

## **MINUTES OF MEETING MARCH 9, 2010**

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

On Tuesday, the 9<sup>th</sup> day of March, 2010, the Commissioners' Court convened the Voting Session at 9:15 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 12:09 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, the Capital Industrial Development Corporation, and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:38 PM and adjourned at 1:40 PM.

The Commissioners Court, meeting as the Capital Health Facilities Development Corporation, and the Travis County Development Authority convened at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:41 PM and adjourned at 1:44 PM.

The Commissioners Court reconvened the Voting Session at 1:44 PM.

The Commissioners Court retired to Executive Session at 3:26 PM.

The Commissioners Court reconvened the Voting Session at 4:35 PM.

The Commissioners Court adjourned the Voting Session at 4:43 PM.

## PUBLIC HEARINGS

1. RECEIVE COMMENTS ON A PLAT FOR RECORDING IN PRECINCT ONE:  
RESUBDIVISION OF BALLI SUBDIVISION LOT 4, BLOCK A (2 TOTAL LOTS).  
(COMMISSIONER DAVIS) (ACTION ITEM #6) (9:50 AM)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 6 for a summary of the action item.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez 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, Transportation and Natural Resources (TNR).

**Motion by Judge Biscoe 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

2. RECEIVE COMMENTS RELATED TO THE CONCEPT PLAN OF THE UNION CREEK GREENWAY AND ITS PHASE 1 MASTER PROJECT PLAN. (ACTION ITEM #7.B)

**Clerk's Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 7.B for a summary of the action item.

**Motion by** Commissioner Gómez **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:** Joe Gieselman, Executive Manager, TNR; Wendy Scaperotta, Senior Planner, TNR; and Penny Wood, Travis County Resident.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to close 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

## CITIZENS COMMUNICATION

**Members of the Court heard from:** Kenneth Snyder, Travis County Resident; Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Russell Sergeant, Travis County Resident; Maurice Priest, Travis County Resident; Mary Ann Naumann, Travis County Resident; and Clarence Vogel, Travis County Resident. (9:29 AM)

**CONSENT ITEMS**

**Members of the Court heard from:** Julie Joe, Assistant County Attorney; Joe Gieselman, Executive Manager, TNR; and Ronnie Gjemre, Travis County Resident.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 4, 5.A&B, 8, 9, 10.A&B, 11, 12, 17, 18.A-D, 21, and 22.A&B. (10:16 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 SETTING A PUBLIC HEARING ON MARCH 23, 2010 TO RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO BE KNOWN AS "AVIATION DRIVE" OFF STATE HIGHWAY 130 SOUTH OF CAMERON ROAD IN PRECINCT ONE.  
(COMMISSIONER DAVIS)
- C4. APPROVE MINUTES FOR VOTING SESSION OF FEBRUARY 23, 2010.
- C5. APPROVE SETTING A PUBLIC HEARING ON APRIL 13, 2010 TO RECEIVE COMMENTS REGARDING A PROPOSED SALE TO THE LOWER COLORADO RIVER AUTHORITY (LCRA) TRANSMISSION SERVICES CORPORATION OF TWO ELECTRIC LINE EASEMENTS ON, OVER, AND ACROSS PROPERTY OWNED BY TRAVIS COUNTY NEAR ONION CREEK AND STATE HIGHWAY 71 EAST IN PRECINCT FOUR, AS REQUIRED UNDER CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE.

**Clerk's Note:** The Court noted that a revised Notice of Public Hearing was added to the supporting documentation for Item C5.

## RESOLUTIONS AND PROCLAMATIONS

3. APPROVE PROCLAMATION RECOGNIZING EMERGENCY RESPONSE PERSONNEL AND BRAVE CITIZENS OF TRAVIS COUNTY FOR THEIR SERVICE ON FEBRUARY 18, 2010 IN RESPONSE TO EVENTS AT THE ECHELON OFFICE BUILDING. (COMMISSIONER ECKHARDT AND COMMISSIONER HUBER) (9:15 AM)

**Members of the Court heard from:** Danny Hobby, Executive Manager, Travis County Emergency Services; and Rhoda Mae Kerr, Fire Chief, Austin Fire Department.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the Proclamation in Item 3.

**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

## PURCHASING OFFICE ITEMS

4. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS090229ML, WALSH, ANDERSON, BROWN, GALLEGOS AND GREEN, P.C. FOR ADDITIONAL LITIGATION SERVICES. (10:16 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.

**REVISED LANGUAGE**

5.     A. APPROVE ORDER EXEMPTING THE PURCHASE OF A HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM CONTROLS UPGRADE FROM TEMPSET CONTROLS, INC., FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(7) OF TEXAS LOCAL GOVERNMENT CODE; AND
- B. APPROVE CONTRACT AWARD FOR THE PURCHASE OF A HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM CONTROLS UPGRADE FROM TEMPSET CONTROLS, INC., AND AUTHORIZE COUNTY PURCHASING AGENT TO SIGN. (10:16 AM)

**Clerk's Note:** Items 5.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**

6.     CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT ONE: RESUBDIVISION OF BALLI SUBDIVISION LOT 4, BLOCK A (2 TOTAL LOTS). (COMMISSIONER DAVIS) (9:54 AM)

**Clerk's Note:** Item 6 is the action item for the public hearing on Agenda Item 1.

Item 6 pulled from the Agenda.

7. A. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING PROPOSALS TO REUSE THE PRECINCT FOUR ROAD AND BRIDGE OFFICE: (11:56 AM)

1. AN ONION CREEK GREENWAY TRAILHEAD;
2. AN EMERGENCY MEDICAL SERVICES STATION;
3. FARMERS MARKET; AND
4. CITY/COUNTY PARK MAINTENANCE FACILITIES.

**Clerk's Note:** Items 7.A.1-4 are associated with one another and were called for concurrent discussion.

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

Discussion only. No formal action taken.

Items 7.A.1-4 to be reposted on March 16, 2010.

7. B. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CONCEPT PLAN OF THE ONION CREEK GREENWAY AND ITS PHASE 1 MASTER PROJECT PLAN. (10:16 AM)

Item 7.B postponed until March 16, 2010.

8. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH THE AUSTIN RIDGE RIDERS MOUNTAIN BIKE CLUB FOR A BIKE RACE AT PACE BEND PARK. (COMMISSIONER HUBER) (10:16 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PRELIMINARY PLAN IN PRECINCT ONE: LARIAT B. RANCH SUBDIVISION (16 TOTAL LOTS), AND A PHASING AGREEMENT WITH LARIAT B. RANCH, LTD. AND JAKETOWN 130, LLC. (COMMISSIONER DAVIS) (10:16 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 THE FOLLOWING:  
(10:16 AM)

- A. AMENDED RESOLUTION TO ESTABLISH AND PARTICIPATE IN THE CAPITAL AREA PAVEMENT ENGINEERING COUNCIL; AND
- B. SUBSTITUTE INTERLOCAL AGREEMENT TO ESTABLISH THE CAPITAL AREA PAVEMENT ENGINEERING COUNCIL.

**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 Court noted that the \$75,000.00 was approved in the FY '08 Budget. It was also noted that TNR may have another \$15,000.00 if necessary, but if the funding is not available TNR will re-scope the work to keep it within the original budget.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON CASH SECURITY AGREEMENT FOR BOUNDARY STREET IMPROVEMENTS FOR THE PARK AT BLACKHAWK II, PHASE 2A SUBDIVISION. (COMMISSIONER ECKHARDT) (10:16 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 ON A PLAT FOR RECORDING IN PRECINCT TWO: AVALON PHASE 9A FINAL PLAT (21 TOTAL LOTS), AND A SUBDIVISION CONSTRUCTION AGREEMENT WITH KM AVALON, LTD. (COMMISSIONER ECKHARDT) (10:16 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING FINAL COMMENTS TO THE CLEAN AIR COALITION AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) IN RESPONSE TO RULE PROPOSAL OF THE EPA TO RECONSIDER THE 2008 NATIONAL AIR QUALITY STANDARDS FOR OZONE, THE EFFECTS OF THE PROPOSAL ON TRAVIS COUNTY AND RELATED ISSUES. (10:26 AM)

**Members of the Court heard from:** Jon White, Natural Resources Program Manager, TNR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve this draft as our final draft, and authorize Staff to send it EPA by hard copy as well as electronically.

**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

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

14. RECEIVE UPDATE FROM TRAVIS COUNTY HEALTH AND HUMAN SERVICES ON THE AMERICAN REINVESTMENT AND RECOVERY ACT WEATHERIZATION ASSISTANCE PROGRAM. (11:18 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Deborah E. Britton, Director, Community Services Division, TCHHS&VS; Cyd Grimes, Travis County Purchasing Agent; Andrea Colunga Bussey, Division Director, Family Support Services, TCHHS&VS; Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); and Lance Pearson, Housing Manager, TCHHS&VS.

Discussion only. No formal action taken.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (11:46 AM)

- A. RECEIVE THE RESULTS OF THE ENVIRONMENTAL ASSESSMENT FOR THE LAVA LANE ROADWAY EXTENSION PROJECT; AND
- B. ADVERTISEMENT OF THE FINDING OF NO SIGNIFICANT IMPACT AND REQUEST FOR RELEASE OF FUNDS FOR THE LAVA LANE ROADWAY EXTENSION PROJECT.

**Clerk's Note:** Items 15.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS); and Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis that we receive the results of the environmental assessment.

**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 posting the advertisement in the Austin Chronicle and Ahora Si ! the Spanish version of the Austin American Statesman.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the advertising in both newspapers.

**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**

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTED DEBT ISSUANCE SCHEDULE AND FUNDING FOR FISCAL YEAR 2010 CAPITAL PROJECTS. (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) (11:54 AM) (3:26 PM) (4:36 PM)

**Clerk's Note:** Judge Biscoe announced that Item 16 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:** Rodney Rhoades, Executive Manager, PBO; and Ladd Pattillo, Travis County Financial Adviser.

Discussion only. No formal action taken.

Item 16 to be reposted on March 16, 2010.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:16 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(10:16 AM)
- A. ANNUAL APPLICATION TO THE EMERGENCY FOOD AND SHELTER BOARD FOR HEALTH AND HUMAN SERVICES TO CONTINUE TO PROVIDE EMERGENCY UTILITY ASSISTANCE TO QUALIFIED TRAVIS COUNTY RESIDENTS UNDER THE EMERGENCY FOOD AND SHELTER PROGRAM - PHASE 28;
  - B. BIENNIAL APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF VIOLENCE AGAINST WOMEN TO CONTINUE FOR THE SAFE HAVENS: SUPERVISED VISITATION AND SAFE EXCHANGE GRANT PROGRAM IN COUNSELING AND EDUCATION SERVICES AND APPROVE MEMORANDUM OF UNDERSTANDING WITH RELEVANT COMMUNITY PARTNERS TO PLAN AND DEVELOP EFFECTIVE RESPONSES TO VIOLENCE AGAINST WOMEN;
  - C. APPLICATION FOR A NEW GRANT TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES: SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION FOR THE COMMUNITY SUPERVISION & CORRECTIONS DEPARTMENT TO RECEIVE THE GRANT TO EXPAND SUBSTANCE ABUSE TREATMENT CAPACITY FOR ADULT DRUG COURTS; AND
  - D. CONTRACT AMENDMENT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TO PROVIDE ADDITIONAL RESOURCES FOR THE LOW INCOME VEHICLE REPAIR, ASSISTANCE, RETROFIT, AND ACCELERATED VEHICLE RETIREMENT PROGRAM WITHIN THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT.

**Clerk's Note:** Items 18.A-D 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**

19. DISCUSS AND ACKNOWLEDGE RECEIPT OF CREDIT OF \$79,012.21 FROM UNITED HEALTHCARE STOP LOSS COVERAGE FOR CLAIMS PAID BY THE EMPLOYEE HEALTH BENEFITS FUND FOR THE PERIOD OF FEBRUARY 19 TO 25, 2010. (2:24 PM)

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); and Cindy Purinton, Benefit Administrator, HRMD.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we receive the credit of \$79,012.21 from United Healthcare (UHC).

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

20. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY HEALTH FUND REPORTS AND EMPLOYEE WELLNESS AND HEALTH CLINIC GOALS: (2:27 PM)

- A. REVIEW ANNUAL HEALTH FUND REPORT FOR FISCAL YEAR 2009;
- B. STATUS REPORT ON HEALTH FUND FOR FISCAL YEAR 2010; AND
- C. STATUS REPORT ON WELLNESS PROGRAM GOALS.

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

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; Matt Nolte, Strategic Account Manager, United Healthcare (UHC); Cindy Purinton, Benefit Administrator, HRMD; Travis Gatlin, Budget Analyst, PBO; Dr. Hari Dhir M.D. MPH MBA, Medical Director, Wellness Clinic; Norman McRee, Financial Analyst, Lead, HRMD; and Jennifer Brindlee, Service Consultant, UHC.

Discussion only. No formal action taken.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:16 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 REGARDING THE FOLLOWING: (10:16 AM)

A. TRAVIS COUNTY PRECINCT TWO OFFICE BUILDING DEDICATION PLAQUE; AND

B. REQUEST TO SET DEDICATION CEREMONY OF THE TRAVIS COUNTY PRECINCT TWO OFFICE BUILDING ON APRIL 12, 2010, AT 11:00 A.M. (COMMISSIONER ECKHARDT)

**Clerk's Note:** Items 22.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### OTHER ITEMS

23. **AT 1:45 P.M.** RECEIVE BRIEF PRESENTATION AND DISCUSS IMPLEMENTING A VETERAN'S COURT IN THE CRIMINAL COURTS. (1:45 PM)

**Members of the Court heard from:** The Honorable Michael Denton, Judge, County Court at Law Number 4; Jason Steans, Assistant County Attorney; Debra Hale, Court Coordinator; and David Escamilla, Travis County Attorney.

Discussion only. No formal action taken.

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACT WITH ENVISION CENTRAL TEXAS. (10:21 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Jessica Rio, Assistant Budget Manager, PBO; and John Hille, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we direct County Staff to put together an appropriate contract with a scope of service; that the source of funding be Allocated Reserve.

**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

25. 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. (JUDGE BISCOE)  
(2:00 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; Adriana Cruz, Vice-President, Global Recruitment, Austin Chamber of Commerce; Bill Methenitis, Ernst and Young; and Maurice Priest, Travis County Resident.

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

**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

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING VARIOUS MATTERS RELATED TO THE DOWNTOWN CENTRAL CAMPUS MASTER PLAN, INCLUDING: (10:32 AM)
- A. PHASE TWO STEPS FOR THE MASTER PLANNING PROCESS AS OUTLINED IN THE COUNTY'S CONTRACT WITH BROADDUS AND ASSOCIATES;
  - B. PROPOSED COMMUNITY OUTREACH PROCESS;
  - C. PROPOSED COLLABORATION DIAGRAM TO HELP GUIDE THE PROCESS;
  - D. PROPOSED CONTRACT MODIFICATION FOR NAMED PROJECT EXECUTIVE; AND
  - E. OTHER RELATED ITEMS.

**Clerk's Note:** Items 26.A-E are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christian Smith, Special Assistant to the Commissioners Court; Steven Coulston, Vice President, Planning, Broaddus and Associates; Susan Spataro, Travis County Auditor; and Leslie Stricklan, Project Manager, Facilities Management.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Items 26.A-C, with the understanding that these are fluid and we may have to revisit them in the future.

<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 26.D&E discussion only. No formal action taken.

Item 26.D to be reposted when ready.



27. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY ACTIVITIES REGARDING THE 2010 CENSUS, INCLUDING: (2:12 PM)
- A. CENSUS SUMMIT TO BE CONVENED BY JUDGE BISCOE AND MAYOR LEFFINGWELL, ON MARCH 10, 2010, AT 5:30 P.M. AT CITY HALL;
  - B. PROCLAMATION DECLARING MARCH 19 THROUGH 21, 2010 AS "CENSUS SABBATH WEEKEND" IN TRAVIS COUNTY, AND ENCOURAGING ALL COMMUNITIES OF FAITH TO EDUCATE THEIR MEMBERS ABOUT THE IMPORTANCE OF THE CENSUS; AND
  - C. SUMMARY OF ACTIVITIES PLANNED BY TRAVIS COUNTY DEPARTMENTS AND INDEPENDENT ELECTED OFFICIALS.

**Clerk's Note:** Items 27.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; and Bruce Elfant, Constable, Precinct 5.

Discussion only. No formal action taken.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR TRAVIS COUNTY TO APPROVE MODIFICATION OF COMPOSITION OF CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) POLICY BOARD AS REQUIRED BY THE JOINT POWERS AGREEMENT. (3:01 PM)

**Motion by** Commissioner Huber that we not approve the new modification proposed for the composition of the Capital Area Metropolitan Planning Organization (CAMPO) area.

**Clerk's Note:** Motion died for lack of a second.

**Clerk's Note:** Judge Biscoe noted that the CAMPO Board had discussed options for modifying the composition of the Board, and had approved Option 2.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Option 2.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	abstain
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	no
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

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

29. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. MH STAFFORD AND JOANN STAFFORD (DAVID L. DAY RESALE DEED). <sup>1</sup> (3:26 PM) (4:36 PM)

**Clerk's Note:** Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** John Hille, Assistant County Attorney; and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we authorize the County Judge to execute the prepared tax resale deed to David L. Day, who has delivered to Travis County the sum of \$3,000.00, in cash.

**A Substitute Motion was made by** Commissioner Huber **and Seconded by** Commissioner Eckhardt that we reject the offer.

**Withdrawal of the Substitute Motion and Second was made by** Commissioner Huber **and** Commissioner Eckhardt.

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

Discussion only. No formal action taken.

Item 29 to be reposted on March 16, 2010.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON BROKERAGE SERVICES AGREEMENT WITH UGL EQUIS CORPORATION. <sup>1</sup> (3:38 PM)

**Clerk's Note:** Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 30 postponed until March 16, 2010.

31. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING MARY ANN WARD VS. TRAVIS COUNTY, TEXAS ET AL. <sup>1</sup> (3:26 PM) (4:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we reject the offer, and that offer was in the amount of \$325,000.00.

**Motion carried:**

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

32. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING CASE OF STRICKLAND, ET AL. VS. TRAVIS COUNTY AND THE CITY OF AUSTIN. <sup>1</sup> (3:26 PM) (4:39 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.

**Motion by** Commissioner Huber **and seconded by** Commissioner Gómez that we authorize Legal to proceed with the settlement on this case under the terms outlined.

**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

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSAL FOR DOWNTOWN OFFICE BUILDING BY D2000, A TURN KEY DEVELOPMENT COMPANY. <sup>1 AND 2</sup> (3:26 PM) (4:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Item 33 was not discussed.

Item 33 to be reposted on March 16, 2010.

34. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO AUBREE LEDBETTER. <sup>1</sup> (3:26 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.

Item 34 postponed.

35. CONSIDER AND TAKE APPROPRIATE ACTION CONCERNING THE SETTLEMENT OFFER REGARDING PAYMENT FOR STAR FLIGHT SERVICES RENDERED TO KATHY KUECKER. <sup>1</sup> (3:26 PM) (4:39 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 Gómez that we reject the offer, and agree to settle this for \$4,938.00.

**Withdrawal of the Previous Motion and Second was made by** Judge Biscoe and Commissioner Gómez.

Item 35 to be reposted on March 16, 2010.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT FOR MANCHACA COMMUNITY CENTER. <sup>1 AND 2</sup> (3:26 PM) (3:27 PM) (4:41 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

**Members of the Court heard from:** T.J. Greaney, Travis County Resident; Mary Ann Naumann, Travis County Resident; and Maurice Priest, Travis County Resident.

**Motion by** Commissioner Huber **and seconded by** Commissioner Davis that effective Wednesday, March 24th, 2010, at 10:00 AM, that Travis County revoke the license granted to Clarence Vogel d/b/a Vogel Enterprises in relationship to the Manchaca Community Center and terminate the Second Novation of License Agreement for the operation of the Community Center between Travis County and Clarence Vogel d/b/a Vogel Enterprises, entered into in June, 2009; and also, that we give the community leadership out there that's been so actively working to try to keep this community center going, 60 days to come forth with a proposal to us on a way to move forward with this Community Center in a way that would service the community and the people involved.

**A Friendly Amendment to the previous Motion was offered by** Commissioner Eckhardt that a prerequisite for a proposal would be that the license agreement would be with someone other than Mr. Vogel.

**Acceptance of the Friendly Amendment was made by** Commissioner Huber.

**A Clarification of the Previous Motion was made by** Judge Biscoe that is to terminate the license agreement effective March 24th, 2010, at 10:00 AM and in response to comments we heard today, we're asking the community to submit a specific proposal to us regarding use of the Community Center in 60 days from today, Tuesday, March 9, 2010.

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

**Clerk's Note:** The Court noted that the check offered by the Community Center was not posted for discussion; this will be posted on the Agenda for the March 16, 2010 Voting Session. The Court will continue discussion with the community leadership on the best course of action.

**ADDED ITEMS**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON REAPPOINTMENT OF HENRY GILMORE TO THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD. (3:16 PM)

**Members of the Court heard from:** Maurice Priest, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the reappointment of Henry Gilmore to the Central Texas Regional Mobility Authority (CTRMA) board.

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

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:43 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	yes

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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