

MINUTES OF MEETING DECEMBER 22, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 22nd day of December 2009, the Commissioners' Court convened the Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 11:30 AM.

The Commissioners Court reconvened the Voting Session at 12:52 PM.

The Commissioners Court recessed the Voting Session at 12:57 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 2:10 PM and adjourned at 2:11 PM.

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

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 2:12 PM and adjourned at 2:12 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 2:12 PM and adjourned at 2:12 PM.

The Commissioners Court reconvened the Voting Session at 2:12 PM.

The Commissioners Court retired to Executive Session at 2:26 PM.

The Commissioners Court reconvened the Voting Session at 3:22 PM.

The Commissioners Court adjourned the Voting Session at 3:25 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 21 AND 22, BLOCK B, ANGEL BAY SUBDIVISION (1 TOTAL LOT). (COMMISSIONER HUBER) (ACTION ITEM #12) (9:15 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 Commissioner Huber **and seconded by** Commissioner Gómez to open the public hearing.

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

Members of the Court heard from: Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (TNR).

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

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

CITIZENS COMMUNICATION

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; and Adele Noel, Air Quality Project Manager, TNR. (9:16 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-C6 and Items 2, 3, 4, 5, 6, 7, 8, 9, 10.A&B, 12, 14.A&B, 17, 18, 21, 22, 23, 24, 25, 26, 27, A3, and A4. (9:21 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE MINUTES FOR VOTING SESSION OF DECEMBER 8, 2009.
- C3. REAPPOINT DR. CARLA EMERY-CULBERSON AS FIRE COMMISSIONER TO THE EMERGENCY SERVICES DISTRICT NO. 4 BOARD, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2011. (COMMISSIONER DAVIS)
- C4. REAPPOINT MAIZE HAMILTON TO SERVE AS COMMISSIONER TO THE EMERGENCY SERVICES DISTRICT NO. 2 BOARD, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2011. (COMMISSIONER ECKHARDT)
- C5. REAPPOINT MIKE HOWE TO SERVE AS COMMISSIONER TO THE EMERGENCY SERVICES DISTRICT NO. 2 BOARD, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2011. (COMMISSIONER ECKHARDT)
- C6. APPROVE SETTING A PUBLIC HEARING ON JANUARY 12, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE THE 10 FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG THE REAR LOT LINES OF LOTS 37, 38, 42, 52, 53, 55-65, 67, 68, 71, 73-77, 108, 121, 124 AND 125 OF CARDINAL HILLS, UNIT THREE SUBDIVISION. (COMMISSIONER HUBER)

PURCHASING OFFICE ITEMS

2. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. PS090135RE, CARITAS OF AUSTIN, FOR COMPREHENSIVE ENERGY ASSISTANCE PROGRAM. (9:21 AM)

Clerk's Note: Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

3. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS090071VR, YOUTH ADVOCATE PROGRAM, FOR MENTOR PROGRAM SERVICES. (9:21 AM)

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

4. APPROVE CONTRACT AWARD FOR RENTAL OF CARGO VANS, IFB NO. B100031-RG, TO THE SOLE BIDDER, ENTERPRISE RENT A CAR. (9:21 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.

5. APPROVE CONTRACT AWARD FOR JANITORIAL SERVICES, PRECINCT 4 OFFICE BUILDING, IFB NO. B100059-LD, TO THE LOWEST RESPONSIVE BIDDER, INTERNATIONAL BUILDING SERVICES. (9:21 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. APPROVE CONTRACT AWARD FOR PROFESSIONAL ENGINEERING SERVICES, DESIGN OF HOWARD LANE EXTENSION, PHASE II, RFQ NO. Q090251-JW, TO THE HIGHEST QUALIFIED RESPONDENT, JACOBS ENGINEERING GROUP, INC. (9:21 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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS020064JW, SOUTHWEST KEY PROGRAM, FOR FEE SCHEDULE ADJUSTMENT. (9:21 AM)

Clerk's Note: Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS070382VR, GEORGE MASON UNIVERSITY, FOR EVALUATION PROGRAM SERVICES. (9:21 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 INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH THE TRAVIS COUNTY HEALTHCARE DISTRICT. (9:21 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. CONSIDER AND TAKE APPROPRIATE ACTIONS RELATED TO PROPERTY AND BOILER/MACHINERY INSURANCE: (9:21 AM)

- A. APPROVE OR REJECT PURCHASE OF TERRORISM INSURANCE COVERAGE; AND

- B. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 8) TO CONTRACT NO. 07T00007OJ, KEY & PISKURAN INSURANCE, FOR THE PROPERTY AND BOILER/MACHINERY INSURANCE TRAVIS COUNTY.

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

Clerk's Note: The County Judge noted that by approving items 10.A&B the Court rejects the purchase of terrorism insurance and approves the twelve month extension of contract 07T00007OJ.

11. APPROVE CONTRACT NO. PS100076RE FOR EMPLOYMENT SERVICES OF AN INTERIM HUMAN RESOURCES DIRECTOR. (9:14 AM)

Item 11 postponed until December 29, 2009.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 21 AND 22, BLOCK B, ANGEL BAY SUBDIVISION (1 TOTAL LOT). (COMMISSIONER HUBER) (9:21 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 ON PROPOSED CORRECTIONS TO TRAVIS COUNTY CODE CHAPTER 64, TRAVIS COUNTY REGULATIONS FOR FLOODPLAIN MANAGEMENT AND GUIDELINES AND PROCEDURES FOR DEVELOPMENT PERMITS REGARDING LAND USE. (COMMISSIONER DAVIS) (9:26 AM) (11:30 AM) (12:52 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Stacey Scheffel, Flood Plain Manager, TNR; Diane Crumley-Dee, Travis County Resident; Susan Brown, Travis County Resident; Richard MacDonald, Travis County Resident; Maurice Priest, Travis County Resident; Judy Holden, Travis County Resident; and Ronnie Gjemre, Travis County Resident.

Clerk's Note: Judge Biscoe announced that Item 13 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 13 to be reposted January 5, 2010.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:21 AM)
- A. PROVIDER/FIRST RESPONDER AGREEMENT BETWEEN CITY OF AUSTIN THROUGH ITS AUSTIN/TRAVIS COUNTY EMS AND TRAVIS COUNTY FOR FIRST RESPONDERS IN COUNTY PARKS; AND
 - B. AUTHORIZE ADMINISTRATOR OF COUNTY FIRST RESPONDER PROGRAM TO SIGN APPLICATION TO RENEW FIRST RESPONDER ORGANIZATION REGISTRATION AT TEXAS DEPARTMENT OF STATE HEALTH SERVICES.

Clerk's Note: Items 14.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

THIS ITEM AT 10:00 A.M.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:06 AM) (11:30 AM) (12:53 PM) (2:13 PM)
- A. APPLICATIONS FOR SITE DEVELOPMENT PERMITS FOR TXI HORNSBY BEND EAST AND TXI HORNSBY BEND WEST MINING SITES (PERMIT APPLICATION NOS. 08-2430 AND 08-2431, RESPECTIVELY); AND
 - B. ROADWAY IMPROVEMENT AGREEMENT WITH TXI OPERATIONS, L.P. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY)

Clerk's Note: Items 15.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; Teresa Calkins, Engineer, TNR; Tom Weber, Environmental Quality Program Manager, TNR; Tony Alexander, Austin Colony Resident; Ryan Metz, Travis County Resident; Ralph Newman, Travis County Resident; Maurice Priest, Travis County Resident; Richard McDonald, Travis County Resident; Dr. Elizabeth Jones, Travis County Resident; Judy Holden, Travis County Resident; Kenneth Koym, Imperial Valley Homeowners Association; Ronnie Gjemre, Travis County Resident; Mr. Carpenter, Travis County Landowner; Melia O'Dell, President, Austin Colony Homeowners Association; and Dr. Don Holden, Travis County Resident.

Clerk's Note: Judge Biscoe announced that Items 15.A&B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

ITEM 15 CONTINUED

Motion by Commissioner Davis **and seconded by** Commissioner Huber that we deny the application permit for TXI – 08-2430, East, and also the adjoining permit application from TXI – 08-2431, West .

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

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that we direct Staff to pursue agreements with TXI; and any additional agreements that we may need with homeowners associations and neighbors to facilitate the establishing of baselines of water quality and availability, air quality and noise level; and to further acquire agreements to monitor all four of those on an ongoing basis throughout the mining, if the permit is approved.

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| Motion carried: | County Judge Samuel T. Biscoe | no |
| | 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 |

Items 15.A&B were revisited at 2:13 PM.

Members of the Court heard from: Julie Joe, Assistant County Attorney; Henry Gilmore, Partner, DuBois, Bryant, and Campbell, LLP, Representing TXI Operations, LP; David Perkins, Director, Communications and Government Affairs, TXI Operations, LP; Ronnie Gjemre, Travis County Resident; Maurice Priest, Travis County Resident; and James W. Collins, Executive Assistant, Travis County Attorney's Office.

Discussion only. No formal action taken.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO 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: (10:04 AM)
- A. RECEIVE NOTIFICATION THAT NO COMMENTS WERE RECEIVED DURING THE PUBLIC COMMENT PERIOD;
 - B. APPROVE THE FINAL DRAFT OF THE REPORT; AND
 - C. APPROVE SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAN ANTONIO FIELD OFFICE, REGION VI.

Clerk's Note: Items 16.A-C 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 Huber to receive the notification that no comments were received, and that we approve the final draft, and that we submit it to the U.S. Department of Housing and Urban Development, San Antonio Field Office.

