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

38. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING CHARGES FOR STAR FLIGHT SERVICES RENDERED TO BETTY MANRIQUEZ. ¹ (11:10 AM) (12:22 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.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we accept the offer to settle from Betty Manriquez, who has offered to settle this matter for the sum of \$2,836.02.

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

39. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING CHARGES FOR STAR FLIGHT SERVICES RENDERED TO CORY ROWLAND. ¹ (11:10 AM) (12:23 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 Gómez we accept the offer to settle from Cory Rowland for Star Flight services, and the offer is in the amount of \$1,000.00.

Motion carried:

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

40. CONSIDER AND TAKE APPROPRIATE ACTION ON ACQUISITION OF APPROXIMATELY 260.4 ACRES OF LAND OWNED BY NEW LIFE INTERNATIONAL IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER HUBER) ² (11:10 AM) (12:23 PM)

Clerk's Note: Judge Biscoe announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize Staff to make a verbal offer to purchase this property in the amount of \$4,685,000.00.

Motion carried:

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

41. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION'S (CAMPO) PROPOSED CHANGES TO BYLAWS. ¹ (11:10 AM) (12:23 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 when ready.

42. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON SETTLEMENT OFFER IN CLAIM FILED BY KATHRYN WINKFEIN. ¹ (11:10 AM) (12:24 PM)

Clerk's Note: Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to counter with \$25,000.00.

Motion carried:

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

43. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN SETTLEMENT OFFER ON ATTORNEY'S FEES; IN RELIABLE CONSULTANTS, INC. D/B/A DREAMERS V. RONNIE EARLE, ET AL NO. A-0-CA-086-LY. ¹ (11:10 AM) (12:24 PM)

Clerk's Note: Judge Biscoe announced that Item 43 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 withhold action on this until we've had a determination on the liability issue by the Judge.

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

44. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES ARISING OUT OF SUBLEASE AGREEMENT AND CONCESSIONS CONTRACT BETWEEN TRAVIS COUNTY AND THE STAR OF TEXAS RODEO, INCLUDING APPROVAL OF AMENDMENTS TO BOTH CONTRACTS.
^{1 AND 2} (11:10 AM) (12:25 PM)

Clerk's Note: Judge Biscoe announced that Item 44 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.

Discussion only. No formal action taken.

Item 44 to be reposted on September 22, 2009.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE ACQUISITION OF CERTAIN REAL PROPERTY BY HABITAT FOR HUMANITY AS PART OF THE TRAVIS COUNTY 2006 AND 2007 COMMUNITY DEVELOPMENT BLOCK GRANT PLAN. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY AND GOV'T CODE ANN. 551.072, REAL PROPERTY) (11:02 AM) (11:10 AM) (12:25 PM)

Members of the Court heard from: Vera Mesaro, Qualico Communities.

Clerk's Note: Judge Biscoe announced that Item 44 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 postpone this item one week, September 22, 2009, get a response from Habitat for Humanity as to their position on this land; and indicate our intention to take formal action in support of or against that idea next week.

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 A1 to be reposted on September 22, 2009.

- A2. APPROVE PROCLAMATION DECLARING THE WEEK OF SEPTEMBER 21 THROUGH 25, 2009 AS "FALL PREVENTION AWARENESS WEEK" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:44 AM) (9:52 AM)

Clerk's Note: Item A2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

Item A2 was revisited at 9:52 AM.

Clerk's Note: The County Judge noted this is intended to help our seniors remain healthy and prevent falls.

- A3. APPROVE SETTING A PUBLIC HEARING ON OCTOBER 13, 2009 TO 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 459 AND 460 OF APACHE SHORES, FIRST INSTALLMENT. (COMMISSIONER HUBER) (9:44 AM)

Clerk's Note: Item A3 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 Judge Biscoe **and seconded by** Commissioner Davis to adjourn the Voting Session. (12:26 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge