

MINUTES OF MEETING OCTOBER 27, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 27th day of October 2009, the Commissioners' Court convened the Voting Session at 9:17 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 One Commissioner Ron Davis and Precinct Three Commissioner Karen Huber were not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 11:54 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:38 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 1:46 PM.

The Commissioners Court reconvened the Voting Session at 2:26 PM.

The Commissioners Court adjourned the Voting Session at 2:28 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING PARK FEE AND REFUND PROPOSALS BY THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT. (9:18 AM)

Clerk’s Note: This Item is a public hearing to receive comments.

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Members of the Court heard from: Charles Bergh, Division Director, Parks and Natural Resources, Transportation and Natural Resources (TNR); Robert Armistead, Parks Division Manager, TNR; Kurt Nielsen, Parks Operations Manager, East Side, TNR; and Ronnie Gjemre, Travis County Resident.

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

CITIZENS COMMUNICATION

Members of the Court heard from: Cindy Purinton, Benefit Administrator, Human Resources Management Department (HRMD); Mike Hancock, Business Health, White Glove House Call Health; Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Maurice Priest, Travis County Resident; and Anthony Walker, Travis County Resident. (9:27 AM)

RESOLUTIONS AND PROCLAMATIONS

- 2. APPROVE RESOLUTION RECOGNIZING THE LATE PAULINE BROWN FOR HER LIFELONG OUTSTANDING CONTRIBUTIONS TO THE BETTERMENT AND PRESERVATION OF CLARKSVILLE AND HER ENRICHMENT OF THE LIVES OF ALL TRAVIS COUNTY RESIDENTS. (COMMISSIONER ECKHARDT) (9:47 AM) (10:38 AM)

Members of the Court heard from: RuthAnn Brown, Daughter of Pauline Brown; Malcolm Greenstein, Board Member, Clarksville Community Development Corporation (CCDC); Elliott Naishtat, Texas State Representative; and Mary Reed, President, CCDC.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the Resolution in Item 2.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 2 was revisited at 10:38 AM.

Members of the Court heard from: Edward Collins, Deacon, Sweethome Missionary Baptist Church; and Cheryl Collins, Deaconess, Sweethome Missionary Baptist Church.

- 3. ACCEPT DONATIONS AND APPROVE PROCLAMATIONS EXPRESSING SINCERE GRATITUDE REGARDING THE FOLLOWING: (9:59 AM)
 - A. PORTRAIT OF WILLIAM B. TRAVIS FROM MS. SALLY MAUCK; AND
 - B. ANTIQUE CLOCK FROM THE UNITED DAUGHTERS OF THE CONFEDERACY MUSEUM.

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

Members of the Court heard from: Steven Broberg, Director, Records Management and Communication Resources (RMCR); and Christy Moilanen, Archivist, RMCR.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to accept the donation and approve the Proclamation in Item 3.A.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to accept the donation and approve the Proclamation in Item 3.B.

Motions carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 the Court's intention was to vote on the two Motions together.

- 4. APPROVE RESOLUTION PROCLAIMING NOVEMBER 2009 AS "PANCREATIC CANCER AWARENESS MONTH" IN TRAVIS COUNTY. (COMMISSIONER ECKHARDT) (10:06 AM)

Members of the Court heard from: Janina Hurtado, Travis County Resident; Greg Petrowsicz, Affiliate Coordinator, Pancreatic Cancer Action Network (PanCAN); Erika Priddy, PanCAN.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the Resolution in Item 4.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 5. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR AN EXEMPTION FROM PLATTING REQUIREMENTS FOR ROBINHOOD CONDOMINIUM PROJECT AND A CONDOMINIUM PHASING AGREEMENT WITH FS ROBINHOOD 26A LLC; FS ROBINHOOD 27 LLC AND FS ROBINHOOD 27A LLC. (COMMISSIONER HUBER) (9:45 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A RESOLUTION IN OPPOSITION TO A PETITION FOR RULE MAKING THAT WOULD REPEAL TEXAS COMMISSION ON ENVIRONMENTAL QUALITY REGULATIONS IN TITLE 30 TEXAS ADMINISTRATIVE CODE, CHAPTER 311, THAT CURRENTLY PROHIBIT WASTE DISCHARGES INTO LAKE AUSTIN, LAKE TRAVIS, AND WATERSHEDS OF BOTH RESERVOIRS.
(COMMISSIONER HUBER) (10:19 AM)

Members of the Court heard from: Tom Weber, Environmental Quality Program Manager, TNR; Cole Rowland, Highland Lakes Group; Bill Bunch, Save Our Springs Alliance (SOS); Ronnie Gjemre, Travis County Resident; and Garry Brown, Executive Assistant, County Commissioner Precinct 3 Office.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the Resolution in Item 6.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 7. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING: (10:41 AM)
 - A. FOUR APPOINTEES PLUS ALTERNATES TO REPRESENT THE COUNTY'S FOUR PRECINCTS ON THE CITY OF AUSTIN COMPREHENSIVE PLAN CITIZENS ADVISORY COMMITTEE; AND
 - B. SCOPE, PROCESS AND SCHEDULE FOR THE DEVELOPMENT OF A COMPREHENSIVE PLAN FOR THE UNINCORPORATED AREAS OF TRAVIS COUNTY.

Clerk's Note: Items 7.A&B are associated with one another and were called for concurrent discussion.

Clerk's Note: The Court discussed the following appointments to the Committee:

- Precinct One – Jack Gullahorn, appointee; Judy Holden, alternate
- Precinct Two – Mark Lind, appointee; Mitch Weynand, alternate
- Precinct Three – Ira Yates, appointee; Carol Torgimson, alternate
- Precinct Four – William B. Hilgers, appointee; alternate is pending.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 7.B postponed until November 3, 2009.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON APPLICATIONS FOR MEMBERSHIP ON THE BOARD OF DIRECTORS OF THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (10:44 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to extend the application period for 4 weeks, and to encourage Court Members, including the two who are not here today, to help us generate additional applications.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

Clerk’s Note: The County Judge noted that if no further applications are received the Court would interview the two outstanding applicants.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 9. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED SUBSTANTIAL AMENDMENTS OF THE COMMUNITY DEVELOPMENT BLOCK GRANT FOR PROGRAM YEARS 2006 THROUGH 2009 PROVIDED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (11:08 AM)

Members of the Court heard from: Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 9.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 10. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON HEALTH AND HUMAN SERVICES RECOMMENDATION TO IMPLEMENT A PHARMACEUTICAL SAVINGS PROGRAM FOR COUNTY RESIDENTS. (11:16 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Ana Almaguel, Planner, TCHHS&VS; Ronnie Gjemre, Travis County Resident; Mary Etta Gerhardt, Assistant County Attorney; and Elizabeth Vela, Planner, TCHHS&VS.

Discussion only. No formal action taken.

Item 10 to be reposted on November 3, 2009.

PLANNING AND BUDGET DEPT. ITEMS

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:45 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A GRANT CONTRACT WITH THE STATE OF TEXAS DIVISION OF EMERGENCY MANAGEMENT FOR 2009 SUB-RECIPIENT AGREEMENT UNDER THE HOMELAND SECURITY GRANT PROGRAM TO ENHANCE STAR FLIGHT'S CAPABILITIES AND SERVICES. (11:32 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); and Willy Culberson, Director of Aviation Operations, STAR Flight.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 12.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REIMBURSEMENT RESOLUTION TO PURCHASE COUNTY VEHICLES AND HEAVY EQUIPMENT TO BE REIMBURSED BY FISCAL YEAR 2010 CERTIFICATES OF OBLIGATION. (11:35 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO.

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

ADMINISTRATIVE OPERATIONS ITEMS

- 14. 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 \$819,076.31 FOR THE PERIOD OF OCTOBER 9 TO 15, 2009. (9:45 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (11:36 AM)

Members of the Court heard from: Todd Osburn, Compensation Manager, HRMD; and Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS).

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RETURN THE 1947 COMPOSITE PORTRAIT OF THE MEMBERS OF THE AUSTIN BAR ASSOCIATION TO THAT ORGANIZATION. (9:45 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 REGARDING APPLICATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS THROUGH THE TEXAS STATE COMPTROLLER’S STATE ENERGY CONSERVATION OFFICE - COMPETITIVE GRANT TO USE FOR THE INSTALLATION OF DISTRIBUTABLE RENEWABLE ENERGY POWER GENERATION FACILITIES AT TRAVIS COUNTY OWNED FACILITIES LOCATED AT THE EXPOSITION CENTER. (11:42 AM) (1:45 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Diana Ramirez, Budget Analyst, PBO; Tenley Aldredge, Assistant County Attorney; Rick Avery, Project Manager, Facilities Management; and Kimberly Walton, Grant Manager, Travis County Auditor’s Office.

Item 17 was revisited at 1:45 PM.

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ISSUE A PRESS RELEASE ANNOUNCING ACCEPTANCE OF AN AWARD OF THE AMERICAN RECOVERY AND REINVESTMENT ACT ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS - FORMULA GRANT (DE-EE0000895) IN THE AMOUNT OF \$2,207,900 FOR ENERGY EFFICIENCY IMPROVEMENTS TO THE EXECUTIVE OFFICE BUILDING HVAC SYSTEM. (9:45 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.

PURCHASING OFFICE ITEMS

- 19. ACCEPT ONE OPEX MODEL 51 RAPID EXTRACTION MACHINE AS DONATION FROM STATE OF TEXAS. (9:45 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.

OTHER ITEMS

20. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:45 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE DISTRICT ATTORNEY'S FISCAL YEAR 2009 ASSET FORFEITURE REPORT AS REQUIRED BY CHAPTER 59.06 OF THE CODE OF CRIMINAL PROCEDURE. (9:45 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A CONTRACT RENEWAL WITH THE OFFICE OF THE ATTORNEY GENERAL AND THE TRAVIS COUNTY DOMESTIC RELATIONS OFFICE FOR CHILD SUPPORT COMMUNITY SUPERVISION SERVICES EFFECTIVE SEPTEMBER 1, 2009 THROUGH AUGUST 31, 2010 WITH THREE ONE-YEAR AUTOMATIC RENEWALS. (9:45 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER FOR APPOINTMENT OF ELECTION JUDGES FOR NOVEMBER 3, 2009 JOINT SPECIAL ELECTIONS. (9:45 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER APPOINTING THE PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE, MANAGER, ASSISTANT MANAGER AND TABULATION SUPERVISOR OF THE CENTRAL COUNTING STATION; THE PRESIDING JUDGES OF RECEIVING SUBSTATIONS; AND THE PRESIDING JUDGE, ALTERNATE PRESIDING JUDGE AND MEMBERS OF THE EARLY VOTING BALLOT BOARD FOR THE NOVEMBER 3, 2009 JOINT SPECIAL ELECTIONS. (9:45 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION REGARDING THE ISSUANCE OF THE RIVER VALLEY INDUSTRIAL DEVELOPMENT CORPORATION REVENUE BONDS (CROSS COUNTY WATER SUPPLY CORPORATION WATER TRANSMISSION PROJECT), SERIES 2009 IN AN AMOUNT NOT TO EXCEED \$40 MILLION DOLLARS. (COMMISSIONER DAVIS) (10:49 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Carol Polumbo, Managing Partner, McCall, Parkhurst & Horton, LLP; Bill Bunch, SOS; Patrick Reilly, President, Cross Country Water Supply Corporation (CCWSC).

Motion by Judge Biscoe to approve Item 25.

Clerk's Note: The Motion died for lack of a Second.

Discussion only. No formal action taken.

Clerk's Note: The County Judge noted that Item 25 will be brought back to the Court at the appropriate time.

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.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE OFFER TO SETTLE TRAVIS COUNTY'S WORKERS COMPENSATION LIEN ON THE CLAIMS OF ROBERT TURMAN; SUBROGATION. ¹ (1:46 PM) (2:26 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we agree to settle this matter for payment to Travis County of the sum of \$7,011.56; and that we execute an appropriate release, and authorize the County Judge to sign on behalf of the Court.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

27. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. UNKNOWN (SCOTT D. MARTIN RESALE DEED). ¹ (1:46 PM) (2:27 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.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we authorize the County Judge to sign on behalf of the Commissioners Court the prepared tax resale deed to Scott D. Martin, who has paid Travis County the sum of \$3,870.00 in cash.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

28. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CLAIMS BY ALICIA PEREZ. ¹ (1:46 PM) (2:27 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 28.

Item 28 to be reposted on November 3, 2009.

29. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CLAIM BY LINDA MOORE SMITH. ¹ (1:46 PM) (2:27 PM)

Clerk's Note: Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 29.

Item 29 to be reposted on November 3, 2009.

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL APPROXIMATELY 0.674 (ROUGHLY 2/3) OF AN ACRE OF LAND, CURRENTLY USED FOR DRIVEWAY ACCESS TO COUNTY-OWNED BALCONES CANYONLANDS PRESERVE PROPERTY OFF OF F.M. 2769 IN PRECINCT THREE. (COMMISSIONER HUBER) ^{1 AND 2} (1:46 PM) (2:28 PM)

Clerk’s Note: Judge Biscoe announced that Item 30 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 pay the owner of this property \$3,500.00.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: LAROSCHE SUBDIVISION (1 TOTAL LOT). (COMMISSIONER HUBER) (9:45 AM)

Clerk’s Note: Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- A2. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT TO CONDUCT JOINT ELECTIONS FOR NOVEMBER 3, 2009 ELECTIONS WITH LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT, THE CITY OF ROLLINGWOOD, THE VILLAGE OF THE HILLS AND TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11. (9:45 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.

- A3. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE OFFER TO SETTLE TRAVIS COUNTY'S WORKERS COMPENSATION LIEN ON THE CLAIMS OF GUILLERMO MARTINEZ; SUBROGATION. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (1:46 PM) (2:26 PM)

Clerk's Note: Judge Biscoe announced that Item A3 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 settle this matter for a total of \$22,446.86 to be paid to Travis County, and that we authorize the County Judge to sign the release of all claims and final settlement document.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- A4. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS080066DG, SURVEYING AND MAPPING, INC., FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES FOR THE GILLELAND CREEK OPEN SPACE 2005 BOND PROJECT, FOR SURVEY OF PARCEL NO. 2 AND PARCEL NO. 3. (9:17 AM)

Item A4 pulled from the Agenda.

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to adjourn the Voting Session. (2:28 PM)

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge