

MINUTES OF MEETING NOVEMBER 17, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 17th day of November 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 recessed the Voting Session at 12:21 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 2:11 PM and adjourned at 2:42 PM.

The Commissioners Court reconvened the Voting Session at 2:43 PM.

The Commissioners Court retired to Executive Session at 3:36 PM.

The Commissioners Court reconvened the Voting Session at 6:39 PM.

The Commissioners Court adjourned the Voting Session at 6:45 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE EIGHT FIVE-FOOT DRAINAGE EASEMENTS LOCATED ON LOTS 1 AND 2 WITHIN BLOCK 48 OF AUSTIN LAKE HILLS, SECTION ONE AND LOTS 3 AND 20 WITHIN BLOCK 48 OF AUSTIN LAKE HILLS, SECTION THREE SUBDIVISIONS. (COMMISSIONER HUBER) (ACTION ITEM #12) (9:13 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 12 for a summary of the action item.

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

2. 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 44 AND 45, BLOCK N OF APACHE SHORES, SECTION FIVE SUBDIVISION. (COMMISSIONER HUBER) (ACTION ITEM #13) (9:15 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 13 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 yes
 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, TNR.

Motion by Commissioner Huber **and seconded by** Commissioner Gómez 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 yes
 Precinct 4, Commissioner Margaret J. Gómez yes

CITIZENS COMMUNICATION

Members of the Court heard from: Cindy Purinton, Benefit Administrator, Human Resources Management Department (HRMD); Brian Hopkins, Austin Toros; Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Jimmy Castro, Travis County Resident; Paul Avina, Travis County Resident; Dan Mansour, Risk and Benefits Manager, HRMD; and Maurice Priest, Travis County Resident. (9:16 AM)

CONSENT ITEMS

Motion by Commissioner Gómez and seconded by Commissioner Huber to approve the following Consent Items: C1-C5 and Items 6, 7, 8, 9, 12, 13, 15, 16, 25, 26, and 27.

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF NOVEMBER 3, 2009.
C3. REAPPOINT REGGIE WILLIAMS AS FIRE COMMISSIONER TO THE BOARD OF EMERGENCY SERVICES DISTRICT NO. 4 EFFECTIVE IMMEDIATELY TO DECEMBER 31, 2011. (COMMISSIONER DAVIS)
C4. APPROVE SETTING A PUBLIC HEARING DATE ON DECEMBER 8, 2009 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: RESUBDIVISION OF LOT 1, BLOCK A, LAKEWIND ESTATES, SECTION 1 SUBDIVISION (1 TOTAL LOT). (COMMISSIONER HUBER)
C5. APPROVE SETTING A PUBLIC HEARING DATE ON DECEMBER 22, 2009 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 21 AND 22, BLOCK B, ANGEL BAY SUBDIVISION (1 TOTAL). (COMMISSIONER HUBER)

INTRODUCTIONS

- 3. INTRODUCTION OF BETH DEVERY, CHESTER BEAVER AND KAY BROCK TO COMMISSIONERS COURT BY THE COUNTY ATTORNEY'S OFFICE. (JUDGE BISCOE) (9:36 AM)

Members of the Court heard from: James W. Collins, Executive Assistant, Travis County Attorney's Office; and Kay Brock, Assistant County Attorney.

Discussion only. No formal action taken.

RESOLUTIONS AND PROCLAMATIONS

- 4. APPROVE RESOLUTION RECOGNIZING TERRY LOVE FOR HIS MANY YEARS OF SERVICE WITH TRAVIS COUNTY TRANSPORTATION AND NATURAL RESOURCES ROAD MAINTENANCE AND TO THE RESIDENTS OF TRAVIS COUNTY. (JUDGE BISCOE) (9:41 AM)

Members of the Court heard from: Don Ward, Director, Road Maintenance and Fleet Services, TNR; Joe Gieselman, Executive Manager, TNR; Terry Love, TNR; and Jimmy Castro, Travis County Resident.

