

MINUTES OF MEETING SEPTEMBER 7, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 7th day of September 2010, the Commissioners' Court convened the Voting Session at 9:13 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 12:34 PM.

The Voting Session of the Travis County Bee Cave Road District #1 (Galleria), was postponed until September 14, 2010.

The Commissioners Court reconvened the Voting Session at 1:55 PM.

The Commissioners Court retired to Executive Session at 2:47 PM.

The Commissioners Court reconvened the Voting Session at 5:01 PM.

The Commissioners Court adjourned the Voting Session at 5:07 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING REQUEST FOR FINANCIAL INCENTIVES FOR PROJECT HELIOS, A SOLAR ENERGY INITIATIVE IN NORTHEAST TRAVIS COUNTY. (ACTION ITEM #22) (9:15 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 22 for a summary of the action item.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt 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	absent

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Angelos Angelou, Principal Executive Officer, Angelou Economics; Debbie Lindeman, Travis County Resident; Sheila Cates, Travis County Resident; Ronnie Gjemre, Travis County Resident; Charlie Rountree, Travis County Resident; Lee Cooke, Former Mayor of Austin; Vernon Hodde, Travis County Resident; Mitch Jacobson, Director, Clean Energy Incubator, University of Texas at Austin; Valerie Harkins, Site Coordinator, Project Helios; Maurice Priest, Travis County Resident; Gus Peña, Travis County Resident; Jose Pesaro, Director, Clean Energy, Austin Chamber of Commerce; and Sharron Brown, Travis County Resident.

Motion by Judge Biscoe **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	absent

CITIZENS COMMUNICATION

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; Gus Peña, Travis County Resident; Vickie Karp, Director, Public Relations, VoteRescue; Marcelo Tafoya, Deputy State Director, League of United Latin American Citizens (LULAC); Clint Smith, Member, Grey Panthers; Bill Stout, Co-Chair, Travis County Green Party; Karen Rennick, Founder, VoteRescue; Maurice Priest, Travis County Resident; Fidel Acevedo, President, Local 4860, LULAC; Connie Ripley, President, Don't Empty Lake Travis Association (DELTA); Gary Dugger, Convener, Austin Grey Panthers; and Martin Boyer, Vice President, DELTA. (9:58 AM)

CONSENT ITEMS

Motion by Commissioner Davis **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C4 and Items 4, 5, 6, 7, 8, 9, 10.A&B, 13.A-C, 14.A&B, 17.A-F, 19, 20.A&B, 21.A&B, 24, 26, and A2.A&B. (10:35 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	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE THE COMMISSIONERS COURT MINUTE FOR THE VOTING SESSION OF AUGUST 24, 2010.
- C4. APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 28, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 449 SQUARE FOOT PORTION OF A 10 FOOT WIDE DRAINAGE EASEMENT WHICH TRAVERSES LOT 6, BLOCK 17 OF AUSTIN LAKE ESTATES, SECTION ONE – A SUBDIVISION IN TRAVIS COUNTY, PRECINCT THREE. (COMMISSIONER HUBER)

INTRODUCTIONS

- 2. INTRODUCE ANDREW WILLIAMS, ASSISTANT COUNTY ATTORNEY.
(10:38 AM)

Members of the Court heard from: James W. Collins, Executive Assistant, Travis County Attorney’s Office; and Andrew Williams, Assistant County Attorney,

Discussion only. No formal action taken.

RESOLUTIONS AND PROCLAMATIONS

- 3. APPROVE RESOLUTION RECOGNIZING SEPTEMBER 2010 AS
“CITIZENSHIP AWARENESS MONTH” IN TRAVIS COUNTY. (10:42 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve the Resolution 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

JUSTICE AND PUBLIC SAFETY ITEMS

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE REGARDING A
REQUEST FROM SIGNATURE SCIENCE, LLC TO USE TRAVIS COUNTY
MEDICAL TRAINING SIMULATION EQUIPMENT. (10:35 AM)

Clerk’s Note: Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

Clerk’s Note: The County Judge noted that the daily rate would be \$350.00, and any other costs to cover any damage that may occur.

PURCHASING OFFICE ITEMS

5. APPROVE TWELVE-MONTH EXTENSION, MODIFICATION NO. 6, TO INTERLOCAL AGREEMENT NO. IL060054RE, AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR ADULT BASIC EDUCATION SERVICES. (10:35 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. APPROVE MODIFICATION NO. 2, AN ASSIGNMENT OF CONTRACT NO. 09T00202NB FROM EFFICIENT ATTIC SYSTEMS, L.P. TO WEATHERIZATION MANAGEMENT GROUP, LLC. (10:35 AM)

Clerk's Note: Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. APPROVE ISSUANCE OF JOB ORDER NO. 86, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (10:35 AM)

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

8. APPROVE LIST OF AUTO-RENEWAL INTERLOCAL AGREEMENTS (83 TOTAL) AND CONTRACTS (207 TOTAL) FOR VARIOUS SERVICES. (10:35 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 AWARD FOR PROFESSIONAL PSYCHOLOGICAL/CONSULTING SERVICES WITH AUSTIN PSYCHOLOGY & ASSESSMENT CENTER FOR THE COLLABORATIVE OPPORTUNITIES FOR POSITIVE EXPERIENCE PROGRAM (COPE). (10:35 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 THE FOLLOWING MODIFICATIONS TO CONTRACT NO. CM100016GM, OPEX CORPORATION, FOR DROP FEED PRODUCTION SCANNER: (10:35 AM)
 - A. MODIFICATION NO. 1 TO THE PURCHASE AGREEMENT FOR AN ADDITIONAL DROP FEED PRODUCTION SCANNER AND LICENSES; AND
 - B. MODIFICATION NO. 2 TO THE MASTER MAINTENANCE AGREEMENT FOR AN ADDITIONAL DROP FEED PRODUCTION SCANNER AND LICENSES

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.

11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING COUNTY PROPERTY AT 700 LAVACA STREET: (2:27 PM)
 - A. THE USE OF EXTERNAL OR INTERNAL PROJECT MANAGEMENT FOR THE PROJECT IN WHOLE OR PART;
 - B. SCOPE OF SERVICES FOR ARCHITECTURAL AND ENGINEERING SERVICES;
 - C. DIRECTIONS ON HOW TO PROCEED TOWARD ISSUANCE OF A REQUEST FOR QUALIFICATIONS, NO. Q100247RV; AND
 - D. APPROPRIATE CONSTRUCTION DELIVERY METHODS.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Roger El Khoury, Director, Facilities Management.

Discussion only. No formal action taken.

Items 11.A-D to be reposted September 14, 2010.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION ON VARIANCE REQUESTS UNDER CHAPTER 62 AND CHAPTER 64 OF THE TRAVIS COUNTY CODE BY SYNAGRO OF TEXAS – CDR, INC., FOR A PROPOSED SEWAGE SLUDGE BENEFICIAL USE LAND APPLICATION SITE. (COMMISSIONER GÓMEZ)
(9:13 AM) (2:47 PM) (5:02 PM)

Clerk's Note: Judge Biscoe announced that Item 12 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Julie Joe, Assistant County Attorney.

Discussion only. No formal action taken.

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING IN PRECINCT TWO: (10:35 AM)
- A. ACCEPTANCE OF DEDICATION OF MEADOWS OF BLACKHAWK PHASE 6, MEADOWS OF BLACKHAWK PHASE 8 AND PARK AT BLACKHAWK II JAKES HILL ROAD AND MARTIN LANE;
 - B. APPROVAL OF FIRST AMENDMENT TO LICENSE AGREEMENT WITH MEADOWS OF BLACKHAWK HOMEOWNERS ASSOCIATION, INC.; AND
 - C. APPROVAL OF FIRST AMENDMENT TO LICENSE AGREEMENT WITH PARK AT BLACKHAWK AND LAKESIDE HOMEOWNERS ASSOCIATION, INC. (COMMISSIONER ECKHARDT)

Clerk's Note: Items 13.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING IN PRECINCT THREE: (10:35 AM)
 - A. THE PROPOSED SALE OF PROPERTY LOCATED AT 13133 VOLENTE ROAD (FM 2769) (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY AND GOV'T. CODE ANN. 551.072, REAL PROPERTY); AND
 - B. APPROVE THE SETTING OF A PUBLIC HEARING ON OCTOBER 5, 2010 TO CONSIDER SALE OF PROPERTY LOCATED AT 13133 VOLENTE ROAD UNDER THE TERMS OF THE TEXAS PARKS AND WILDLIFE CODE, CHAPTER 26 PUBLIC HEARING PROCESS. (COMMISSIONER HUBER)

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

Clerk's Note: The County Judge noted that Item 14.A is to announce the County's intention to sell the property, but to retain access to the Balcones Canyonlands Conservation Plan (BCCP) through an easement. No action will be taken until after the Public Hearing on October 5, 2010 approved in Item 14.B.

15. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE FORMULA ONE RACE TRACK IN SOUTHEAST TRAVIS COUNTY. (COMMISSIONER GÓMEZ) (11:44 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Richard Suttle, Jr., Attorney, Armbrust and Brown representing the Formula One Project.

Discussion only. No formal action taken.

Item 15 to be reposted September 14, 2010.

PLANNING AND BUDGET DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (2:16 PM)

Clerk’s Note: The Court discussed Budget Amendment A1 – Health and Human Services vehicle replacements.

Members of the Court heard from: Diana Ramirez, Budget Analyst, PBO; Leroy Nellis, Budget Manager, PBO; Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe and seconded by Commissioner Gómez to fund those automobiles out of the Capital Acquisitions Resources (CAR) reserve, and indicate our intention tomorrow, Wednesday, September 8, 2010, during Budget Markup to move those funds into the County Home Repair Program.

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 Gómez to approve the rest of Item 16.

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

17. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:35 AM)
 - A. NEW CONTRACT WITH THE U.S. FISH AND WILDLIFE SERVICE THROUGH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR LAND ACQUISITION ASSISTANCE FUNDS TO CONTINUE THE EXISTING PROGRAM IN TRANSPORTATION AND NATURAL RESERVE FOR THE BALCONES CANYONLANDS PRESERVE;
 - B. ANNUAL CONTRACT WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR THE JUVENILE PROBATION DEPARTMENT TO CONTINUE THE EXISTING JUVENILE ASSESSMENT BLOCK GRANT JUVENILE ASSESSMENT CENTER PROGRAM;
 - C. ANNUAL CONTRACT WITH THE OFFICE OF ATTORNEY GENERAL FOR THE JUVENILE PROBATION DEPARTMENT TO CONTINUE THE ACCESS AND VISITATION – COOPERATIVE PARENT PROGRAM TO PROMOTE COMPLIANCE WITH COURT ORDERS REGARDING CHILD ACCESS AND VISITATION;
 - D. ANNUAL CONTRACT WITH TEXAS DEPARTMENT OF AGRICULTURE FOR THE JUVENILE PROBATION DEPARTMENT TO CONTINUE THE NATIONAL SCHOOL LUNCH/BREAKFAST PROGRAM AND USDA SCHOOL COMMODITY PROGRAM;
 - E. AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN TRAVIS COUNTY, CASEY FAMILY PROGRAMS AND THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES TO INCLUDE CLIENT SERVICES AS AN ELIGIBLE EXPENSE WITHIN THE EXISTING BUDGET FOR THE CASEY FAMILY PROGRAMS COMMUNITY AND FAMILY REINTEGRATION PROJECT, WHICH IS OVERSEEN BY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE; AND
 - F. REQUEST FROM HEALTH AND HUMAN SERVICES AND VETERANS SERVICE TO CREATE THREE FTE'S WITHIN THE EXISTING BUDGET OF THE AMERICAN RECOVERY AND REINVESTMENT ACT WEATHERIZATION ASSISTANCE PROGRAM.

Clerk's Note: Items 17.A-F 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 REGARDING DISCUSSION WITH THE OPERATIONAL PLANNING TEAM IN DEVELOPING A STRATEGY FOR ASSESSING THE ORGANIZATIONAL STRUCTURE AND PARTICIPANTS. (2:31 PM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; and Rodney Rhoades, Executive Manager, PBO.

Motion by Judge Biscoe and seconded by Commissioner Huber to approve the going forward and the Work Session; and that the Operational Planning Team work with the Court and try to find a convenient date if there's a date optimally convenient to the five members of the Court; more so than October 21, 2010, and October 28, 2010; that we basically aim for that date.

Motion carried:

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

ADMINISTRATIVE OPERATIONS ITEMS

- 19. 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 \$773,833.99 FOR THE PERIOD OF AUGUST 20 TO AUGUST 26, 2010. (10:35 AM)

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

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR HUMAN RESOURCES MANAGEMENT DEPARTMENT: (10:35 AM)
 - A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
 - B. NON-ROUTINE REQUEST FROM THE TRAVIS COUNTY SHERIFF’S OFFICE FOR A VARIANCE TO TRAVIS COUNTY CODE CHAPTER 10.03002, GENERAL OVERVIEW FOR DETERMINING PAY POLICY.

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

- 21. A. CONSIDER AND TAKE APPROPRIATE ACTION ON EMPLOYEE REFUNDS UNDER TUITION REIMBURSEMENT POLICY 10.021; AND
- B. AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE CERTAIN EMPLOYEES. (10:35 AM)

Clerk's Note: Items 21.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

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR FINANCIAL INCENTIVES FROM PROJECT HELIOS, A SOLAR ENERGY INITIATIVE IN NORTHEAST TRAVIS COUNTY. (9:51 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 1.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Item 22.

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

Clerk's Note: The County Judge noted that by approving Item 22 the Court are asking Legal to put together a contract consistent with the terms that Rodney Rhoades, Executive Manager, PBO laid out at the beginning of the Public Hearing for this Court's consideration; and that we ask Legal to get with representatives from Project Helios to put a draft contract in as final shape as possible, and present that to the Court expeditiously.

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON PRESENTATION AND UPDATE FROM THE SUSTAINABLE FOOD POLICY BOARD ON PROGRESS MADE ON THE SEVEN CHARGES TO THE BOARD. (COMMISSIONER ECKHARDT) (10:48 AM)

Members of the Court heard from: Marla Camp, Co-Chair, Sustainable Food Policy Board; Paula McDermott, Chair, Sustainable Food Policy Board; Brandi Burton, Sustainable Food Policy Board; Katy Petrie, Sustainable Food Policy Board; and Cyd Grimes, Travis County Purchasing Agent.

Discussion only. No formal action taken.

- 24. RECEIVE FISCAL YEAR 2009 AUDIT REPORTS FOR EMERGENCY SERVICES DISTRICT NOS. 4, 8 AND 13. (10:35 AM)

Clerk’s Note: Item 24 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 25. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUEST TO TEXAS TRANSPORTATION COMMISSION TO ESTABLISH A VETERANS DISCOUNT TOLLING PROGRAM FOR QUALIFYING VETERANS. (COMMISSIONER DAVIS) (10:42 AM)

Members of the Court heard from: Olie Pope, Director, Veterans’ Services, Travis County Health and Human Services (TCHHS); and Deece Eckstein, Intergovernmental Relations Officer.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 25.

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

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON ELECTION SERVICES AGREEMENTS BETWEEN TRAVIS COUNTY AND AUSTIN COMMUNITY COLLEGE AND TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4. (10:35 AM)

Clerk’s Note: Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE APPOINTMENT OF CHAIR PERSONS AND FUNDRAISING STRATEGY FOR COMBINED CHARITIES 2010 CAMPAIGN (JUDGE BISCOE) (2:44 PM)

Clerk’s Note: The Court without objection approved the following plan:

- Chief Coordinators – Judge Biscoe and Staff
- Team Coordinators – Joe Gieselman, Executive Manager, TNR; Sherri Fleming, Executive Manager, TCHHS&VS; Roger El Khoury, Director, Facilities Management; Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems; Rodney Rhoades, Executive Manager, PBO; and Roger Jefferies, Executive Manager, Justice and Public Safety (JPS)
- Appointed Officials – to assume responsibility for his/her own workplace.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON NOTICE FROM THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE REGARDING DECISION TO MODIFY AGREEMENT WITH TRAVIS COUNTY REGARDING SMART BEDS. (11:18 AM)

Clerk’s Note: The Court discussed three options to increase the number of SMART beds to 116:

- Option One – 72 beds in new facility and 44 beds in existing
- Option Two – 40 beds in new facility and 76 bed in existing facility
- Option Three – 56 beds in new facility and 60 beds in existing facility

Members of the Court heard from: Dr. Geraldine Nagy, Director, Adult Probation, Community Supervision and Corrections Department (CSCD); Bob Klepac, Financial Analyst Lead, CSCD; Roger El Khoury, Director, Facilities Management; Lila Oshatz, Probation Division Director, CSCD; and Gabriel Stock, Senior Architectural Associate, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Option One in Item 28.

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

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.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PURCHASE OF APPROXIMATELY 14.839 ACRES OF LAND IN NORTHWEST TRAVIS COUNTY IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER HUBER) ² (2:47 PM) (5:02 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 and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Huber **and seconded by** Commissioner Davis that we make an offer for \$385,000.00, which is the appraised value.

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

30. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PURCHASE OF APPROXIMATELY 110.485 ACRES OF LAND IN NORTHWEST TRAVIS COUNTY IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. (COMMISSIONER HUBER) ²
(2:47 PM) (5:03 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 and Gov’t. Code Ann. 551.072, Real Property.

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt that we not accept the offer made, and counter with an offer of \$2,300,000.00.

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	absent

31. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE LEASE AND SPACE FOR TRAVIS COUNTY DISTRICT ATTORNEY AT 700 LAVACA. ^{1 AND 2} (2:47 PM) (5:03 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 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 Huber that we direct Staff to have an appropriate conversation with our District Attorney, regarding that space that we provide to the State Task Force.

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

32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSAL FOR DOWNTOWN OFFICE BUILDING BY D2000, A TURN KEY DEVELOPMENT COMPANY. ^{1 AND 2} (2:47 PM) 5:04 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 and Gov’t. Code Ann. 551.072, Real Property.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis that we reject the proposal based on the costs, and the ground lease with its significant conditions.

Motion carried: County Judge Samuel T. Biscoe no
 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

33. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING RECENT DEVELOPMENTS AT KENNEDY RIDGE NEIGHBORHOOD ASSOCIATION RELATED TO ACTIVITIES OF THE WATER CORPORATION. ¹ (1:55 PM) (2:47 PM) (5:04 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.

Members of the Court heard from: Charlie Evans, Southwest Water Utility; Gary Rose, Southwest Water Utility; and Tom Nuckols, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we ask our Health and Human Services Staff to touch base with the three residents whose service has been disconnected, and determine their eligibility to participate in the County Emergency Utility Assistance Program applying the County Policy; further, that we work with the County Attorney to determine what assistance the Attorney General and TCEQ might provide in remedying the overall situation out there.

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

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PURCHASE OF OPEN SPACE LAND OR CONSERVATION EASEMENTS IN PRECINCT ONE. (COMMISSIONER DAVIS) ^{1 AND 2} (2:47 PM) (5:05 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 and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2} (2:47 PM) (5:05 PM)

Clerk's Note: Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to grant the extension, and authorize a survey at an expenditure of \$8,000.00, payable from the purchase price.

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

ADDED ITEMS

- A1. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING TRAVIS COUNTY INDIGENT BURIAL PROGRAM, INCLUDING CREMATION OPTION. (2:47 PM) (5:06 PM)

Clerk’s Note: Judge Biscoe announced that Item A1 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 Davis that we direct Staff to put together an appropriate draft cremation policy, and appropriate draft RFP to identify funeral homes that might want to be added to the County list of vendors that provide the burial services, including cremation, and that we ask Staff to determine the best practices, best prices, for us to consider at a future discussion.

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

- A2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING IN PRECINCT THREE: (10:35 AM)
 - A. RESUBDIVISION OF LOT 9, BLOCK A, ANGELWYLDE SECTION THREE PRELIMINARY PLAN (PRELIMINARY PLAN – 9 TOTAL LOTS: 8 SINGLE FAMILY LOTS AND ONE PRIVATE STREET LOT – 40.333 ACRES – ANGELWYLDE DRIVE – FISCAL IS NOT REQUIRED WITH THE PRELIMINARY PLAN - SEWAGE SERVICE TO BE ON SITE SEWAGE FACILITIES– CITY OF AUSTIN ETJ); AND
 - B. SET A PUBLIC HEARING DATE FOR SEPTEMBER 28, 2010, FOR RESUBDIVISION OF LOT 9, BLOCK A, ANGELWYLDE SECTION THREE (RESUBDIVISION FINAL PLAT - 9 TOTAL LOTS: 8 SINGLE FAMILY LOTS AND ONE PRIVATE STREET LOT - 40.333 ACRES - ANGELWYLDE DRIVE - APPROPRIATE FISCAL HAS BEEN POSTED WITH CITY OF AUSTIN - SEWAGE SERVICE TO BE ON SITE SEWAGE FACILITIES - CITY OF AUSTIN ETJ). (COMMISSIONER HUBER)

Clerk’s Note: Items A2.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

ADJOURNMENT

Motion by Commissioner Huber **and seconded by** Commissioner Davis to adjourn the Voting Session. (5:07 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	absent

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge