

MINUTES OF MEETING SEPTEMBER 21, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 21st day of September 2010, the Commissioners' Court convened the Voting Session at 9:14 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:02 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:42 PM and adjourned at 1:43 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 1:50 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:50 PM and adjourned at 1:52 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:52 PM and adjourned at 1:53 PM.

The Commissioners Court reconvened the Voting Session at 1:54 PM.

The Commissioners Court retired to Executive Session at 3:50 PM.

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

The Commissioners Court adjourned the Voting Session at 4:45 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 74 AND 75, BLOCK PP OF TWIN LAKE HILLS – A SUBDIVISION IN TRAVIS COUNTY IN PRECINCT THREE. (COMMISSIONER HUBER) (ACTION ITEM #6) (9:16 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 Huber **and seconded by** Commissioner Davis to open the public hearing.

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

Members of the Court heard from: Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (TNR).

Motion by Commissioner Huber **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

ADDED ITEM:

A1. RECEIVE COMMENTS REGARDING THE TRAVIS COUNTY TAX RATE FOR THE FISCAL YEAR 2011 COUNTY BUDGET. (9:17 AM)

Clerk’s Note: This Item is a public hearing to receive comments.

Clerk’s Note: The Court without objection opened the Public Hearing.

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt 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: Maurice Priest, Travis County Resident; Clint Smith, Member, Grey Panthers; Allissa Chamber, Austinites Lobbying for Municipal Accountability (ALMA); Rae Nalder-Olenick, Fluoride Free Austin; Chris Nielson, Capitol Cruisers, LLC; Karen Rennick, Founder, VoteRescue; Vicky Karp, Director, Public Relations, VoteRescue; Ronnie Gjemre, Travis County Resident; Charles Williams, Conservation Coordinator, TNR; Erin Franz, Executive Director, Colorado River Foundation; Rodney Ahart, Executive Director, Keep Austin Beautiful; and John Peña, Lower Colorado River Authority (LCRA). (9:24 AM)

CONSENT ITEMS

Motion by Commissioner Davis **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C6 and Items 9, 14, 16, 18, 19.A-E, 21, 25, 26, 27, 28.B, 30, 32, 33, 34, 35, 36, 38, 39, 40, 42, 43, 44, 45, 47, 48, A3, A4, A5, and A6. (9:52 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 MINUTES FOR THE VOTING SESSION OF AUGUST 31, 2010.
- C4. APPROVE SETTING A PUBLIC HEARING DATE FOR OCTOBER 12, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 1431 AND 1432 OF THE AMENDED PLAT OF APACHE SHORES, SECTION 3 – A SUBDIVISION IN TRAVIS COUNTY, PRECINCT THREE. (COMMISSIONER HUBER)
- C5. APPROVE SETTING A PUBLIC HEARING ON OCTOBER 12, 2010 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 292 AND 293 OF APACHE SHORES, 1ST INSTALLMENT – A SUBDIVISION IN TRAVIS COUNTY, PRECINCT 3. (COMMISSIONER HUBER)
- C6. APPROVE SETTING A PUBLIC HEARING DATE FOR OCTOBER 19, 2010 TO RECEIVE COMMENTS ON A REVISED PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 1, 2, AND 3, TRAVIS BLUFF (SHORT FORM PLAT – 2 LOTS – 4.51 ACRES – HAYNIE FLAT ROAD – NO FISCAL REQUIRED WITH TRAVIS COUNTY – WATER TO BE PROVIDED BY A PRIVATE COMMUNITY WELL – SEWAGE SERVICE TO BE PROVIDED BY ON-SITE SEPTIC – LCRA). (COMMISSIONER HUBER)

RESOLUTIONS AND PROCLAMATIONS

2. APPROVE RESOLUTION IN SUPPORT OF THE GILLELAND CREEK TOTAL MAXIMUM DAILY LOAD IMPLEMENTATION PLAN PROPOSED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY. (9:56 AM)

Members of the Court heard from: Tom Weber, Environmental Quality Program Manager, TNR; and Stacey Scheffel, Flood Plain Manager, TNR.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve the Resolution in Item 2.

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

3. APPROVE PROCLAMATION FOR THE 27TH ANNUAL NATIONAL NIGHT OUT EVENT ON OCTOBER 5, 2010. (10:08 AM)

Members of the Court heard from: Jim Sylvester, Chief Deputy, Travis County Sheriff's Office (TCSO); and James Kitchens, Deputy, TCSO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis 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

- 4. APPROVE RESOLUTION RECOGNIZING GLORIA ADAMES FOR HER MANY YEARS OF SERVICE TO TRAVIS COUNTY AND ITS RESIDENTS. (COMMISSIONER HUBER) (10:14 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Andrea Colunga Bussey, Division Director, Family Support Services, TCHHS&VS; and Gloria Adames, Family Support Services, TCHHS&VS.

Motion by Commissioner Huber **and seconded by** Commissioner Davis to approve the Resolution in Item 4.

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

- 5. APPROVE PROCLAMATION RECOGNIZING AUSTIN TRAVIS COUNTY INTEGRAL CARE FOR EFFECTIVE AND COST EFFICIENT MEANS TO MANAGE AND DELIVER SERVICES FOR TEXANS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, SERIOUS MENTAL ILLNESS AND SUBSTANCE USE DISORDERS. (10:20 AM)

Members of the Court heard from: Iliana Gilman, Director of Communications, Austin/Travis County Integral Care.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber to approve the Proclamation in Item 5.

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	absent

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG THE COMMON LOT LINE OF LOTS 74 AND 75, BLOCK PP OF TWIN LAKE HILLS – A SUBDIVISION IN TRAVIS COUNTY IN PRECINCT THREE. (COMMISSIONER HUBER) (10:22 AM)

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

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

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

- 7. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE FORMULA ONE RACE TRACK IN SOUTHEAST TRAVIS COUNTY. (COMMISSIONER GÓMEZ) (1:54 PM)

Members of the Court heard from: Richard Suttle, Jr., Attorney, Armbrust and Brown representing Formula 1 Project; Joe Gieselman, Executive Manager, TNR; David Greear, Traffic Manager, TNR; and Todd Rebleski, Travis County Resident.

Discussion only. No formal action taken.

- 8. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING NEIGHBORHOOD FISHING PROGRAM AT EAST METRO PARK FROM TEXAS PARKS AND WILDLIFE DEPARTMENT. (COMMISSIONER DAVIS) (11:35 AM)

Members of the Court heard from: Kurt Nielsen, Parks Operations Manager, East Side, TNR; and Marcos J. De Jesus, Texas Parks and Wildlife Department (TPWD).

Discussion only. No formal action taken.

- 9. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACT FOR THE TRANSFER OF THE 11.16 ACRE COLINA VISTA MITIGATION TRACT FROM CONTINENTAL HOMES OF TEXAS, L.P. TO TRAVIS COUNTY AND ACCEPTANCE OF OPERATION AND MAINTENANCE RESPONSIBILITY TO BE MANAGED AS PART OF THE BALCONES CANYONLANDS PRESERVE. (COMMISSIONER HUBER) (9:52 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 A REQUEST FOR A VARIANCE TO CHAPTER 48 OF THE TRAVIS COUNTY CODE AND TITLE 30 TEXAS ADMINISTRATIVE CODE CHAPTER 285 TO INSTALL THE SUPPLY LINE TO THE SEPTIC DRAIN FIELD CLOSER THAN FIVE FEET TO THE HOUSE FOUNDATION AT 608 REDBUD TRAIL. (COMMISSIONER HUBER) (3:35 PM)

Members of the Court heard from: Stacey Scheffel, Flood Plain Manager, TNR.

Motion by Commissioner Huber **and seconded by** Judge Biscoe to approve Item 10.

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

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST FOR A VARIANCE TO CHAPTER 48 OF THE TRAVIS COUNTY CODE AND TITLE 30 TEXAS ADMINISTRATIVE CODE CHAPTER 285 TO ALLOW THE WATERTIGHT SUPPLY LINE TO THE SEPTIC DRAIN FIELD WITHIN A DRAINAGE EASEMENT AT 2903 KATTER COURT. (COMMISSIONER HUBER) (3:40 PM)

Clerk’s Note: Items 11 through 13 are associated with one another and were called for concurrent discussion.

Motion by Commissioner Huber **and seconded by** Commissioner Eckhardt to approve Items 11 through 13.

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 REQUEST FOR A VARIANCE TO CHAPTER 48 OF THE TRAVIS COUNTY CODE AND TITLE 30 TEXAS ADMINISTRATIVE CODE CHAPTER 285 TO INSTALL THE SEPTIC DRAIN FIELD AT 15102 LARIAT TRAIL CLOSER THAN TWENTY FIVE FEET TO A DRAINAGE EASEMENT. (COMMISSIONER HUBER) (3:40 PM)

Clerk’s Note: Items 11 through 13 are associated with one another and were called for concurrent discussion. Please refer to Item 11 for a summary of the action taken by the Court.

- 13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST FOR A VARIANCE TO CHAPTER 48 OF THE TRAVIS COUNTY CODE AND TITLE 30 TEXAS ADMINISTRATIVE CODE CHAPTER 285 TO ALLOW A 500 GALLON PER DAY AEROBIC TREATMENT UNIT WITH A 500 GALLON DOSING TANK TO BE INSTALLED FOR A 5-BEDROOM HOME LESS THAN 4500 SQUARE FEET AT 16 ST. STEPHENS SCHOOL ROAD. (COMMISSIONER HUBER) (3:40 PM)

Clerk’s Note: Items 11 through 13 are associated with one another and were called for concurrent discussion. Please refer to Item 11 for a summary of the action taken by the Court.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 14. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE DESIGNATION OF MICHAEL FREDRICK KELLEY, M.D., M.P.H., AS AN ALTERNATE HEALTH AUTHORITY FOR AUSTIN/TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT EFFECTIVE OCTOBER 1, 2010. (9:52 AM)

Clerk’s Note: Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE AMENDMENT TO THE SUB-RECIPIENT AGREEMENT WITH AUSTIN HABITAT FOR HUMANITY, INC. FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT AVAILABLE THROUGH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. (12:00 PM)

Clerk’s Note: The Court noted a need to correct a date in the initial contract from August 11, 2010 to August 11, 2009. It was also noted that the requested amendment to the contract serves to extend the contract.

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 15, with that correction.

Motion carried:

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

- 16. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN FOR THE PROVISION OF PUBLIC HEALTH SERVICES FOR FISCAL YEAR 2011. (9:52 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 THE FOLLOWING:
(10:23 AM)

- A. TRAVIS COUNTY HEALTHCARE DISTRICT D/B/A CENTRAL HEALTH'S 2010 TAX RATE; AND
- B. TRAVIS COUNTY HEALTHCARE DISTRICT D/B/A CENTRAL HEALTH'S FISCAL YEAR 2011 BUDGET.

Clerk's Note: The Court discussed the proposed FY 2010 tax rate of 7.19 cents per \$100 of assessed valuation for Central Health.

Members of the Court heard from: John Stevens, Chief Financial Officer (CFO), Central Health; Trish Young, President and Chief Executive Officer, Central Health; Marie Seale, Director, Office of Pro-Life Activities and Chaste Living, Diocese of Austin; Ronnie Gjemre, Travis County Resident; Dina Meyer, Director, Public Policy, Texas Alliance for Life; Maurice Priest, Travis County Resident; David Buttross, Travis County Resident; Allan E. Parker, Jr., President, Justice Foundation; David Featherston, Travis County Resident; Sonya Featherston, Travis County Resident; Paul Kroschewsky, Travis County Resident; Claire Ducker, Travis County Resident; and Janinne Floores, Executive Director and Founder, Breath of Life Maternity Ministries.

Motion by Commissioner Eckhardt **and seconded by** Judge Biscoe to approve the budget and the proposed tax rate.

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	absent

PLANNING AND BUDGET DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:52 AM)

Clerk's Note: Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

19. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:52 AM)
 - A. ANNUAL CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR JUVENILE PROBATION TO CONTINUE THE EXISTING JUVENILE DRUG COURT AND IN-HOME FAMILY SERVICES PROGRAM;
 - B. ANNUAL CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR JUVENILE PROBATION TO CONTINUE THE EXISTING FRONT END THERAPEUTIC SERVICES PROGRAM;
 - C. NEW CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TO ENHANCE THE EXISTING VICTIM SERVICES UNIT IN THE TRAVIS COUNTY SHERIFF'S OFFICE BY PROVIDING A VICTIM COUNSELOR SOLELY DEDICATED TO SERVE VICTIMS OF CHILD ABUSE;
 - D. AMENDMENT TO THE INTERLOCAL AGREEMENT FOR THE AUSTIN/TRAVIS COUNTY HUMAN TRAFFICKING LAW ENFORCEMENT TASK FORCE JOINT INVESTIGATIVE PROJECT THAT WILL EXTEND THE AGREEMENT AN ADDITIONAL THREE MONTHS FOR THE REIMBURSEMENT OF OVERTIME WITHIN THE SHERIFF'S OFFICE RELATED TO THE EXISTING PROGRAM; AND
 - E. PERMISSION TO CONTINUE SLOT 279 IN THE PARENTING IN RECOVERY GRANT AND USE FISCAL YEAR 2011 GENERAL FUND HEALTH AND HUMAN SERVICES RESOURCES, IF NEEDED, FOR PROGRAM VENDOR INVOICES

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

20. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION TO AUTHORIZE STAFF AND CONSULTANTS TO MOVE FORWARD WITH THE REFINANCING OF A PORTION OF TRAVIS COUNTY'S OUTSTANDING DEBT OBLIGATIONS, AND AUTHORIZE FINANCIAL ADVISOR TO SELECT UNDERWRITING GROUP WITH WHOM TO NEGOTIATE SALE. (11:15 AM)

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve Item 20.

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	absent

21. CONSIDER AND TAKE APPROPRIATE ACTION ON FISCAL YEAR 2011 BUDGET RULES. (9:52 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. DISCUSS AND TAKE APPROPRIATE ACTION ON FISCAL YEAR 2011 BUDGET ISSUES. (3:40 PM)

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, PBO; and Leroy Nellis, Budget Manager, PBO.

Clerk's Note: The Court discussed the annual use of existing Certificates of Obligation for FY '11 Capital Items.

Motion by Commissioner Gómez and seconded by Judge Biscoe to approve the requested action.

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 22 CONTINUED

Clerk's Note: The Court discussed Staff recommended corrections to be incorporated into the proposed FY '11 Budget that will be filed on September 24, 2010.

Motion by Commissioner Gómez **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

- 23. RECEIVE PRESENTATION FROM THE BROADDUS AND ASSOCIATES TEAM REGARDING THE DATA CENTER PROGRAM FOR THE CENTRAL CAMPUS NEEDS ASSESSMENT AND MASTER PLAN AND TAKE APPROPRIATE ACTION. (11:16 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Steven Coulston, Vice President, Planning, Broaddus and Associates; John Lewis, Datacom Design; and Belinda Powell, Capital Planning Coordinator, PBO.

Discussion only. No formal action taken.

Item 23 to be reposted September 28, 2010.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED PILOT INITIATIVE TO IMPLEMENT ZONED PARKING FOR COUNTY EMPLOYEES AT 700 LAVACA GARAGE INCLUDING: (2:36 PM)

A. REVISIONS TO CURRENT POLICY; AND

B. IMPLEMENTATION PLAN FOR PILOT

Members of the Court heard from: Sydnia Crosbie, Lead Financial Analyst, TNR, and Chair, Parking Committee; and Daniel Bradford, Assistant County Attorney.

Clerk’s Note: The Court discussed making placement on the Parking Wait List automatic by the most recent hire date instead of ledger date.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber that we change the policy to put people on by hire date.

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	abstain

Clerk’s Note: The Court discussed the Parking Committee’s recommendation of the implementation of a zoned parking pilot at 700 Lavaca, starting with 100 Travis County employees.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber that we move forward with the pilot, and Commissioner Eckhardt will participate in the pilot.

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 requested that the Parking Committee report on the zoned parking pilot in 90 days.

ADMINISTRATIVE OPERATIONS ITEMS

25. 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 \$702,100.42 FOR THE PERIOD OF SEPTEMBER 3 TO SEPTEMBER 9, 2010. (9:52 AM)

Clerk's Note: Item 25 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:52 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 ON LICENSE AGREEMENT WITH THE TEXAS BOOK FESTIVAL, INC. TO USE COUNTY PARKING FACILITIES ON SATURDAY, OCTOBER 16 AND SUNDAY, OCTOBER 17, 2010. (9:52 AM)

Clerk's Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(11:56 AM)

A. APPROVE PAYROLL STUFFER FOR SEPTEMBER 30, 2010
DISTRIBUTION TO RECRUIT EMPLOYEES TO BE CONSIDERED FOR
GRIEVANCE PANEL POOL; AND

Members of the Court heard from: Diane Blankenship; Director, Human Resources Management Department (HRMD).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 28.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	absent

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:52 AM)

B. APPROVE RECOGNITION OF 2006-2010 GRIEVANCE PANEL MEMBERS
WITH A CERTIFICATE OF APPRECIATION ON OCTOBER 26, 2010.

Clerk's Note: Item 28.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 REGARDING EXECUTIVE
MANAGER, ADMINISTRATIVE OPERATIONS: (2:54 PM)

A. POST THE POSITION; AND

B. SCHEDULE AND PROCESS FOR FILLING THE PENDING POSITION
VACANCY. (COMMISSIONERS DAVIS AND GÓMEZ)

Members of the Court heard from: Diane Blankenship; Director, HRMD; and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

Items 29.A&B to be reposted September 28, 2010.

JUSTICE AND PUBLIC SAFETY ITEMS

30. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF BRAD BEARDEN TO REPLACE CHARLES BROTHERTON ON THE CAPITAL AREA COUNCIL OF GOVERNMENTS 9-1-1 TASK FORCE. (9:52 AM)

Clerk's Note: Item 30 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

31. APPROVE INTERLOCAL AGREEMENT WITH LOWER COLORADO RIVER AUTHORITY TO PROVIDE MAINTENANCE, REPAIR AND TESTING OF WATERCRAFT AND OTHER FLEET EQUIPMENT. (9:14 AM)

Item 31 postponed.

32. APPROVE MODIFICATION NO. 18 TO CONTRACT NO. PS960295VR, AUSTIN CHILD GUIDANCE CENTER, FOR JUVENILE OFFENDER SUBSTANCE ABUSE TREATMENT SERVICES. (9:52 AM)

Clerk's Note: Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. APPROVE MODIFICATION NO. 2 TO INTERLOCAL AGREEMENT NO. IL090321RE, THE UNIVERSITY OF TEXAS AT AUSTIN, FOR THE HEALER WOMEN PROGRAM. (9:52 AM)

Clerk's Note: Item 33 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

34. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 7) TO CONTRACT NO. PS070215RE, WORKFORCE SOLUTIONS - CAPITAL AREA WORKFORCE BOARD, FOR QUALITY CHILD CARE COLLABORATIVE. (9:52 AM)

Clerk's Note: Item 34 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

35. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 09T00207OJ, FBMC PREMIER BENEFITS SOLUTIONS, FOR COUNTY'S FLEXIBLE SPENDING PLAN AND QUALIFIED TRANSPORTATION BENEFIT FOR TRAVIS COUNTY EMPLOYEES. (9:52 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

36. APPROVE CONTRACT NO. PS100297ML, ROBERT BRENT TURNIPSEED, MD, FOR INMATE PSYCHIATRIC SERVICES. (9:52 AM)

Clerk's Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. APPROVE INTERLOCAL AGREEMENT WITH AUSTIN –TRAVIS COUNTY INTEGRAL CARE FOR PSYCHIATRIC SERVICES. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (11:58 AM) (3:50 PM) (4:43 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.

Discussion only. No formal action taken.

Item 37 to be reposted September 28, 2010.

38. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION ON CONTRACT BETWEEN COUNTY OF TRAVIS AND MOTOROLA, INC. FOR THE PURCHASE OF TWO WAY COMMUNICATIONS DEVICES INCLUDING EXHIBIT C. EQUIPMENT LEASE-PURCHASE AGREEMENT THROUGH TEXAS DEPARTMENT OF INFORMATION RESOURCES. (9:52 AM)

Clerk's Note: Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

39. APPROVE MODIFICATION NO. 15 TO CONTRACT NO. CM040145LC, VISTA SOLUTIONS GROUP, FOR THE DOCUMENT IMAGING SYSTEM FOR THE COUNTY CLERK AND DISTRICT CLERK. (9:52 AM)

Clerk's Note: Item 39 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

40. APPROVE MODIFICATION NO. 10 TO CONTRACT NO. PS970315LB, VINSON & ELKINS L.L.P., FOR PROFESSIONAL SERVICES RELATED TO THE PURCHASE OF A NEW FINANCIAL SYSTEM. (9:52 AM)

Clerk's Note: Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. APPROVE ORDER EXEMPTING THE PURCHASE OF CABLING REQUIREMENTS ASSOCIATED WITH, OR CONNECTING TO, THE GREATER AUSTIN AREA TELECOMMUNICATIONS NETWORK (GAATN) FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO INTERLOCAL AGREEMENT WITH GAATN. (9:14 AM)

Item 41 postponed.

42. APPROVE RENEWAL OF INTERLOCAL COOPERATION AGREEMENT NO. IL990109OJ, CITY OF AUSTIN/DOWNTOWN AUSTIN ALLIANCE, TO PROVIDE SERVICES AND IMPROVEMENTS FOR THE AUSTIN DOWNTOWN PUBLIC IMPROVEMENT DISTRICT. (COMMISSIONER ECKHARDT) (9:52 AM)

Clerk's Note: Item 42 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

43. APPROVE ISSUANCE OF JOB ORDER NO. 82, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:52 AM)

Clerk's Note: Item 43 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

44. APPROVE ISSUANCE OF JOB ORDER NO. 90, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:52 AM)

Clerk's Note: Item 44 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

45. APPROVE ISSUANCE OF JOB ORDER NO. 87, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:52 AM)

Clerk's Note: Item 45 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

46. APPROVE ISSUANCE OF JOB ORDER NO. 92, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:14 AM)

Item 46 postponed.

OTHER ITEMS

47. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE THE PRINT SHOP TO PROCESS APPROXIMATELY 325,000 INSERTS FOR THE 2010-2011 TAXPAYER NEWSLETTERS. (9:52 AM)

Clerk's Note: Item 47 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

48. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REAPPOINT DORYNE VALENTINE TO SERVE AS PRECINCT TWO APPOINTEE TO THE DISPUTE RESOLUTION CENTER BOARD EFFECTIVE IMMEDIATELY THROUGH SEPTEMBER 2013. (COMMISSIONER ECKHARDT) (9:52 AM)

Clerk's Note: Item 48 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

EXECUTIVE SESSION ITEMS

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

Note 2 Gov't Code Ann 551.072, Real Property

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.

49. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. ^{1 AND 2}
(9:14 AM)

Clerk's Note: Judge Biscoe announced that Item 49 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 49 postponed.

- 50. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING OCTOBER 28, 2010 EVIDENTIARY HEARING ON CREATION OF A GROUNDWATER CONSERVATION DISTRICT FOR THE PART OF THE HILL COUNTRY PRIORITY GROUNDWATER MANAGEMENT AREA IN TRAVIS, HAYS, AND COMAL COUNTIES (STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NO. 582-10-5643; TEXAS COMMISSION ON ENVIRONMENTAL QUALITY DOCKET NO. 2010-1040-MIS). ¹ (3:50 PM) (4:43 PM)

Clerk’s Note: Judge Biscoe announced that Item 50 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 Davis that we direct the County Attorney to seek party status for Travis County for the October 28, 2010 evidentiary hearing on the Groundwater Conservation District.

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

- 51. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING OPTIONS TO LIFT ORDER PROHIBITING OUTDOOR BURNING MORE EXPEDITIOUSLY. ¹ (3:50 PM)

Clerk’s Note: Judge Biscoe announced that Item 51 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Item 51 pulled from the Agenda.

- 52. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING RESPONSIBILITY FOR ROAD MAINTENANCE WITHIN OR ADJACENT TO THE VILLAGE OF CREEDMOOR. ¹ (3:50 PM) (4:43 PM)

Clerk’s Note: Judge Biscoe announced that Item 52 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 authorize the County Judge to send an appropriate letter to the Mayor and City Council setting forth the County’s position; and that we rely on Legal’s interpretation of the law in putting the letter together, and that the bottom line be that we disagree with them and ask them to meet with us so we can try to work out our differences. The County will go out and mow dangerous intersections that desperately need mowing because of serious safety issues, and that we send the Village of Creedmoor a bill for 50% of the cost of the mowing; and we indicate other steps that the County may be forced to take if this matter is not satisfactorily resolved.

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

- A2. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES REGARDING THE LEASE AND SPACE FOR TRAVIS COUNTY DISTRICT ATTORNEY AT 700 LAVACA. (EXECUTIVE SESSION PURSUANT TO GOV’T CODE ANN 551.071, CONSULTATION WITH ATTORNEY AND GOV’T CODE ANN 551.072, REAL PROPERTY) (3:50 PM) (4:45 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.

Discussion only. No formal action taken.

- A3. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS AND HARRIS COUNTIES FOR THE LOAN OF TRAVIS COUNTY VOTING EQUIPMENT FOR THE NOVEMBER 2, 2010 GENERAL ELECTION. (9:52 AM)

Clerk's Note: Item A3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- A4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE RECORDS MANAGEMENT COMMUNICATION RESOURCES TO PRINT 7,000 FLIERS AS A PART OF THE PUBLIC OUTREACH MATERIAL TO ANNOUNCE THE PUBLIC PLANNING WORKSHOP FOR THE CENTRAL CAMPUS MASTER PLAN SCENARIOS ON SATURDAY, OCTOBER 2, 2010. (9:52 AM)

Clerk's Note: Item A4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- A5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AMENDMENT TO THE CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS TO INCREASE THE GRANT AWARD FOR THE COMPREHENSIVE ENERGY ASSISTANCE PROGRAM MANAGED BY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE THAT PROVIDES UTILITY ASSISTANCE AND THE REPAIR, REPLACEMENT, OR RETROFIT OF HEATING AND COOLING APPLIANCES FOR ELIGIBLE HOUSEHOLDS. (9:52 AM)

Clerk's Note: Item A5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- A6. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED FISCAL YEAR 2011 INDIRECT COST RATES. (9:52 AM)

Clerk's Note: Item A6 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 rate would be 26.79%.

ADJOURNMENT

Motion by Commissioner Huber and seconded by Commissioner Davis to adjourn the Voting Session. (4:45 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