Motion by Judge Biscoe **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	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

SPECIAL ITEMS

- 5. RECEIVE PRESENTATION FROM NELSON E. LINDER, PRESIDENT OF THE AUSTIN CHAPTER OF THE NAACP, REGARDING RESPONSE BY DISTRICT ATTORNEY AND TRAVIS COUNTY TO THE USE OF DEADLY FORCE BY AREA LAW ENFORCEMENT OFFICERS. (JUDGE BISCOE) (9:50 AM)

Members of the Court heard from: Nelson Linder, President, Austin Area, National Association for the Advancement of Colored People (NAACP); Ronnie Gjemre, Travis County Resident; and Maurice Priest, Travis County Resident.

Discussion only. No formal action taken.

ADMINISTRATIVE OPERATIONS ITEMS

6. 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 \$567,206.00 FOR THE PERIOD OF OCTOBER 30 TO NOVEMBER 5, 2009. (9:35 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 ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:35 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.

JUSTICE AND PUBLIC SAFETY ITEMS

8. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT BETWEEN CITY OF MANOR AND TRAVIS COUNTY FOR MANOR EMS POST LOCATION TO PROVIDE BETTER PLACEMENT OF AMBULANCE. (9:35 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.

PURCHASING OFFICE ITEMS

9. APPROVE CONTRACT AWARD FOR JANITORIAL SERVICES, TRANSPORTATION AND NATURAL RESOURCES SATELLITES, IFB NO. B100027-LD, TO THE LOW BIDDER, INTERNATIONAL BUSINESS SERVICES. (9:35 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 MODIFICATION NO. 3 TO CONTRACT NO. PS070371JW, ESPEY CONSULTANTS, INC., CONSULTING SERVICES FOR HAMILTON CREEK AND POOL CLEANUP. (9:13 AM)

Item 10 postponed until November 24, 2009.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING CHANGES TO THE TRAVIS COUNTY CODE: (9:13 AM)
 - A. ORDER TO REPLACE CHAPTER 32, TRAVIS COUNTY PURCHASING AND PROCEDURES MANUAL; AND
 - B. ORDER TO AMEND SECTION 4.6.1 OF CHAPTER 33, FIXED ASSET PROCEDURE MANUAL.

Items 11.A&B postponed until November 24, 2009.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE EIGHT FIVE-FOOT DRAINAGE EASEMENTS LOCATED ON LOTS 1 AND 2 WITHIN BLOCK 48 OF AUSTIN LAKE HILLS, SECTION ONE AND LOTS 3 AND 20 WITHIN BLOCK 48 OF AUSTIN LAKE HILLS, SECTION THREE SUBDIVISIONS. (COMMISSIONER HUBER) (9:35 AM)

Clerk's Note: Item 12 is the action item for the public hearing on Agenda Item 1.

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 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 44 AND 45, BLOCK N OF APACHE SHORES, SECTION FIVE SUBDIVISION. (COMMISSIONER HUBER) (9:35 AM)

Clerk's Note: Item 13 is the action item for the public hearing on Agenda Item 2.

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 A NEW PROGRAM: TRAVIS COUNTY WHEELS, ACCEPT DONATION OF ITEMS FOR THE PROGRAM AND ADD THE BIKES TO THE ASSET INVENTORY. (COMMISSIONER ECKHARDT) (10:10 AM) (3:36 PM) (6:40 PM)

