

MINUTES OF MEETING JANUARY 19, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 19th day of January 2010, the Commissioners' Court convened the Voting Session at 9:15 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 11:59 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:42 PM and adjourned at 1:42 PM.

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

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:43 PM and adjourned at 1:44 PM.

The Commissioners Court, meeting as the Travis County Development Authority; the Capital Health Facilities Development Corporation; the Capital Industrial Development Corporation; and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:44 PM and adjourned at 1:45 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:45 PM and adjourned at 1:46 PM.

The Commissioners Court reconvened the Voting Session at 1:46 PM.

The Commissioners Court retired to Executive Session at 1:56 PM.

The Commissioners Court reconvened the Voting Session at 4:52 PM.

The Commissioners Court adjourned the Voting Session at 5:04 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Dr. Hari Dhir M.D. MPH MBA, Medical Director, Wellness Clinic; and Maurice Priest, Travis County Resident. (9:17 AM)

Clerk's Note: The Court encouraged Travis County residents and employees to do whatever they can to offer assistance after the earthquake in Haiti, and directed Staff to bring back an Agenda Item, Tuesday, January 26, 2010 regarding how Travis County can help.

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C5 and Items 2, 3, 7, 8.A&B, 9, 10, 16, 17, 19.A&B, 20.A-C, 21, 23, 28.A&B, and 29. (9:28 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 REAPPOINTMENT OF JIM ELMAN TO THE EMERGENCY SERVICES DISTRICT NO. 11 BOARD OF COMMISSIONERS EFFECTIVE IMMEDIATELY TO DECEMBER 31, 2011. (COMMISSIONER GÓMEZ)
- C4. APPROVE REAPPOINTMENT OF TIM REINHART TO THE EMERGENCY SERVICES DISTRICT NO. 11 BOARD OF COMMISSIONERS EFFECTIVE IMMEDIATELY TO DECEMBER 31, 2011. (COMMISSIONER GÓMEZ)
- C5. APPROVE REAPPOINTMENT OF CLEMENTE A. ZABALZA, JESSE ARELLANO, GILES GARMON AND MICHAEL GOBERT TO THE EMERGENCY SERVICES DISTRICT NO. 12 BOARD OF COMMISSIONERS EFFECTIVE IMMEDIATELY TO DECEMBER 31, 2011. (COMMISSIONER DAVIS)

INTRODUCTIONS

1. INTRODUCE INTERIM DIRECTOR OF THE HUMAN RESOURCES MANAGEMENT DEPARTMENT. (9:30 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); and Tracey Calloway, Interim Director, HRMD.

Discussion only. No formal action taken.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH TEAM HOTEL SAN JOSE, LLC FOR A BIKE RACE AT PACE BEND PARK. (COMMISSIONER HUBER) (9:28 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 ON THE ACCEPTANCE OF DEDICATION OF THE STREET AND DRAINAGE FACILITIES IN FOREST BLUFF SECTIONS THREE, FOUR AND FIVE SUBDIVISIONS. (COMMISSIONER DAVIS) (9:28 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. **CANCELED - WILL BE CONSIDERED AT A LATER DATE.** RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE DESIGN AND IMPLEMENTATION OF RECOMMENDED MONITORING PROTOCOLS. (COMMISSIONER ECKHARDT) (9:15 AM)

Item 4 canceled until a later date.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE NEXT CONSOLIDATED PLAN BEGINNING IN PROGRAM YEAR 2011 FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:35 AM)
- A. APPROVE THE NEXT PERIOD FOR THE CONSOLIDATED PLAN;
 - B. SCHEDULE FOR THE DEVELOPMENT OF THE CONSOLIDATED PLAN;
 - C. RECEIVE AN UPDATE ON THE OUTREACH TO THE INCORPORATED AREAS OF TRAVIS COUNTY FOR INCLUSION INTO THE URBAN COUNTY DESIGNATION; AND
 - D. OTHER RELATED ITEMS.

Clerk's Note: Items 5.A-D 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); and Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 5.A, of Program Years 2011 to 2013.

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 County Judge noted that the Court has approved the recommended 2011 consolidated plan for three years.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 5.B.

Items 5.C&D discussion only. No formal action taken.