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

PLANNING AND BUDGET DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:21 AM)

Clerk's Note: Item 17 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR PERMISSION TO CONTINUE THE CASEY FAMILY PROGRAMS COMMUNITY AND FAMILY REINTEGRATION PROJECT IN HEALTH AND HUMAN SERVICES UNTIL THE CONTRACT AGREEMENT IS FULLY EXECUTED. (9:21 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 BROKER/DEALER APPLICANTS FOR CONDUCTING INVESTMENT BUSINESS WITH TRAVIS COUNTY. (9:25 AM)

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

Motion carried:

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| 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 |

20. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY DEBT MODEL OBLIGATIONS, IMPACT ON DEBT CAPACITY AND FUTURE CASH-FLOW ASSUMPTIONS. (9:14 AM)

Item 20 postponed until January 12, 2010.

ADMINISTRATIVE OPERATIONS ITEMS

21. 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 \$897,384.47 FOR THE PERIOD OF DECEMBER 4 TO 10, 2009. (9:21 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:21 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 REGARDING THE PARKING LEASE BETWEEN TRAVIS COUNTY AND CENTRAL PARKING SYSTEM OF TEXAS, INC. FOR PARKING AT THE 812 SAN ANTONIO PARKING GARAGE. (9:21 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 REGARDING THE PARKING LEASE BETWEEN TRAVIS COUNTY AND CENTRAL PARKING SYSTEM OF TEXAS, INC. FOR PARKING AT 1250 GUADALUPE. (9:21 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 REGARDING THE PARKING LEASE BETWEEN TRAVIS COUNTY AND TEXAS OIL AND GAS ASSOCIATION FOR PARKING AT 1300 GUADALUPE. (9:21 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.

OTHER ITEMS

26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:21 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 REQUEST BY TRAVIS COUNTY SHERIFF'S OFFICE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE TRAVIS COUNTY SHERIFF'S OFFICE AND THE TEXAS ATTORNEY GENERAL'S OFFICE FOR PARTICIPATION IN THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE. (9:21 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY APPOINTMENT TO THE CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY BOARD OF DIRECTORS. (2:25 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt that we appoint Beverly Silas.

Motion carried:

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

29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY APPOINTMENT TO FILL A VACANCY ON THE BOARD OF DIRECTORS OF THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY. (2:22 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis that we nominate John Hernandez.

Clerk's Note: The Court did not take a vote on the Standing Motion and Second.

A Substitute Motion was made by Commissioner Eckhardt **and seconded by** Commissioner Huber to appoint Charles Heimsath to the Central Texas Regional Mobility Authority (CTRMA) Board.

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

Clerk's Note: The County Judge noted that the Court will extend the invitation to Charles Heimsath to join the CTRA Board of Directors.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENTS TO CONTINUE THE TRUANCY COURT PILOT PROJECT FOR FISCAL YEAR 2010: (2:21 PM)

- A. AMENDMENT NUMBER EIGHT WITH THE AUSTIN INDEPENDENT SCHOOL DISTRICT; AND
- B. AMENDMENT NUMBER NINE WITH THE CITY OF AUSTIN.

Clerk's Note: Items 30.A&B are associated with one another and were called for concurrent discussion.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 30.A&B.

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

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.

31. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE MCKINNEY FALLS PARKWAY ROAD IMPROVEMENT PROJECT AND THE CONDEMNATION CASE INVOLVING PARCELS NO. 6 AND NO. 6E OWNED BY RKS TEXAS INVESTMENTS, LP. ^{1 AND 2} (9:15 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 and Gov't. Code Ann. 551.072, Real Property.

Item 31 postponed until December 29, 2009.

32. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO LAURA SMITH. ¹ (2:26 PM) (3:22 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.

Discussion only. No formal action taken.

33. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. DAVID JOHNS, JR. (RHONI LAHN RESALE DEED). ¹ (2:26 PM) (3:23 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.

Clerk's Note: The Court discussed an offer from Rhoni Lahn of \$2,563.87, in exchange for the tax resale deed.

Motion by Judge Biscoe and seconded by Commissioner Huber that we approve the transaction.

Motion carried:

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

34. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON REVISION OF POLICY RELATED TO FAMILY AND MEDICAL LEAVE BASED ON FINAL REGULATION PROMULGATED BY DEPARTMENT OF LABOR AND RECENT REVISIONS TO LAW. ¹ (9:26 AM)

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.

Item 34 postponed until January 5, 2010.

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN AREA. ¹
^{AND 2} (2:26 PM) (3:23 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.

- A3. APPROVE THE SETTING OF A PUBLIC HEARING ON JANUARY 12, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE-FOOT WIDE PUBLIC UTILITY EASEMENTS ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 3 AND 4, BLOCK 3, AUSTIN LAKE ESTATES, SECTION ONE SUBDIVISION; AND A DRAINAGE EASEMENT OF UNDEFINED WIDTH, WHICH TRAVERSES LOTS 3 AND 4, BLOCK 3, AUSTIN LAKE ESTATES, SECTION ONE SUBDIVISION. (COMMISSIONER HUBER) (9:21 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.

- A4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RATIFY AN AMENDED GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, STOP VIOLENCE AGAINST WOMEN GRANT PROGRAM. (9:21 AM)

Clerk's Note: Item A4 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 Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:25 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge