

## **MINUTES OF MEETING JANUARY 12, 2010**

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

On Tuesday, the 12<sup>th</sup> day of January 2010, the Commissioners' Court convened the Voting Session at 9:14 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 Northwest Travis County Road District #3 (Golden Triangle), convened at 1:18 PM and adjourned at 1:19 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:19 PM and adjourned at 1:19 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:19 PM and adjourned at 1:20 PM.

The Commissioners Court reconvened the Voting Session at 1:20 PM.

The Commissioners Court retired to Executive Session at 1:20 PM.

The Commissioners Court reconvened the Voting Session at 2:08 PM.

The Commissioners Court retired to Executive Session at 3:51 PM.

The Commissioners Court reconvened the Voting Session at 5:12 PM.

The Commissioners Court adjourned the Voting Session at 5:19 PM.

**PUBLIC HEARINGS**

1. RECEIVE COMMENTS REGARDING PROPOSED REVISIONS TO TRAVIS COUNTY CODE CHAPTERS 64 AND 82 RELATING TO STORM WATER MANAGEMENT REQUIREMENTS IN THE LAKE TRAVIS WATERSHED AND OTHER UNINCORPORATED AREAS OF TRAVIS COUNTY.  
(ACTION ITEM #15) (9:15 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 15 for a summary of the action item.

**Motion by** Commissioner Davis **and seconded by** Commissioner Huber to open the public hearing.

<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

**Members of the Court heard from:** Tom Weber, Environmental Quality Program Manager, Transportation and Natural Resources (TNR); Jon White, Natural Resources Program Manager, TNR; Hank Smith, President-Elect, Home Builders Association of Greater Austin, (HBA); Diane Crumley-Dee, Travis County Resident; Susan Brown, Travis County Resident; and Stacey Scheffel, Flood Plain Manager, TNR.

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

<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

2. 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) (ACTION ITEM #16) (9:54 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 16 for a summary of the action item.

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

<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

**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.

<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

3. 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)  
(ACTION ITEM #17) (9:56 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 17 for a summary of the action item.

**Motion by** Commissioner Huber **and seconded by** Commissioner Davis 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; and Malcolm Nettles, Applicant.

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

<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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Marcelo Tafoya, representing South-West Travis County Voter Registration; Gavino Fernandez, Deputy Director, District 12, League of United Latin American Citizens (LULAC); and Paul Aviña, Travis County Resident. (9:58 AM)

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C7 and Items 5, 6, 8, 9, 10, 12.A&B, 16, and 17. (10:07 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 PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE MINUTES FOR VOTING SESSION OF DECEMBER 29, 2009.
- C4. APPROVE SETTING A PUBLIC HEARING ON JANUARY 26, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST FOR PROPOSED STREET NAME CHANGE FOR AN OLD SEGMENT OF GATTIS SCHOOL ROAD TO "HUNTINGTON COURT." (COMMISSIONER ECKHARDT)
- C5. APPROVE REAPPOINTMENT OF BOB REMLINGER TO THE EMERGENCY SERVICES DISTRICT NO. 5 BOARD OF COMMISSIONERS EFFECTIVE IMMEDIATELY TO DECEMBER 31, 2011. (COMMISSIONER HUBER)
- C6. APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 2, 2010 TO 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 28 AND 29, BLOCK L, APACHE SHORES, SECTION FIVE SUBDIVISION. (COMMISSIONER HUBER)
- C7. APPROVE SETTING A PUBLIC HEARING ON FEBRUARY 2, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 147 SQUARE FOOT PORTION OF TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 4 AND 5, BLOCK A, RIVER RIDGE SUBDIVISION. (COMMISSIONER HUBER)

## PLANNING AND BUDGET DEPT. ITEMS

4. RECEIVE UPDATE FROM BROADDUS AND ASSOCIATES CONCERNING THE CENTRAL CAMPUS NEEDS ASSESSMENT AND MASTER PLAN STUDY, INCLUDING REVIEW OF SPACE STANDARDS, STAFFING PROJECTIONS AND SUMMARY SPACE PROGRAMMING FORMATION FOR ALL COUNTY OFFICES AND DEPARTMENTS. (10:08 AM)

**Members of the Court heard from:** Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Steven Coulston, Vice President, Planning, Broaddus and Associates; Robert Fisch, Principal Court Planner, Ricci Greene Associates; and Laurie Greer, Architect, Wiginton Hooker Jeffry Architects.

Discussion only. No formal action taken.

Item 4 to be reposted on January 26, 2010.

## 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 \$570,023.00 FOR THE PERIOD OF DECEMBER 25 TO 31, 2009. (10:07 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:07 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.

**PURCHASING OFFICE ITEMS**

7. APPROVE MODIFICATION NO. 15 TO CONTRACT NO. 07T000040J, WASTE MANAGEMENT OF TEXAS, FOR REFUSE COLLECTION. (9:15 AM)

Item 7 postponed until January 19, 2010.

8. APPROVE INTERLOCAL PURCHASING AGREEMENT BETWEEN TRAVIS COUNTY AND BASTROP COUNTY FOR BASTROP COUNTY'S USE OF TRAVIS COUNTY PURCHASING CONTRACTS. (10:07 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 CONTRACT NO. PS100067DW, DAVID D. LANDERS, PHD., FOR PSYCHOLOGICAL AND PSYCHIATRIC SERVICES. (10:07 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 CONTRACT NO. PS100089DW, TEXAS SAN MARCOS TREATMENT CENTER, LP., TO PROVIDE PROFESSIONAL RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (10:07 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 IFB NO. B100047-DR, RESIDENTIAL ROOF REPAIR/REPLACEMENT SERVICES, TO THE FOLLOWING BIDDERS: (3:24 PM)

- A. PRIMARY: CGS CONSTRUCTION;
- B. SECONDARY: SOUTHWEST KEY MAINTENANCE LLC; AND
- C. TERTIARY: VALDEZ REMODELING AND WEATHERIZATION INC.

**Clerk's Note:** Items 11.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and Ms. Valdez, Valdez Remodeling and Weatherization, Inc.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve Items 11.A-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

12. APPROVE TWELVE-MONTH EXTENSIONS (MODIFICATION NO. 2) TO THE FOLLOWING CONTRACTS FOR WATER DAMAGE REMEDIATION, MOLD DAMAGE REMEDIATION AND DECONTAMINATION SERVICES: (10:07 AM)

- A. CONTRACT NO. 08K00072RV, BLACKMON MOORING OF TEXAS, INC.; AND
- B. CONTRACT NO. 08K00127RV, SOUTHPRO RESTORATION SERVICES.

**Clerk's Note:** Items 12.A&B 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****ITEMS 13 AND 14 WILL BE CALLED UP AT 11:00 A.M.**

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:

(11:59 AM) (1:20 PM) (2:08 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.

**Clerk's Note:** Items 13.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; Henry Gilmore, Partner, DuBois, Bryant, and Campbell, LLP, Representing TXI Operations, LP; David Perkins, Director, Communications and Government Affairs, TXI Operations, LP; and Ryan Metz, Travis County Resident.

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

**Members of the Court heard from:** Maurice Priest, Travis County Resident; Judith Holden, Travis County Resident; Kenneth Koym, Imperial Valley Homeowners Association; Cristelia Nava, Travis County Resident; Lorena Cruz, representing Santa Barbara Church (speaking through an interpreter); Ryan Metz, Travis County Resident; Jeanette Kincaid, Travis County Resident; Vera Mesaro, Qualico AC, LP; Richard McDonald, Travis County Resident; Anna Bowlin, Division Director, Engineering Services, TNR; Jon White, Natural Resources Program Manager, TNR; Henry Gilmore, Partner, DuBois, Bryant, and Campbell, LLP, Representing TXI Operations, LP; David Perkins, Director, Communications and Government Affairs, TXI Operations, LP; Stephen England, TXI Operations, LP; and James W. Collins, Executive Assistant, Travis County Attorney's Office.

**ITEM 13 CONTINUED**

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe that TXI Operations LP (TXI) go forward and meet with Jennifer Walker, Chief, Permit Section, US Army Corps of Engineers (USACE) for full review; and Travis County await that outcome of that review before anything takes place here, as far as the Court is concerned.

**A Restatement of the Previous Motion was made by** Judge Biscoe that the Court delay action until TXI has had an opportunity to meet with the USACE; then we would communicate with TXI as well as USACE representative Jennifer Walker after that meeting, and see what the outcome is.

<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 13.B Discussion only. No formal action taken.

14. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE DESIGN AND IMPLEMENTATION OF MONITORING PROTOCOLS FOR THE PROPOSED TXI MINING OPERATION IN EASTERN TRAVIS COUNTY.  
(COMMISSIONER ECKHARDT) (3:51 PM) (5:12 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.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber to direct TNR, the County Attorney, and the Purchasing Department to develop a request for professional services and an estimate of costs to assist Travis County in identifying experts for the development of monitoring protocols for the proposed TXI mining site in eastern Travis County and for development of standards for buffers between industries and receptors; and further, to direct PBO to identify potential sources of funds for contracts pursuant to this effort.

**Withdrawal of the Previous Motion and second was made by** Commissioner Eckhardt **and** Commissioner Huber.

Item 14 to be reposted January 19, 2010.

15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSED REVISIONS TO TRAVIS COUNTY CODE CHAPTERS 64 AND 82 RELATING TO STORM WATER MANAGEMENT REQUIREMENTS IN THE LAKE TRAVIS WATERSHED AND OTHER UNINCORPORATED AREAS OF TRAVIS COUNTY. (5:18 PM)

**Clerk's Note:** Item 15 is the action item for the public hearing on Agenda Item 1.

**Motion by** Judge Biscoe **and seconded by** Commissioner Huber that we extend the comment period 30 days to Thursday, February 11, 2010.

**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

16. CONSIDER AND TAKE APPROPRIATE ACTION 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) (10:07 AM)

**Clerk's Note:** Item 16 is the action item for the public hearing on Agenda Item 2.

**Clerk's Note:** Item 16 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING 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) (10:07 AM)

**Clerk's Note:** Item 17 is the action item for the public hearing on Agenda Item 3.

**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 A PRELIMINARY PLAN IN PRECINCT THREE: AMMARON HILLS SUBDIVISION (15 TOTAL LOTS). (COMMISSIONER HUBER) (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:15 AM)

Item 18 postponed until January 19, 2010.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO RECOMMENDATIONS BY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE TO IMPLEMENT A DISCOUNT PHARMACY CARD PROGRAM: (11:20 AM)
- A. AUTHORIZE A PHARMACY PRESCRIPTION DRUG DISCOUNT CARD PROGRAM FOR COUNTY RESIDENTS;
  - B. APPROVE STAFF RECOMMENDATION TO CONTRACT WITH FINANCIAL MARKETING CONCEPTS, INC. FOR THE PROVISION OF THE COAST2COAST RX CARD—A PHARMACY PRESCRIPTION DRUG DISCOUNT PROGRAM;
  - C. AUTHORIZE THE USE OF THE TRAVIS COUNTY SEAL ON THE COAST2COAST RX CARD AND OTHER APPROPRIATE MATERIALS PROMOTING THE PROGRAM; AND
  - D. OTHER RELATED ITEMS.

**Clerk's Note:** Items 19.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Ed Rhan, President, Financial Marketing Concepts (FMC); Ana Almaguel, Planner, TCHHS&VS; and Richard Beck, Executive Director, Texas Pharmacy Business Council.

**Motion by** Commissioner Huber **and seconded by** Commissioner Eckhardt that we do not further pursue the pharmacy discount card; that we make available through our appropriate channels information on where all the variety of pharmacy discount cards can be accessed in the community.

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

**OTHER ITEMS**

20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS:  
(10:42 AM)
- A. AUTHORIZE IMPLEMENTATION OF QUALIFIED TRANSPORTATION BENEFIT PLAN (QTB);
  - B. APPROVE JUNE 1, 2010 AS THE EFFECTIVE DATE OF THE QTB;
  - C. PROVIDE DIRECTION WHETHER TO PARTICIPATE IN THE EXPRESS SHUTTLE-PILOT PROGRAM; AND
  - D. APPROVE EMPLOYEE COMMUTER SURVEY TO BE FUNDED BY THE COUNTY. (COMMISSIONER ECKHARDT)

**Clerk's Note:** Items 20.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Cindy Purinton, Benefit Administrator, Human Resources Management Department (HRMD); Jon White, Natural Resources Program Manager, TNR; Diana Warner, First Assistant County Auditor; Charles Vaughan, Chief Assistant County Auditor, Travis County Auditor's Office; Barbara Wilson, Assistant County Attorney; Robin Rather, Collective Strength; Adele Noel, Air Quality Project Manager, TNR; and Maurice Priest, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 20.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

Items 20.C&D discussion only. No formal action taken.

Items 20.C&D to be reposted January 19, 2010.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS FROM THE AUSTIN HERITAGE COUNCIL FOR IN-KIND SERVICES FOR THE 2010 MARTIN LUTHER KING JR. CELEBRATION AS FOLLOWS: (3:27 PM)

A. PRINT 1500 COPIES OF THE 2010 BROCHURE; AND

B. AUTHORIZE CONSTABLES TO ASSIST WITH SECURITY.

**Clerk's Note:** Items 21.A&B are associated with one another and were called for concurrent discussion.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Items 21.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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON LETTER REQUESTING THAT TRAVIS COUNTY BE INCLUDED WITHIN THE SERVICE AREA OF FOREIGN TRADE ZONE NUMBER 183, SPONSORED BY THE FOREIGN TRADE ZONE OF CENTRAL TEXAS, INC. (3:28 PM)

**Members of the Court heard from:** Joe Vining, Chairman, Foreign Trade Zone for Central Texas Board and Senior Vice-President, Economic Development, Round Rock Chamber of Commerce; and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

Item 22 to be reposted January 19, 2010.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ACTIVITIES SURROUNDING THE 2010 CENSUS, INCLUDING: (3:40 PM)
- A. EXPLANATION OF THE IMPORTANCE OF THE CENSUS TO TRAVIS COUNTY;
  - B. OVERVIEW OF AUSTIN-TRAVIS COUNTY COMPLETE COUNT COMMITTEE ACTIVITIES; AND
  - C. SUMMARY OF ACTIVITIES PLANNED BY TRAVIS COUNTY DEPARTMENTS AND INDEPENDENT ELECTED OFFICIALS.

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

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer.

Discussion only. No formal action taken.

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT AGREEMENT WITH TECOLOTE FARMS, INC. (9:15 AM)

Item 24 postponed until February 10, 2010 or later.



**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.

25. 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. <sup>1</sup> (3:51 PM) (5:14 PM)

**Clerk's Note:** Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 25.

Item 25 to be reposted January 26, 2010.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACTS BETWEEN TRAVIS COUNTY AND THE STAR OF TEXAS RODEO. <sup>1 AND 2</sup> (3:51 PM) (5:15 PM)

**Clerk's Note:** Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Motion by** Commissioner Huber **and seconded by** Commissioner Davis to approve the contract subject to the Star of Texas Rodeo's approval of the last recommended change, and authorize the County Judge to sign.

<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

27. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN THE CENTRAL AUSTIN AREA. <sup>1</sup> (3:51 PM) (5:16 PM)

**Clerk's Note:** Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

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

Discussion only. No formal action taken.

Item 27 to be reposted January 19, 2010.

28. RECEIVE LEGAL BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN THE MATTER OF TRAVIS COUNTY V. FLINT HILLS RESOURCES, L.P. AND KOCH PIPELINE CO., L.P. <sup>1</sup> (3:51 PM) (5:17 PM)

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

Discussion only. No formal action taken.

Item 28 to be reposted when ready.

### **ADDED ITEM**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON BROKERAGE SERVICES AGREEMENT WITH UGL EQUIS CORPORATION. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (3:51 PM) (5:17 PM)

Discussion only. No formal action taken.

Item A1 to be reposted January 26, 2010.

## ADJOURNMENT

**Motion by Commissioner Davis and seconded by Commissioner Huber to adjourn the Voting Session. (5:19 PM)**

<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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

**Date of Approval**

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