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

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

- Tuesday, February 16, 2010; Travis County Commissioners Court, 9:00 am
- Monday, February 22, 2010, East Rural Community Center, 6:30 pm
- Wednesday, February 24, 2010, Travis County Community Center, Pflugerville, 6:30 pm
- Wednesday, February 24, 2010, West Rural Community Center, 6:30 pm
- Thursday, February 25, 2010, South Rural Community Center, 6:30 pm

ITEM 6 CONTINUED

6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE PLANNING FOR THE PROGRAM YEAR 2010 ACTION PLAN AND CONSOLIDATED PLANNING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:50 AM)

B. APPROVE THE ADVERTISEMENTS ANNOUNCING THE PUBLIC HEARING DATES IN NEWSPAPERS OF GENERAL CIRCULATION;

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 6.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

6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE PLANNING FOR THE PROGRAM YEAR 2010 ACTION PLAN AND CONSOLIDATED PLANNING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:51 AM)

C. APPROVE THE PROJECT SELECTION CRITERIA FOR PROGRAM YEAR 2010; AND

Members of the Court heard from: Christy Moffett, Social Services Manager, TCHHS; and Sherri Fleming, Executive Manager, TCHHS&VS.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the criteria in Item 6.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 6 CONTINUED

6. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE PLANNING FOR THE PROGRAM YEAR 2010 ACTION PLAN AND CONSOLIDATED PLANNING FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:51 AM)

D. OTHER RELATED ITEMS.

Item 6.D not needed.

PLANNING AND BUDGET DEPT. ITEMS

7. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:28 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:28 AM)
- A. APPLICATION FOR AN EXISTING GRANT PROGRAM WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICES (THROUGH ONESTAR FOUNDATION) TO PROVIDE FUNDS FOR AMERICORPS MEMBERS TO SUPPORT THE ACTIVITIES OF THE TEXAS AGRILIFE EXTENSION'S 4-H CAPITAL PROGRAM THROUGH THE HEALTH AND HUMAN SERVICES DEPARTMENT; AND
 - B. REQUEST FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICE TO INTERNALLY FUND COMPREHENSIVE ENERGY ASSISTANCE GRANT PROGRAM UNTIL FULLY EXECUTED CONTRACT IS OBTAINED FROM THE TEXAS DEPARTMENT OF COMMUNITY AFFAIRS.

Clerk's Note: Items 8.A&B 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

9. 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 \$831,839.27 FOR THE PERIOD OF JANUARY 1 TO 7, 2010. (9:28 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 ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM QUINCEAÑERAS MAGAZINE FOR A MODIFIED FEE FOR USE OF THE EXPOSITION CENTER BANQUET HALL ON JANUARY 31, 2010. (11:29 AM)

Members of the Court heard from: Michael Norton, Director, Travis County Exposition Center; Roger El Khoury, Director, Facilities Management; and Tenley Aldredge, Assistant County Attorney.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis to approve Item 11.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FOR A REDUCED RENTAL FEE FOR USE OF THE TRAVIS COUNTY EXPOSITION CENTER (MAIN ARENA): (11:31 AM)

- A. THE SPECIAL OLYMPICS OF TEXAS DURING THE EVENING OF FEBRUARY 6, 2010; AND
- B. THE AUSTIN PARTNERS IN EDUCATION DURING THE DAYTIME ON FEBRUARY 6, 2010.

Clerk's Note: Items 12.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Michael Norton, Director, Travis County Exposition Center.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Items 12.A&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

13. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE AUSTIN IMMIGRANT RIGHTS COALITION TO WAIVE RENTAL FEES FOR CONVENTION ON IMMIGRATION INTEGRATION AT THE EXPOSITION CENTER BANQUET HALL ON FEBRUARY 20, 2010. (11:34 AM)

Clerk's Note: The Court discussed the Staff recommendation of a 50% fee reduction for the use of the Banquet Hall for a total of \$900.00.

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Staff Recommendation.

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

14. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTS FROM THE NATIONAL GUARD ASSOCIATION OF TEXAS AND THE TEXAS MILITARY FORCES FOR A REDUCED RENTAL FEE FOR THEIR RODEO AT THE EXPOSITION CENTER ON AUGUST 21, 2010. (11:25 AM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Ray Lindner, Executive Director, National Guard Association of Texas (NGAT).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 14.

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

JUSTICE AND PUBLIC SAFETY ITEMS

15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER OF THE TRAVIS COUNTY COMMISSIONERS COURT AMENDING THE TRAVIS COUNTY CODE, CHAPTER 71 FIRE CODE. (9:33 AM)

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services; and Hershel Lee, Fire Marshal.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt that we approve the proposed fees effective February 15, 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	yes

16. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR PEDIATRIC TRANSPORT HELICOPTER SERVICES AMONG TRAVIS COUNTY, SETON HEALTHCARE D/B/A/ DELL CHILDREN'S MEDICAL CENTER OF CENTRAL TEXAS AND PEDIATRIC CRITICAL CARE ASSOCIATES. (9:28 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 RENEWAL AND AMENDMENT ONE TO AGREEMENT BETWEEN CITY OF AUSTIN AND TRAVIS COUNTY FOR EMERGENCY MEDICAL SERVICES. (9:28 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.

PURCHASING OFFICE ITEMS

18. APPROVE INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF AUSTIN FOR PURCHASES RELATED TO WEATHERIZATION SERVICES UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT. (11:37 AM)

Members of the Court heard from: Bonnie Floyd, Assistant Purchasing Agent; and Sherri Fleming, Executive Manager, TCHHS&VS.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the contract with the City of Austin in Item 18.

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

19. CONSIDER AND TAKE APPROPRIATE ACTION RELATING TO THE MCKINNEY FALLS PARKWAY EXTENSION PROJECT AS FOLLOWS: (9:28 AM)
- A. TRANSFER REQUEST TOTALING \$2,007,000.00 OF SAVINGS FROM COMPLETED 1997 AND 2001 BOND PROJECTS IN PRECINCT FOUR, TO EXPAND THE MCKINNEY FALLS PARKWAY EXTENSION PROJECT; AND
 - B. CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE MCKINNEY FALLS PARKWAY EXTENSION PROJECT, IFB NO. B100030-LP, TO THE LOW BIDDER, CAPITAL EXCAVATION COMPANY.

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

20. APPROVE CONTRACT AWARDS FOR UTILITY TRAILERS, IFB NO. B100033-NB, TO THE FOLLOWING LOW BIDDERS: (9:28 AM)
- A. SAN ANTONIO SOUTHWEST TRAILERS, LTD, FOR LINE ITEM 1-01;
 - B. TRAILER WHEEL AND FRAME CO., FOR LINE ITEMS 1-02, 1-03 AND 1-04; AND
 - C. VERDE INC., FOR LINE ITEM 1-05.

Clerk's Note: Items 20.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 09K00303JW, FISCAL YEAR 2009 SIDEWALK MAINTENANCE PROGRAM, CEDA TEX SERVICES, INC. (9:28 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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. 07T00145LD, SCS FIELD SERVICES, FOR 290 EAST LANDFILL OPERATIONS AND MAINTENANCE SERVICES. (9:16 AM)

Item 22 postponed until January 26, 2010.

23. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. 07T001550J, THE RETIREMENT STORE, FOR CONSULTANT SERVICES FOR THE DEFERRED COMPENSATION 457(b) PLAN FOR TRAVIS COUNTY. (9:28 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. APPROVE MODIFICATION NO. 15 TO CONTRACT NO. 07T000040J, WASTE MANAGEMENT OF TEXAS, FOR REFUSE COLLECTION. (10:42 AM)

Members of the Court heard from: Bonnie Floyd, Assistant Purchasing Agent; and Jon White, Natural Resources Program Manager, Transportation and Natural Resources (TNR).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 24.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

OTHER ITEMS

25. RECEIVE PRESENTATION BY REPRESENTATIVES FROM THE CITY OF MANOR ON THE "MANOR LABS" PUBLIC INPUT AND RECOMMENDATION SYSTEM. (COMMISSIONER DAVIS) (9:53 AM)

Members of the Court heard from: Phil Tate, City Manager, City of Manor; Dustin Haisler, Assistant City Manager, City of Manor; and Maurice Priest, Travis County Resident.

Discussion only. No formal action taken.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE DOWNTOWN ALLIANCE FOR COUNTY PARTICIPATION IN STUDY OF THE FEASIBILITY OF A DOWNTOWN AUSTIN TRANSPORTATION MANAGEMENT ASSOCIATION. (COMMISSIONER ECKHARDT) (10:15 AM)

Members of the Court heard from: Thomas Butler, Transportation Program Director, Downtown Austin Alliance (DAA); and Maurice Priest, Travis County Resident.

Discussion only. No formal action taken.

27. RECEIVE PRESENTATION BY REPRESENTATIVES FROM CAR2GO REGARDING BUSINESS MODEL FOR ADDRESSING TRANSPORTATION AND MOBILITY CHALLENGES IN THE CENTRAL BUSINESS DISTRICT AND TAKE APPROPRIATE ACTION. (COMMISSIONER ECKHARDT) (10:49 AM)

Members of the Court heard from: Paul DeLong, Head, Sales and Marketing, Car2go; and Maurice Priest, Travis County Resident.

Discussion only. No formal action taken.

28. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE JOINT PRIMARY ELECTION ON MARCH 2, 2010 AND THE JOINT PRIMARY RUNOFF ELECTION ON APRIL 13, 2010: (9:28 AM)

- A. MEMORANDUM OF UNDERSTANDING BETWEEN THE TRAVIS COUNTY DEMOCRATIC PARTY, THE TRAVIS COUNTY REPUBLICAN PARTY AND TRAVIS COUNTY; AND
- B. JOINT RESOLUTION FOR JOINT PRIMARY ELECTION BETWEEN THE TRAVIS COUNTY DEMOCRATIC PARTY, THE TRAVIS COUNTY REPUBLICAN PARTY AND TRAVIS COUNTY.

Clerk's Note: Items 28.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CREATION OF A SPECIAL PROJECT EMPLOYEE SLOT FOR THE OFFICE OF COMMISSIONER PRECINCT THREE WHILE A PERMANENT EMPLOYEE IS ON FAMILY EMERGENCY LEAVE. (COMMISSIONER HUBER) (9:28 AM)

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS:
(11:13 AM)

A. WHETHER TO PARTICIPATE IN THE EXPRESS SHUTTLE-PILOT PROGRAM; AND

B. REQUEST FOR COUNTY TO SPONSOR AN EMPLOYEE COMMUTER SURVEY. (COMMISSIONER ECKHARDT)

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

Members of the Court heard from: Cindy Purinton, Benefit Administrator, HRMD; Jon White, Natural Resources Program Manager, TNR; and Robin Rather, Collective Strength.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve Item 30.A.

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we direct Staff to try to do the survey in-house, but if that cannot be done, let us know and we will figure out another way to do it.

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

31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING BOARD AND COMMITTEE ASSIGNMENTS AND APPOINTMENTS FOR COMMISSIONERS COURT MEMBERS. (JUDGE BISCOE) (1:47 PM)

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

Clerk's Note: The Court discussed the following changes to external sub-committees:

- Delay a decision on Capital Area Regional Transportation Planning Organization (CARTPO)
- Commissioner Margaret Gómez to replace Commissioner Sarah Eckhardt on the Conference of Urban Counties Policy Committee
- Commissioner Sarah Eckhardt to replace Commissioner Margaret Gómez on the Downtown Austin Alliance

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the changes discussed.

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 that no changes be made to the internal sub-committee assignments.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve no changes.

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.

32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE MCKINNEY FALLS PARKWAY ROAD IMPROVEMENT PROJECT AND THE CONDEMNATION CASE INVOLVING PARCELS OWNED BY RKS TEXAS INVESTMENTS, LP. ^{1 AND 2} (9:16 AM)

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.

Item 32 postponed.

33. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. HENRY L. DELL, SR. (DEYAR INVESTMENT GROUP, LLC RESALE DEED). ¹ (1:56 PM) (4:55 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.

Motion by Judge Biscoe **and seconded by** Commissioner Huber that we approve and authorize the County Judge to sign the proposed tax resale deed to Deyar Investment Group, LLC., which has delivered to Travis County the sum of \$3,000.00 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	yes

34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. HUBERT F. WOOLEY (VANESSA SMITHERS RESALE DEED). ¹ (1:56 PM) (4:56 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.

Motion by Judge Biscoe **and seconded by** Commissioner Huber that we authorize the County Judge to sign on behalf of the Commissioners Court the prepared tax resale deed to Vanessa Smithers, who has paid Travis County the sum of \$4,235.01 in cash for this tract of land.

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 CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO ANGELINA SONNIER. ¹ (1:56 PM) (4:56 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.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt that we accept the lump sum payment of \$1,800.00, which is one-half of the outstanding balance, in order to satisfy this claim.

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 CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO GUY W. MOORE. ¹ (1:56 PM) (4:57 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.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt that we accept the offer based on the information provided regarding Mr. Moore's financial circumstances.

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. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO JOSE LUIS CANO RAMOS. ¹ (1:56 PM) (4:58 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.

Clerk's Note: The Court discussed an offer from Mr. Ramos of \$1,500.00 at \$10.00 per month, for a 150-month payout.

Motion by Judge Biscoe **and seconded by** Commissioner Huber to approve the offer.

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

38. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO LAURA SMITH. ¹ (1:56 PM) (4:59 PM)

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The Court discussed a settlement offer from Mr. Smith of \$1,000.00 at \$100.00 per month for 10 months.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the settlement offer.

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 County Judge noted that by approving the settlement offer the Court is authorizing County Attorney staff to put together settlement documents. If the settlement agreement is not kept, and there is a breach, then the full amount of the outstanding balance would become owed.

39. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING LEASE SPACE FROM THE HOUSING AUTHORITY OF TRAVIS COUNTY AND PROPOSED IMPROVEMENTS FOR THE HEALTH AND HUMAN SERVICES DEPARTMENT. ^{1 AND 2} (1:56 PM) (5:01 PM)

Clerk's Note: Judge Biscoe announced that Item 39 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 make the improvements, but that we touch base with Work Source and see if they have a need for Greater Austin Area Telecommunications Network (GAATN) and then we work with Information and Telecommunications Systems (ITS) and see if we can provide that service to them for a little bit below what it would have cost them to do it themselves; so, I'm hoping that we can figure out a way to help them obtain the service and help us offset the cost of this to the new space; and this Motion also is for us to go ahead and move on the Lease Agreement because we need the space. It's at a reasonable rate, and the ITS and the technology delivery costs a little bit more than we anticipated but in view of the total circumstances, I think we need to have it there. Also, that we would expect to make the changes down at the Palm School Site that the Executive Manager, TCHHS&VS shared with us.

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

40. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT FOR THE MANCHACA COMMUNITY CENTER. ^{1 AND 2} (1:56 PM) (5:03 PM)

Clerk's Note: Judge Biscoe announced that Item 40 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.

Clerk's Note: The Court noted that Facilities Management has already sent a certified letter notifying Mr. Vogel of his default of payment.

Motion by Commissioner Huber **and seconded by** Commissioner Davis that we authorize the County Attorney to send a letter to Clarence Vogel, doing business as Clarence Vogel Enterprises, pursuant to Section 6.4 of the Second Novation of License Agreement for Operation of the Community Center, giving Mr. Vogel notice of his breach of the agreement and the opportunity to cure as provided in that Section.

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

41. RECEIVE LEGAL BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING APPLICATION FOR THE PROPOSED SOLID WASTE AMENDMENT TO EXPAND THE WASTE MANAGEMENT OF TEXAS LANDFILL LOCATED ON GILES ROAD NEAR STATE HIGHWAY 290 EAST. ¹ (1:56 PM) (4:54 PM)

Clerk's Note: Judge Biscoe announced that Item 41 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 Huber that we direct Staff to appeal the October, 2009 order of the commission of the Texas Commission on Environmental Quality (TCEQ).

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

42. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN THE CENTRAL AUSTIN AREA. ^{1 AND 2} (1:56 PM) (4:53 PM)

Clerk's Note: Judge Biscoe announced that Item 42 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.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we approve the purchase contract for this tract of land and direct our broker, Keith Zimmerman, UGL Equis to deliver the contract to the buyer for their approval at a board meeting on Thursday, January 21, 2010; and further, that upon full execution of the contract, verification of funds, and full audit of the claim, the County Auditor is requested to issue a payment and the County Treasurer to release the payment in the amount of \$250,000.00 to Heritage Title of Austin. The form of the payment shall be that which provides the most expeditious and secure payment under the terms of the agreement, and as determined by the Auditor.

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 42 to be reposted January 26, 2010.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM AUSTIN-TRAVIS COUNTY INTEGRAL CARE FOR PARTICIPATION FROM TRAVIS COUNTY IN SUPPORT OF THE MAYOR'S MENTAL HEALTH TASK FORCE MONITORING COMMITTEE'S PLANNING OF LOCAL STRATEGIES TO ADDRESS BEHAVIORAL HEALTH NEEDS IN THE COMMUNITY.
(11:55 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Item A1.

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

- A2. 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) (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY, AND GOV'T. CODE ANN. 551.072, REAL PROPERTY) (1:56 PM) (4:53 PM)

Clerk's Note: Judge Biscoe announced that Item A2 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 authorize Staff to make a counter-offer, setting a cap at \$25,000.00 on the sellers' cleanup of the solid waste generated on the property.

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

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Gómez to adjourn the Voting Session. (5:04 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

Date of Approval

Samuel T. Biscoe, Travis County Judge