Clerk's Note: Judge Biscoe announced that Item 14 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Adele Noel, Air Quality Project Manager, TNR; Christopher Gilmore, Assistant County Attorney; Julie Joe, Assistant County Attorney; Joe Gieselman, Executive Manager, TNR; Ronnie Gjemre, Travis County Resident; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Item 14 to be reposted on November 24, 2009.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING IN PRECINCT THREE: STONERIDGE ESTATES SUBDIVISION (5 TOTAL LOTS). (COMMISSIONER HUBER) (9:35 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN AMENDED CONSERVATION EASEMENT AGREEMENT WITH THE CHAUTAUQUA FOUNDATION, INC. TRANSFERRING DEVELOPMENT RIGHTS ON THREE LOTS IN THE FLOODPLAIN. (COMMISSIONER DAVIS) (9:35 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 THE FOLLOWING REQUESTS REGARDING TITLE 30, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR THE EXTRATERRITORIAL JURISDICTION: (3:13 PM)
 - A. DISCUSS DETENTION BASIN AND WATER QUALITY CONTROL INSPECTION AND MAINTENANCE AMENDMENTS; AND
 - B. SET A PUBLIC HEARING ON DECEMBER 15, 2009 TO RECEIVE COMMENTS REGARDING AMENDMENTS TO THE CODE.

Clerk's Note: Items 17.A&B are associated with one another and were called for concurrent discussion.

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

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

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 17.A discussion only. No formal action taken.

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(3:18 PM)
 - A. CHARTER FOR COURT'S SUBCOMMITTEE ON THE COUNTY COMPREHENSIVE PLAN;
 - B. APPOINT TWO MEMBERS OF THE COMMISSIONERS COURT TO SERVE AS COMPREHENSIVE PLAN SUBCOMMITTEE; AND
 - C. RECLASSIFICATION OF TRANSPORTATION AND NATURAL RESOURCES SLOT NO. 327 TO COMPREHENSIVE PLANNING MANAGER, AND SLOT NO. 456 TO SENIOR PLANNER.

Clerk's Note: Items 18.A-C are associated with one another and were called for concurrent discussion.

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

Clerk's Note: The Court discussed a charge for the subcommittee.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the recommended charge.

Motion carried:

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

Clerk's Note: The Court discussed appointing two Commissioners Court members to serve as the Comprehensive Plan Subcommittee.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to appoint Commissioner Eckhardt and Commissioner Huber to the subcommittee.

Withdrawal of the Previous Motion and second was made by Judge Biscoe **and** Commissioner Gómez.

ITEM 18 CONTINUED

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

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 18.B discussion only. No formal action taken.

Item 18.B to be reposted November 24, 2009.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON A CASH SECURITY AGREEMENT WITH STREETMAN HOMES FOR SIDEWALK FISCAL FOR WEST CYPRESS HILLS SECTION 2, LOT 12, BLOCK 7 SUBDIVISION. (COMMISSIONER HUBER) (3:35 PM)

Motion by Judge Biscoe **and seconded by** Commissioner Huber to approve Item 19.

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

- 20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING WHISPER VALLEY VARIANCE REQUESTS. (COMMISSIONER DAVIS) (11:39 AM)

Members of the Court heard from: Anna Bowlin, Division Director, Engineering Services, TNR; Joe Gieselman, Executive Manager, TNR; Germaine Swenson, Vice-President, Park Springs Neighborhood Association; and Steven Metcalfe, Partner, Drenner & Golden Stuart Wolff representing Taurus of Texas, LLC.

Discussion only. No formal action taken.

Item 20 to be reposted December 15, 2009.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 21. RECEIVE BRIEFING FROM HEALTH AND HUMAN SERVICES ON THE AMERICAN REINVESTMENT AND RECOVERY ACT WEATHERIZATION ASSISTANCE PROGRAM, AND TAKE APPROPRIATE ACTION. (2:43 PM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Deborah E. Britton, Director, Community Services Division, TCHHS&VS; and Andrea Colunga Bussey, Division Director, Family Support Services, TCHHS&VS.

Discussion only. No formal action taken.

PLANNING AND BUDGET DEPT. ITEMS

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (3:33 PM)

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

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

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

23. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:49 AM)
- A. GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE FOR THE SHERIFF'S OFFICE TO PROVIDE A NEW TURNING TARGET SYSTEM FOR THE FIRING RANGE, MOBILE COMMAND AND CRIME SCENE SHELTERS;
 - B. GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE - BUREAU OF JUSTICE ASSISTANCE FOR THE SHERIFF'S OFFICE TO CONTINUE AND COMPLETE TECHNOLOGY ENHANCEMENTS AND PERSONAL SAFETY RELATED DEVICES;
 - C. GRANT CONTRACT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR THE DISTRICT ATTORNEY'S OFFICE TO FUND NEW PERSONNEL TO WORK SOLELY ON THE PROSECUTION OF ENVIRONMENTAL CRIMES;
 - D. GRANT CONTRACT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO ACQUIRE AND DEVELOP THE FIRST PHASE OF THE ONION CREEK GREENWAY IN PRECINCT FOUR;
 - E. GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR HEALTH AND HUMAN SERVICES TO CONTINUE TO RECEIVE FUNDS TO SUPPORT THE RETIRED AND SENIORS VOLUNTEER PROGRAM; AND
 - F. GRANT CONTRACT WITH THE DEPARTMENT OF LABOR FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO RECEIVE GRANT RESOURCES FOR A RECENTLY HOSTED STAND DOWN EVENT FOR HOMELESS VETERANS THAT OFFERED A VARIETY OF SERVICES AND REFERRALS TO ENHANCE EMPLOYMENT AND TRAINING OPPORTUNITIES AND PROMOTE SELF-SUSTAINMENT.

Clerk's Note: Items 23.A-F are associated with one another and were called for concurrent discussion.

ITEM 23 CONTINUED

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Items 23.A-F.

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

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON DOWNTOWN MASTER PLAN NEEDS ANALYSIS, STAFFING PROJECTIONS AND ADJACENCY REQUIREMENTS FOR COUNTY OFFICES AND DEPARTMENTS. (10:35 AM)

Members of the Court heard from: Christian Smith, Special Assistant to the Commissioners Court; Steven Coulston, Vice President, Planning, Broaddus and Associates; and Belinda Powell, Capital Planning Coordinator, PBO.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber to approve Item 24.

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

Clerk’s Note: By passing the Motion for Item 24 the Commissioners Court approved the staffing projections and approve the adjacency matrix.

OTHER ITEMS

- 25. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:35 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE EQUITABLE SHARING AGREEMENT AND CERTIFICATION FOR FEDERAL FORFEITURE PROCEEDS AND THE CHAPTER 59.06 CODE OF CRIMINAL PROCEDURE ASSET FORFEITURE REPORT AND CERTIFICATION. (9:35 AM)

Clerk's Note: Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPOINTMENT OF STEVE SCHEFFE TO THE BOARD OF THE EMERGENCY SERVICES DISTRICT NO. 9, TERM EFFECTIVE IMMEDIATELY TO DECEMBER 31, 2010. (COMMISSIONER HUBER) (9:35 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. DISCUSS AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING COUNTY ORGANIZATIONAL DESIGN AND HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD), INCLUDING: (11:15 AM)
 - A. DUTIES AND JOB DESCRIPTION OF INTERIM DIRECTOR OF HRMD;
 - B. REPORTING ASSIGNMENT FOR INTERIM DIRECTOR OF HRMD;
 - C. RECOMMENDATION FROM THE ORGANIZATIONAL PLANNING TEAM OF JOB DUTIES AND A JOB DESCRIPTION FOR THE PERMANENT DIRECTOR OF HRMD AND TIMETABLE FOR SUCH WORK; AND
 - D. MEMBERSHIP OF THE ORGANIZATIONAL PLANNING TEAM.

Clerk’s Note: Items 28.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Rodney Rhoades, Executive Manager, PBO; Danny Hobby, Executive Manager, Travis County Emergency Services; and Susan Spataro, Travis County Auditor.

Clerk’s Note: The Court discussed job duties and job description for the Interim Director of HRMD.

Motion by Judge Biscoe and seconded by Commissioner Huber to approve the job duties and the preferred qualifications; and request the team to work with HRMD and outside consultants who are available between now and next Tuesday, November 24, 2009 so that the Court can respond to a recommended job description and posting language Tuesday, November 24, 2009; and any other actions consistent with the spirit of this Motion.

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

ITEM 28 CONTINUED

Clerk's Note: The Court discussed the reporting assignment for the Interim Director of HRMD.

Motion by Judge Biscoe and seconded by Commissioner Gómez that the Interim Director report to the HRMD subcommittee, which is Commissioner Gomez and the County Judge; and that we approve the communicational flow chart provided by the team as part of our backup today.

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

Clerk's Note: The Court discussed membership of the Organizational Planning Team.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we leave the composition of the Organizational Team as it is; that we appoint our County Auditor to serve as a liaison between the team and Roger El Khoury, Director, Facilities Management, Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems, and Steven Broberg, Director, Records Management and Communication Resources (RMCR), with the intention to provide maximum opportunity to the team's work; and that if it looks like this is not working as we planned for it to, then the matter be brought back to the Court for further action.

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

Item 28.C was discussion only, no formal action taken.

Item 28.C to be reposted on December 15, 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.

- 29. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. R.E. RAWLS LUMBER CO. INC. (ROBERT M. ADAMS RESALE DEED). ¹ (3:36 PM) (6:40 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.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we authorize the County Judge to execute the prepared tax resale deed in which this land is deeded to Robert M. Adams, who has paid Travis County the sum of \$3,490.00 in cash.

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	absent

30. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. ARTHUR AND MAGGIE BYNUM (KRISTINE SUZANNE SHAW RESALE DEED). ¹ (3:36 PM) (6:41 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.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we authorize the County Judge to sign the proposed tax resale deed to Kristine Suzanne Shaw, who has paid Travis County the sum of \$44,915.00 in cash.

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	absent

31. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO KIMBERLY CLIFFORD. ¹ (9:13 AM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 31 postponed until November 24, 2009.

32. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AMENDMENTS TO SUBLEASE AGREEMENT AND CONCESSIONS CONTRACT BETWEEN TRAVIS COUNTY AND THE STAR OF TEXAS FAIR & RODEO. (COMMISSIONER HUBER) ^{1 AND 2} (3:36 PM) (6:41 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Huber **and seconded by** Commissioner that the Court authorize Legal to submit the proposed amendments to the sublease agreement and the concessions contract between Travis County and the Star of Texas Fair and Rodeo to the Star of Texas Fair and Rodeo.

A Friendly Amendment to the previous Motion was offered by Commissioner Davis that one of the Star of Texas Rodeo representatives calls my office for further discussion.

Acceptance of the Friendly Amendment was made by Commissioner Huber.

Motion carried:

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSAL FROM THE HOUSING AUTHORITY OF TRAVIS COUNTY TO PROVIDE LEASE SPACE TO TRAVIS COUNTY AT A NORTH AUSTIN LOCATION. ^{1 AND 2}
 (3:36 PM) (6:44 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Davis that we direct Staff to proceed with putting together an appropriate agreement, plus give additional thought to how the County would use this space; and we will have it back on the Court's agenda in three weeks, December 8, 2009, unless it is ready before that date.

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	absent

Item 33 to be reposted December 8, 2009.

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2}
 (3:36 PM) (6:42 PM)

Clerk's Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Davis that we reject the counteroffer from the owner of property, and that we submit another counter from Travis County, in which we state the \$750,000.00, with a lease back for 24 months at \$500.00 per month.

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	absent

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN AREA. ¹
^{AND 2} (3:36 PM) (6:43 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 and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 35 to be reposted on November 24, 2009.

36. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND GIVE DIRECTION REGARDING APPLICATION OF TXI FOR A DEVELOPMENT PERMIT. ¹
(3:36 PM) (6:43 PM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 36.

Item 36 to be reposted November 24, 2009.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Huber to adjourn the Voting Session. (6:45 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge