

MINUTES OF MEETING DECEMBER 29, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29th 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 10:31 AM.

The Commissioners Court reconvened the Voting Session at 11:42 AM.

The Commissioners Court adjourned the Voting Session at 11:43 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 11:43 AM and adjourned at 11:43 AM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 11:43 AM and adjourned at 11:44 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened 11:44 AM and adjourned at 11:44 AM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 11:44 AM and adjourned at 11:45 AM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident. (9:14 AM)

Clerk's Note: The Court expressed its condolences to the families of Emma Barrientos, Phil Sonleitner (father of former Commissioner Karen Sonleitner), Susan Aguirre, and Ruby Hancock.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 23, and 27. (9:20 AM)

Motion carried:

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE MINUTES FOR VOTING SESSION OF DECEMBER 15, 2009.
- C4. APPROVE MINUTES FOR SPECIAL VOTING SESSION OF DECEMBER 17, 2009.
- C5. REAPPOINT VELVA PRICE TO SERVE A TWO-YEAR TERM AS CIVIL SERVICE COMMISSIONER, EFFECTIVE IMMEDIATELY THROUGH DECEMBER 31, 2011. (JUDGE BISCOE)

ADMINISTRATIVE OPERATIONS ITEMS

- 1. 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 \$464,771.71 FOR THE PERIOD OF DECEMBER 11 TO 17, 2009. (9:20 AM)

Clerk's Note: Item 1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

2. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:20 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PROPOSED 35 SQUARE FOOT WATER EASEMENT TO THE CITY OF AUSTIN AT THE PRECINCT ONE OFFICE BUILDING IN EAST AUSTIN. (9:20 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 REGARDING THE RECOMMENDATION TO SETTLE THE LIABILITY CLAIM FROM MARIA MENDEZ. (9:20 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.

Clerk's Note: The County Judge noted that by approving Item 4 the Court has agreed to a compromise settlement amount of \$25,000.00.

PURCHASING OFFICE ITEMS

5. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS090133RE WITH COMMUNITIES IN SCHOOLS FOR YOUTH AND FAMILY ASSESSMENT CENTER SERVICES. (9:20 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 A TEMPORARY AGREEMENT TO CONTINUE PORTAL SERVICES ("LETTER AGREEMENT") WITH TEXAS DEPARTMENT OF INFORMATION RESOURCES AND TEXAS NICUSA, LLC. (9:20 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.

Clerk's Note: The County Judge noted that the Temporary Agreement would expire on February 28, 2010.

7. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO INTERLOCAL AGREEMENT NO. IL070171RE WITH AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR MENTAL HEALTH SERVICES. (9:22 AM)

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 7.

Motion carried: County Judge Samuel T. Biscoe	abstain
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

8. APPROVE MODIFICATION NO. 3 TO INTERLOCAL AGREEMENT NO. IL090060VR WITH AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR FAMILY PRESERVATION PROGRAM IN-HOME COUNSELING SERVICES TO JUVENILE OFFENDERS. (9:23 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 8.

Motion carried: County Judge Samuel T. Biscoe	abstain
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

9. APPROVE MODIFICATION NO. 8 TO INTERLOCAL AGREEMENT NO. IL060341RE WITH TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR SUBSTANCE ABUSE SERVICES. (9:23 AM)

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

Motion carried:

County Judge Samuel T. Biscoe	abstain
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

10. APPROVE MODIFICATION NO. 6 TO INTERLOCAL NO. IL060254RE WITH THE UNIVERSITY OF TEXAS AT AUSTIN RAY MARSHALL CENTER FOR THE STUDY OF WORKFORCE DEVELOPMENT INVESTMENTS. (9:20 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 AWARD FOR GAULT BUILDING ELEVATORS REFURBISHMENT, IFB NO. B100044-JT, TO THE LOW BIDDER, A & F ELEVATOR, INC. (9:20 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 CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT WITH AMERICAN EUROCOPTER, LLC AND TRAVIS COUNTY AND AUTHORIZE THE COUNTY JUDGE TO SIGN. (9:20 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 CONTRACT NO. CM050179LC WITH AMT SOLUTIONS, INC. D/B/A E-MDS, INC. FOR PURCHASE/MAINTENANCE OF E-MDS SOFTWARE FOR THE HEALTH CLINIC. (9:20 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 MODIFICATION NO. 8 TO CONTRACT NO. 08T00073RG WITH A-TEX PEST MANAGEMENT FOR PEST CONTROL SERVICES. (9:20 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. APPROVE CONTRACT AWARD FOR HVACR REPAIR SERVICES, IFB NO. B100024-NB, TO THE SOLE BIDDER, CARRIER BUILDING SYSTEMS AND SERVICE. (9:20 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 ON REQUEST TO RATIFY AND APPROVE CONTRACT WITH THE COUNCIL FOR AT RISK YOUTH (CARY) FOR PROFESSIONAL YOUTH VIOLENCE PREVENTION SERVICES FOR MIDDLE SCHOOL YOUTH INVOLVED IN DISCIPLINARY INCIDENTS IN SCHOOL. (9:20 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.

Clerk's Note: The County Judge noted that the effective date for ratifying and approving the contract would be October 1, 2009.

17. APPROVE CONTRACT NO. PS100076RE WITH HRQ FOR EMPLOYMENT SERVICES OF AN INTERIM DIRECTOR OF HUMAN RESOURCES DEPARTMENT. (9:24 AM)

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

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

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON TWO CASH SECURITY AGREEMENTS WITH SCOTT FELDER HOMES, LLC FOR SIDEWALK FISCAL FOR AVALON, PHASES 4 AND 7A, TWO SUBDIVISIONS IN PRECINCTS TWO. (COMMISSIONER ECKHARDT) (9:20 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. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR FOREST CREEK, SECTION 39 SUBDIVISION. (COMMISSIONER ECKHARDT) (9:20 AM)

Clerk's Note: Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A LICENSE AGREEMENT WITH PIRATE RACE PRODUCTIONS, LLC TO HOLD BIKE RACES AT EAST METROPOLITAN PARK. (COMMISSIONER DAVIS) (9:20 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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

21. CONSIDER AND TAKE APPROPRIATE ACTION ON REAPPOINTMENT OF CLARKE HEIDRICK AS TRAVIS COUNTY APPOINTEE TO THE TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS, EFFECTIVE JANUARY 1, 2010 THROUGH DECEMBER 31, 2014. (JUDGE BISCOE) (9:20 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.

PLANNING AND BUDGET DEPT. ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:14 AM)

Item 22 pulled from the Agenda.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON GRANT APPLICATION TO OFFICE OF THE GOVERNOR, DIVISION OF EMERGENCY MANAGEMENT, FOR THE FISCAL YEAR 2010 EMERGENCY MANAGEMENT PERFORMANCE GRANT. (9:20 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.

OTHER ITEMS

24. RECEIVE BRIEFING BY THE CLEAN AIR FORCE AND OTHERS ON A POSSIBLE PILOT PROGRAM TO IMPLEMENT A COUNTY EMPLOYEE SHUTTLE AND ITS QUALIFICATION FOR PRE-TAX DEDUCTION UNDER THE COUNTY'S FLEXIBLE SPENDING ACCOUNT. (COMMISSIONER ECKHARDT) (9:25 AM)

Members of the Court heard from: Cindy Purinton, Benefit Administrator, Human Resources Management Department (HRMD); Jon White, Natural Resources Program Manager, Transportation and Natural Resources (TNR); Barbara Gonzales, Chief Operations Officer, Fringe Benefits Management Company, (FBMC); Robin Rather, Collective Strength; Jim Marston, Chair, Clean Air Force of Central Texas; Sydnia Crosbie, Chair, Parking Committee; Justin Murrill, Culture Technologies; Susan Spataro, Travis County Auditor; and Charles Vaughan, Chief Assistant County Auditor, Travis County Auditor's Office.

Discussion only. No formal action taken.

Item 24 to be reposted January 12, 2010.

25. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER TO DESIGNATE ELECTION DAY POLLING PLACES FOR THE MARCH 2, 2010 JOINT PRIMARY ELECTION. (9:14 AM)

Item 25 postponed.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE, TEMPORARY BRANCH EARLY VOTING POLLING PLACES, AND HOURS FOR EARLY VOTING ON WEEKDAYS FOR MARCH 2, 2010 JOINT PRIMARY ELECTION. (9:14 AM)

Item 26 postponed.

27. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF NOVEMBER 2009. (9:20 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.

EXECUTIVE SESSION ITEMS

Note 1 Gov't Code Ann 551.071, Consultation with Attorney

Note 2 Gov't Code Ann 551.072, Real Property

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.

28. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A CONTRACT BETWEEN TRAVIS COUNTY AND THE STAR OF TEXAS RODEO. ^{1 AND 2}
(10:31 AM) (11:42 AM)

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

Discussion only. No formal action taken.

Item 28 to be reposted January 5, 2010.

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (11:43 AM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge