

## **MINUTES OF MEETING DECEMBER 1, 2009**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 1<sup>st</sup> day of December 2009, the Commissioners' Court convened the Voting Session at 9:13 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:08 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation, convened at 1:40 PM and adjourned at 1:41 PM.

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

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 1:46 PM.

The Commissioners Court reconvened the Voting Session at 5:15 PM.

The Commissioners Court adjourned the Voting Session at 5:25 PM.

### **CITIZENS COMMUNICATION**

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

## CONSENT ITEMS

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C2 and Items 3, 4, 5, 6.A&B, 7, 10, 12, 13, 14, 18, 20, 24, and 26. (9:25 AM)

<b>Motion carried:</b> 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 17, 2009.

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

1. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE PROGRAM YEAR 2009 GRANT AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS PROVIDED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:28 AM)
  - A. REQUEST TO EXECUTE THE PROGRAM YEAR 2009 GRANT AGREEMENT; AND
  - B. REQUEST TO AUTHORIZE THE COUNTY JUDGE TO SIGN THE AGREEMENT AS THE CERTIFIED OFFICIAL.

**Clerk's Note:** Items 1.A&B are associated with one another and were called for concurrent discussion.

**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 Items 1.A&B.

<b>Motion carried:</b> 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 County Judge noted that by approving the above Motion the Court authorizes the County Judge to sign the Program Year 2009 Grant Agreement.

2. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED THE PROGRAM YEAR 2008 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROVIDED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:29 AM)

- A. RECEIVE A SUMMARY OF THE ANNUAL PERFORMANCE REPORT; AND
- B. APPROVE THE DRAFT OF THE PROGRAM YEAR 2008 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR PUBLIC COMMENT.

**Clerk's Note:** Items 2.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve the draft.

**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 2.A discussion only. No formal action taken.

## PLANNING AND BUDGET DEPT. ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:25 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A GRANT CONTRACT WITH THE TEXAS WATER DEVELOPMENT BOARD FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO UPDATE TRAVIS COUNTY'S HAZARD MITIGATION PLAN TO REDUCE LOSS OF LIFE AND PROPERTY DUE TO FLOOD EVENTS. (9:25 AM)

**Clerk's Note:** Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### ADMINISTRATIVE OPERATIONS ITEMS

5. 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 \$857,273.45 FOR THE PERIOD OF NOVEMBER 13 TO 19, 2009. (9:25 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 ON THE FOLLOWING:  
(9:25 AM)
  - A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
  - B. NON-ROUTINE REQUEST FROM THE JUVENILE PROBATION DEPARTMENT FOR A VARIANCE TO TRAVIS COUNTY CODE SECTION 10.03010, DEMOTION POLICY.

**Clerk's Note:** Items 6.A&B 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 REQUEST FROM LAKE HILLS CHURCH TO USE TRAVIS COUNTY GRANGER PARKING GARAGE AT 12<sup>TH</sup> AND GUADALUPE ON SUNDAY EVENINGS STARTING DECEMBER 6, 2009. (JUDGE BISCOE) (9:25 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 REGARDING THE IMPLEMENTATION OF THE HEALTHY WORKPLACE PROGRAM THROUGH FARMHOUSE DELIVERY. (9:40 AM)

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Elizabeth Winslow, Farmhouse Delivery; Tenley Aldredge, Assistant County Attorney; Zetta Garnett, Benefits Assistant, HRMD; and Ronnie Gjemre, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt that we support the program.

**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 8 to be reposted December 8, 2009.

## JUSTICE AND PUBLIC SAFETY ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE LETTER OF AGREEMENT WITH THE CAPITAL AREA COUNCIL OF GOVERNMENTS FOR PARTICIPATION IN THE REGIONAL EMERGENCY NOTIFICATION SYSTEM. (9:14 AM)

Item 9 pulled from the Agenda.

## PURCHASING OFFICE ITEMS

10. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 09K00209LP, WHEELER COATINGS ASPHALT, L.P., FOR FY 2009 HMAC OVERLAY PROJECT. (9:25 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. APPROVE CONTRACT NO. PS090339VR, KERRY TATE, COMMUNICATIONS, INC., D/B/A TATEAUSTINHAHN, FOR CONSULTING AND MARKETING DEVELOPMENT SERVICES. (9:14 AM)

Item 11 postponed until December 8, 2009.

12. APPROVE MODIFICATION NO. 7 TO INTERLOCAL NO. IL030285LC, CITY OF AUSTIN, FOR THE OPERATION AND MAINTENANCE OF THE COMBINED TRANSPORTATION, EMERGENCY & COMMUNICATIONS CENTER. (9:25 AM)

**Clerk's Note:** Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. APPROVE MODIFICATION NO. 6 TO INTERLOCAL NO. IL040167LC, CITY OF AUSTIN, FOR THE OPERATION AND MAINTENANCE OF THE REGIONAL RADIO SYSTEM. (9:25 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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 09T00040OJ, HERBERT L. JAMISON & COMPANY, LLC FOR BLANKET JUDGES PROFESSIONAL LIABILITY INSURANCE. (9:25 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.

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

15. CONSIDER AND TAKE APPROPRIATE ACTION ON A NEW PROGRAM: TRAVIS COUNTY WHEELS, ACCEPT DONATION OF ITEMS FOR THE PROGRAM AND ADD BIKES TO THE ASSET INVENTORY. (COMMISSIONER ECKHARDT) (10:01 AM) (1:46 PM) (5:15 PM)

**Clerk's Note:** Judge Biscoe announced that Item 15 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, Transportation and Natural Resources (TNR); Julie Joe, Assistant County Attorney; and John Hille, Assistant County Attorney.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Davis to approve the program, along with the Resolution establishing the public purpose, and the waiver as amended based on our conversation today, Tuesday, December 1, 2009.

<b>Motion carried:</b> 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 County Judge noted that the program will run for a trial period of one year followed by a review of the impact.



16. CONSIDER AND TAKE APPROPRIATE ACTION ON THE TRANSPORTATION AND NATURAL RESOURCES ROAD AND BRIDGE FISCAL YEAR 2009-2010 WORKPLAN, INCLUDING ROAD MAINTENANCE, PARKS AND FACILITIES PROJECTS. (10:55 AM)

**Members of the Court heard from:** Don Ward, Director, Road Maintenance and Fleet Services, TNR.

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

<b>Motion carried:</b> 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

17. CONSIDER AND TAKE APPROPRIATE ACTION ON REVISIONS TO FEES BY THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT, TO BE EFFECTIVE JANUARY 1, 2010, INCLUDING: (12:00 PM) (1:50 PM)
- A. ASSESSMENT OF INCREASED FEES FOR RECOVERY OF TRAVIS COUNTY STORM WATER MANAGEMENT PROGRAM AND DEVELOPMENT REVIEW COSTS; AND
- B. INCREASES IN ON-SITE WASTEWATER FEES.

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

**Members of the Court heard from:** Tom Weber, Environmental Quality Program Manager, TNR; Anna Bowlin, Division Director, Engineering Services, TNR; and Christopher Gilmore, Assistant County Attorney.

Discussion only. No formal action taken.

Items 17.A&B were revisited at 1:50 PM.

**Members of the Court heard from:** John Hille, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve what is posted, to be effective January 1, 2010.

<b>Motion carried:</b> 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

**Clerk's Note:** The Court noted that the remaining proposed fee increases set for June 1, 2010 will be brought back to Commissioners Court December 8, 2009 for approval.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A CASH SECURITY AGREEMENT WITH STREETMAN HOMES FOR SIDEWALK FISCAL FOR WEST CYPRESS HILLS SECTION 2, LOT 22, BLOCK 9 SUBDIVISION. (COMMISSIONER HUBER) (9:25 AM)

**Clerk's Note:** Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR STATEMENT OF TRAVIS COUNTY POSITION ON TEXAS DEPARTMENT OF TRANSPORTATION PLANS REGARDING PROPOSED IMPROVEMENTS TO FM 1626 FROM FM 967 IN HAYS COUNTY TO BRODIE LANE IN TRAVIS COUNTY. (10:03 AM) (5:23 PM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Bill Bunch, Save Our Springs Alliance (SOS); and Christopher Gilmore, Assistant County Attorney.

**Clerk's Note:** The Court discussed sending a letter to Hays County Commissioners Court, the Texas Department of Transportation (TxDOT), and neighborhood residents saying that the Travis County Commissioners Court opposes the improvements to FM 1626 for a number of reasons, not least is the effect it will have on Brodie Lane; that the Court needs additional time to collect more information including suggestions for traffic issues in the area. The Court will then have more time to work on the Resolution.

**Motion by** Commissioner Huber **and seconded by** Commissioner Gómez that we do that and communicate that to Hays County Commissioners Court, TxDOT, and neighborhood residents, and that we will follow up with a Resolution.

**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 19 was revisited at 5:23 PM.

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Huber that we

- Approve this letter
- Authorize the County Judge to attach a very short note to the Hays County Commissioners Court indicating what action was taken today, sending a copy of this letter to inform them of action taken, and share it with the neighborhood residents.

**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**

20. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:25 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. RECEIVE PRESENTATION FROM ENVISION CENTRAL TEXAS REGARDING THE CENTRAL TEXAS GREENPRINT FOR GROWTH. (JUDGE BISCOE)  
(11:01 AM)

**Members of the Court heard from:** Sally Campbell, Executive Director, Envision Central Texas.

Discussion only. No formal action taken.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD) AND COUNTY ORGANIZATIONAL DESIGN INCLUDING: (10:32 AM)

A. JOB DESCRIPTION AND POSTING FOR INTERIM DIRECTOR OF HRMD;  
AND

B. AUTHORIZATION FOR ORGANIZATIONAL PLANNING TEAM TO COMPLETE SELECTION PROCESS AND RECOMMEND INTERIM DIRECTOR OF HRMD TO COMMISSIONERS COURT.

**Clerk's Note:** Items 22.A&B are associated with one another and were called for concurrent discussion.

**Clerk's Note:** The Court discussed the Organizational Planning Team's request to be authorized to seek the services of a temporary personnel firm specializing in placement of executive personnel to identify an appropriate Interim HRMD Director

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; and Susan Spataro, Travis County Auditor.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve the request.

<b>Motion carried:</b> 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 directed Purchasing to negotiate with a selected firm and that Purchasing and Legal prepare an appropriate Exemption Order for Court approval on December 8, 2009.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING THE ADMINISTRATIVE OPERATIONS FUNCTIONAL AREAS: (10:39 AM)

- A. TRANSFER OF EMPLOYEE SLOT NO. 74 TO THE FACILITIES MANAGEMENT DEPARTMENT;
- B. TRANSFER OF EMPLOYEE SLOT NO. 75 TO THE INFORMATION AND TELECOMMUNICATIONS SYSTEMS DEPARTMENT (ITS); AND
- C. APPOINT JOE HARLOW, ITS, AS A NON-VOTING MEMBER OF THE COMPENSATION COMMITTEE.

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

**Members of the Court heard from:** Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems (ITS); and Roger El Khoury, Director, Facilities Management.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve Items 23.A-C.

<b>Motion carried:</b> 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

24. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF OCTOBER 2009. (9:25 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 TRAVIS COUNTY ACTIVITIES SURROUNDING THE 2010 CENSUS, INCLUDING: (10:42 AM)
- A. UPDATE ON ACTIVITIES OF THE AUSTIN-TRAVIS COUNTY COMPLETE COUNT COMMITTEE;
  - B. TRAVIS COUNTY 2010 CENSUS PARTNERSHIP AGREEMENT FORM; AND
  - C. REQUEST TO FILE PARTNERSHIP SUPPORT PROGRAM PROPOSAL WITH THE U.S. CENSUS BUREAU.

**Clerk's Note:** Items 25.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; and Ronnie Gjemre, Travis County Resident.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Items 25.B&C.

<b>Motion carried:</b> 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 25.A discussion only. No formal action taken.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRAVIS COUNTY SHERIFF'S OFFICE TO INCREASE THE AUTO THEFT UNIT PETTY CASH FOR CONFIDENTIAL FUNDS FROM \$700 TO \$1,500. (9:25 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. RECEIVE BRIEFING ON CITY OF AUSTIN'S WALLER CREEK MASTER PLAN AND TAKE APPROPRIATE ACTION. (11:13 AM)

**Members of the Court heard from:** Jim Robertson, Director, Urban Design and Project Manager, Waller Creek District Master Plan, City of Austin; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

28. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LICENSE AGREEMENT WITH THE QUARTER HORSE ASSOCIATION FOR USE OF THE TRAVIS COUNTY EXPOSITION CENTER. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:14 AM)

Item 28 postponed until December 8, 2009, if needed.

## 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 COUNTY ATTORNEY AND TRANSPORTATION AND NATURAL RESOURCES ON STATUS OF ACQUISITION OF OPEN SPACE LAND ON THE RISON TRACTS. <sup>1 AND 2</sup> (1:46 PM) (5:16 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 and Gov't. Code Ann. 551.072, Real Property.

No action required on Item 29.

Item 29 to be reposted on December 8, 2009.



30. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN AREA. <sup>1</sup> AND <sup>2</sup> (1:46 PM) (5:17 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.

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

No action required on Item 30.

Item 30 to be reposted on December 8, 2009.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POSSIBLE DISPOSITION OF 0.733 ACRES OF UNUSED, EXCESS RIGHT OF WAY ADJACENT TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4 FIRE STATION ON HUNTERS BEND ROAD, AS REQUESTED BY TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4. (COMMISSIONER DAVIS) <sup>1</sup> AND <sup>2</sup> (1:43 PM) (1:46 PM) (5:22 PM)

**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 and Gov't. Code Ann. 551.072, Real Property.

**Members of the Court heard from:** Florenzio Solis, Assistant Chief, Emergency Services District #4 (ESD #4); and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

**Clerk's Note:** The County Judge noted that law has specific requirements about how the County can transfer surplus property and gifts are excluded. The Court directed Staff to forward a copy of this information to ESD #4.

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL SALE OF COUNTY OWNED REAL ESTATE IN CENTRAL AUSTIN. <sup>1 AND 2</sup> (1:46 PM) (5:18 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.

Discussion only. No formal action taken.

Item 32 to be reposted on December 22, 2009.

**Clerk's Note:** The County Judge indicated that the Court are planning to adopt a comprehensive approach to the sale of County owned property so that County Staff can inform inquiring parties of the Court's position rather than needing to come to Court each time.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED ACQUISITION OF APPROXIMATELY NINE ACRES OF LAND NEAR LIME CREEK ROAD IN NORTHWESTERN TRAVIS COUNTY FOR INCLUSION IN THE BALCONES CANYONLANDS CONSERVATION PRESERVE. (COMMISSIONER HUBER) <sup>1 AND 2</sup> (1:46 PM) (5:19 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** Commissioner Huber **and seconded by** Commissioner Gómez that we make an offer for \$240,000.00 for the 9.3 acres in the Bender property in relationship with the Balcones Canyonlands Conservation Preserve.

<b>Motion carried:</b> 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

34. 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) <sup>1 AND 2</sup> (1:46 PM) (5:20 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 Huber that we authorize a counter by Travis County with the specific changes that we recommended.

**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

35. CONSIDER AND TAKE APPROPRIATE ACTION ON ACQUISITION OF APPROXIMATELY 17.374 ACRES OF LAND OWNED BY JAMES WILLIAM AND NANCY RICHARDS IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER HUBER) <sup>1 AND 2</sup> (1:46 PM) (5:20 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.

**Motion by** Commissioner Huber **and seconded by** Commissioner Gómez that we offer \$677,600.00, and also offer Joe Gieselman, Executive Manager, TNR to sign the related documents.

**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

36. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH JACK BOW FOR THE ACQUISITION OF PROPERTY ON HEDGEROW PLACE. (COMMISSIONER GÓMEZ) <sup>2</sup> (1:46 PM) (5:21 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 and Gov't. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber that we accept the counter of \$21,500.00.

**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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

37. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON MODIFICATION NO. 3 TO CONTRACT NO. PS070371JW, ESPEY CONSULTANTS, INC., CONSULTING SERVICES FOR HAMILTON CREEK AND POOL CLEANUP. <sup>1</sup> (1:46 PM) (5:21 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.

**Members of the Court heard from:** John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Item 37 to be reposted on December 15, 2009.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to adjourn the Voting Session. (5:25 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	yes

## MINUTES APPROVED BY THE COMMISSIONERS' COURT

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**