

## **MINUTES OF MEETING MARCH 3, 2009**

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

On Tuesday, the 3<sup>rd</sup> day of March 2009, the Commissioners' Court convened the Voting Session at 9:14 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:36 PM and adjourned at 1:37 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:37 PM and adjourned at 1:38 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:38 PM and adjourned at 1:38 PM.

The Commissioners Court reconvened the Voting Session at 1:38 PM.

The Commissioners Court retired to Executive Session at 3:12 PM.

The Commissioners Court reconvened the Voting Session at 5:16 PM.

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













## JUSTICE AND PUBLIC SAFETY ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION ON A HELICOPTER LICENSE AGREEMENT BETWEEN AVELEX TECHNOLOGIES CORPORATION AND TRAVIS COUNTY. (9:43 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADVANCE FUNDS TO PAY TRAVEL COSTS OF A SAFEPLACE EMPLOYEE FOR A SAFE HAVEN ALL SITE TRAINING PROGRAM THAT WILL BE GRANT REIMBURSED LATER. (9:43 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.

## PURCHASING OFFICE ITEMS

8. APPROVE CONTRACT AWARD WITH BWM GROUP, RFQ NO. Q080290LP, PROFESSIONAL ENGINEERING SERVICES FOR ONION CREEK GREENBELT PROJECT. (9:43 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 ENGINEERING SERVICES, PAVEMENT CONDITION SURVEY, RFQ NO. Q080251JW, TO THE HIGHEST QUALIFIED RESPONDENT, INFRASTRUCTURE MANagements SERVICES, LLC. (9:43 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 REGARDING CONTRACTS FOR RESIDENTIAL TREATMENT SERVICES: (9:43 AM)

A. MODIFICATION NO.3 TO CONTRACT NO. PS000209JW, HAVEN OF HOPE; AND

**Clerk's Note:** Item 10.A 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 REGARDING CONTRACTS FOR RESIDENTIAL TREATMENT SERVICES: (9:14 AM)

B. MODIFICATION NO.4 TO CONTRACT NO. PS000211JW, HMIH - CEDAR CREST LLC, D/B/A CEDAR CREST HOSPITAL & RTC.

Item 10.B postponed until March 10, 2009.

11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CONTRACTS FOR PSYCHOLOGICAL EVALUATION SERVICES: (9:43 AM)

A. MODIFICATION NO. 1 TO CONTRACT NO. PS080283VR, MARY KILPATRICK, PHD.; AND

B. MODIFICATION NO. 1 TO CONTRACT NO. PS080284VR, PHILLIP A. KERNE IV, PHD.

**Clerk's Note:** Items 11.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**

- 12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PARTIAL PLAT VACATION IN PRECINCT ONE: HIDDEN LAKE ESTATES, SECTION 1 SUBDIVISION (95 TOTAL LOTS). (2:21 PM)

**Clerk's Note:** Item 12 is the action item for the public hearing on Agenda Item 1.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 12.

**Motion carried:**

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

- 13. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PARTIAL PLAT VACATION IN PRECINCT ONE: PARSONS MEADOWS SECTION ONE SUBDIVISION (57 TOTAL LOTS). (2:21 PM)

**Clerk's Note:** Item 13 is the action item for the public hearing on Agenda Item 2.

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

- 14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A TOTAL PLAT VACATION IN PRECINCT ONE: PARSONS MEADOWS SECTION TWO SUBDIVISION (84 TOTAL LOTS). (2:21 PM)

**Clerk's Note:** Item 14 is the action item for the public hearing on Agenda Item 3.

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

**Motion carried:**

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

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON ADDITIONAL INITIATIVES BY TRAVIS COUNTY, OTHER GOVERNMENTAL ENTITIES AND TRAVIS COUNTY RESIDENTS TO REDUCE GROUND LEVEL OZONE IN SUPPORT OF THE 2009 BIG PUSH INITIATIVE. (10:56 AM)

**Clerk's Note:** The Court discussed the following proposals for final review by the Court:

- 1) Restrictions in County Operations on Ozone Watch Days (OZWD);
- 2) Special Ozone Watch Day Teleworking Schedule;
- 3) Educate County Employees on Commuting Options; and,
- 4) Expand Communications to Travis County Citizens and County Employees.

**Members of the Court heard from:** Jon White, Natural Resources Program Manager, TNR; Tom Weber, Environmental Quality Program Manager, TNR; Alicia Perez, Executive Manager, Administrative Operations; Walter Lagrone, Director, Operations and Technology, Information and Telecommunications Systems (ITS); Ronnie Gjemre, Travis County Resident; and Adele Noel, Air Quality Project Manager, TNR.

**ITEM 15 CONTINUED**

**Clerk's Note:** The Court discussed Proposal 1 – Restrictions in County Operations on Ozone Watch Days:

- 1) Fueling restrictions – On OZWD the County fueling stations will be closed between 6:00 AM and 6:00 PM, and fuel credit cards will be frozen apart from specific exceptions; and,
- 2) Mowing restrictions – On OZWD all departments shall refrain from using gasoline or diesel powered lawn equipment and develop an alternative work-plan.

**Motion by Judge Biscoe and seconded by Commissioner Eckhardt** to approve Proposal 1, dealing with those two restrictions.

**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 Proposal 2 – Special Ozone Watch Day Teleworking Schedule.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we give tentative approval of Proposal 2; and that we ask that Staff touch base with legal to make sure the specifics that are listed here are legal for us; against the backdrop that ultimately it is the manager's call, whether that manager is an Elected Official, an Appointed Official, or what have you.

**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 15 CONTINUED

**Clerk's Note:** The Court discussed Proposals 3 and 4:

- 3) Educate County Employees on Commuting Options; and,
- 4) Expand Communications to Travis County Citizens and County Employees.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Proposals 3 and 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                                 yes

**Clerk's Note:** The Court discussed a Resolution approving the participation of Travis County in the Clean Air Coalition's Big Push Effort to maintain compliance with the National Ambient Air Quality Standards for Ozone.

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

**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 further discussed Proposal 4 - Expand Communications to Travis County Citizens and County Employees.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the tips for all citizens.

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

16. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE ENVISION CENTRAL TEXAS WORK GROUP FOR COMMENTS ON PROCESS AND RECOMMENDATIONS REGARDING COUNTY GROWTH MANAGEMENT AUTHORITY. (10:45 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Jim Walker, Chairman, Envision Central Texas.

Discussion only. No formal action taken.

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THREE SEPARATE LICENSE AGREEMENTS TO ASSIST TRAVIS COUNTY STAFF WITH TRAPPING AND CONTROLLING THE FERAL HOG POPULATION ON TRAVIS COUNTY'S BALCONES CANYONLANDS PRESERVE LAND AND TRAVIS COUNTY MANAGED PARKLANDS WITH THREE INDIVIDUALS: MATT LUCAS, LARRY THOMAS AND LARRY REED. (9:43 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A JOINT USE ACKNOWLEDGMENT WITH KOCH PIPE LINE COMPANY, L.P. TO FACILITATE THE CONSTRUCTION OF A 2005 BOND PROGRAM PROJECT TO EXTEND PARMER LANE FROM US 290 TO STATE HIGHWAY 130, IN PRECINCT ONE. (9:42 AM)

Item 18 postponed until March 10, 2009.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (1:41 PM)

- A. UPDATE ON TIMELINESS OF FUNDS EXPENDITURE RATE;

**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.

Discussion only. No formal action taken.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (1:49 PM)

- B. REVIEW LETTER REQUESTING A WAIVER OF TIMELINESS;

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve the letter in Item 19.B.

**Motion carried:**

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

**ITEM 19 CONTINUED**

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (1:49 PM)

C. AUTHORIZE COUNTY JUDGE TO SIGN LETTER; AND

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 19.C.

**Motion carried:**

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

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (1:50 PM)

D. OTHER RELATED ISSUES.

Item 19.D not needed.



20. RECEIVE NOTIFICATION OF ADDITIONAL COMMUNITY BLOCK DEVELOPMENT GRANT DOLLARS AWARDED TO THE COUNTY THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 AND TAKE APPROPRIATE ACTION. (1:50 PM)

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we receive the money, and start looking around on our list of potential Community Development Block Grant (CDBG) projects, try to figure out ones that we have given priority status already, and that we think we can complete in a timely manner.

**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

21. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(1:58 PM)

- A. RECOMMENDATION FROM TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICES DEPARTMENT REGARDING USE OF REMAINING FISCAL YEAR 2009 SOCIAL SERVICES FUNDING; AND
- B. DEPARTMENT'S REQUEST TO USE \$75,000 IN ONE-TIME FUNDING TO ESTABLISH A POSITION AND PROVIDE SERVICES FOR RESIDENTS IN RURAL TRAVIS COUNTY.

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

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS; Gus Peña, Travis County Resident; Jane Prince-MacLean, Case Management Coordinator, Family Support Services Division, TCHHS&VS; and Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 21.A.

**Motion carried:**

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

**Clerk's Note:** The Court heard a request from PBO Staff to process the two budget adjustments necessary to implement Item 21.B as automatic budget transfers. This would be one-time funding. The start date of the position would be May 1, 2009 and the end date would be September 30, 2010.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 21.B; that we give Travis Gatlin, Budget Analyst, PBO permission to do what he just requested.

**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

22. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:43 AM)

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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON NEW GRANT APPLICATION WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION JUVENILE JUSTICE DELINQUENCY PREVENTION FUNDS PROGRAM FOR THE JUVENILE PROBATION DEPARTMENT TO PURCHASE ADDITIONAL CONTRACTED MENTAL HEALTH SERVICES TO ENHANCE THE DEPARTMENT'S COLLABORATIVE OPPORTUNITIES FOR POSITIVE EXPERIENCE (COPE) MENTAL HEALTH COURT. (9:43 AM)

**Clerk's Note:** Item 23 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## ADMINISTRATIVE OPERATIONS ITEMS

24. 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 \$846,738.71 FOR THE PERIOD OF FEBRUARY 13 TO 19, 2009. (9:43 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 ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:43 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 AMENDING TRAVIS COUNTY CODE CHAPTER 38, LAW LIBRARY POLICIES. (COMMISSIONER GÓMEZ AND COMMISSIONER DAVIS) (2:22 PM)

**Members of the Court heard from:** Steven Broberg, Director, Records Management and Communication Resources (RMCR); Tenley Aldredge, Assistant County Attorney; Lisa Rush, Manager, Law Library, RMCR; and Alicia Perez, Executive Manager, Administrative Operations.

Discussion only. No formal action taken.

Item 26 to be reposted on March 10, 2009.

27. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE EAST SERVICE CENTER: (9:43 AM)

A. PLAQUE DEDICATION; AND

B. **RIBBON CUTTING** CEREMONY ON WEDNESDAY, MARCH 18, 2009, AT 10:30 A.M. (COMMISSIONER GÓMEZ AND COMMISSIONER DAVIS)

**Clerk's Note:** Items 27.A&B 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 REGARDING THE RIGHT OF WAY LICENSE AGREEMENT WITH THE CITY OF AUSTIN FOR A COMMUNICATIONS TRENCH TO SERVE THE BUILDING AT 910 LAVACA. (9:43 AM)

**Clerk's Note:** Item 28 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 SETTLEMENT OF PROPERTY AND LIABILITY CLAIM RECOMMENDATIONS INCLUDING: (9:43 AM)
- A. PAYMENT FROM LINE ITEM 525-1140-522-4503 IN THE AMOUNT OF \$11,149.39 MADE PAYABLE TO LIBERTY MUTUAL, AS SUBROGEE OF, FRANCISCO LOERA;
  - B. PAYMENT FROM LINE ITEM 525-1140-522-4503 IN THE AMOUNT OF \$12,750.00 MADE PAYABLE TO FRANCISCO LOERA AND BLUE CROSS BLUE SHIELD; AND
  - C. TRANSFER FROM LINE ITEM 525-1140-522-4511 FOR \$6,396.20 INTO LINE ITEM 001-4952-621-5003 FOR REPAIRS TO TRAVIS COUNTY SHERIFF'S OFFICE UNIT.

**Clerk's Note:** Items 29.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

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:43 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.

31. RECEIVE REPORT ON THE NACO PRESCRIPTION DISCOUNT CARD FROM MARC HAMLIN, DISTRICT CLERK OF BRAZOS COUNTY AND IMMEDIATE PAST PRESIDENT OF THE NATIONAL ASSOCIATION OF COUNTIES. (JUDGE BISCOE) (9:57 AM)

**Members of the Court heard from:** Marc Hamlin, District Clerk, Brazos County.

Discussion only. No formal action taken.

Item 31 to be reposted on March 17, 2009.

32. NOTIFY COMMISSIONERS COURT AND COUNTY DEPARTMENTS REGARDING THE CALL FOR NOMINATIONS FROM THE TEXAS ASSOCIATION OF COUNTIES LEADERSHIP FOUNDATION FOR 2009 COUNTY BEST PRACTICES AWARDS. (JUDGE BISCOE) (3:11 PM)

Discussion only. No formal action taken.

33. NOTIFY COMMISSIONERS COURT AND COUNTY DEPARTMENTS REGARDING THE CALL FOR APPLICATIONS FROM THE TEXAS MUNICIPAL LEAGUE FOR PROJECTS WORTHY OF 2009 CITY-COUNTY COOPERATION AWARDS. (JUDGE BISCOE) (3:12 PM)

Discussion only. No formal action taken.

34. APPOINT VONNYE RICE-GARDNER TO SERVE ON THE TRAVIS COUNTY HISTORICAL COMMISSION, EFFECTIVE IMMEDIATELY THROUGH JANUARY 31, 2011. (JUDGE BISCOE) (9:43 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.

**AT 11:00 A.M.**

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (9:14 AM)

- A. LEGISLATION RELATING TO HEALTH BENEFITS COVERAGE PROVIDED TO PERSONS WHO RETIRE EARLY FROM EMPLOYMENT BY CERTAIN COUNTIES OR MUNICIPALITIES;

Item 35.A postponed until March 10, 2008.

**ITEM 35 CONTINUED**

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:24 AM)
- B. UPDATE ON LEGISLATION RELATING TO JUVENILE JUSTICE ISSUES IN THE 81<sup>ST</sup> TEXAS LEGISLATURE;
  - C. TRAVIS COUNTY POSITION AND STRATEGY REGARDING LEGISLATION RELATING TO:
    - 1. APPRAISAL REFORM (INCLUDING HB 2, HB 133, HB 134, HB 1038, HJR 22, HJR 36, SB 678, SB 721 AND SB 771);
    - 2. APPRAISAL CAPS (INCLUDING HB 17, HB 46, HB 127, HB 700, HB 701, HB 711, HB 1018, HB 1092, HB 1575, HJR 12, HJR 15, HJR 21, HJR 42, HJR 43, HJR 44, HJR 51, HJR 55, SB 218, SB 299, SB 700, SJR 10 AND SJR 13);
    - 3. REVENUE CAPS (INCLUDING HB 1576 AND SB 402); AND
    - 4. TAX ABATEMENTS (INCLUDING HB 88, HB 703, HB 773, HB 1127 AND HB 1127);

**Clerk's Note:** Items 35.B&C.1-4 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); The Honorable W. Jeanne Meurer, Judge, 98<sup>th</sup> District; Rodney Rhoades, Executive Manager, PBO; Susan Spataro, Travis County Auditor; and Greg Knaupe, Legislative Consultant, Santos Alliance, Inc.

Discussion only. No formal action taken.

Items 35.C.1-4 to be reposted on March 10, 2009.

**ITEM 35 CONTINUED**

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (12:05 PM)

D. HOUSE BILL 1284 - RELATING TO THE CREATION OF A COURT RECORD PRESERVATION FUND AND IMPOSING A FEE; AND

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; and Steven Broberg, Director, RMCR.

Discussion only. No formal action taken.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (12:05 PM)

E. SENATE BILL 555 - RELATING TO INDEMNIFICATION PROVISIONS IN CONSTRUCTION CONTRACTS.

Item 35.E postponed until March 10, 2009.

36. CONSIDER AND TAKE APPROPRIATE ACTION IN RESPONSE TO REVELATION THAT TEXAS DEPARTMENT OF TRANSPORTATION ROAD PROJECT MAY REQUIRE THE RELOCATION OF CERTAIN COUNTY FACILITIES. (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) (10:27 AM) (3:12 PM) (5:16 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:** Bubba Needham, Director, Transportation and Planning, Texas Department of Transportation, (TXDOT); Dwayne Halbardier, Transportation Engineer, TXDOT; Joe Gieselman, Executive Manager, TNR; and Sherri Fleming, Executive Manager, TCHHS&VS.

Discussion only. No formal action taken.

Item 36 to be reposted at the appropriate time.



**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.

- 37. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT FOR APPROXIMATELY 3.5 ACRES OF LAND FROM THE TRAVIS COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DIVISION TO SECURE SMART FACILITY ENHANCEMENTS. <sup>1 AND 2</sup> (3:12 PM) (5:16 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 and Gov't. Code Ann. 551.072, Real Property.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we authorize Staff to proceed with negotiations.

**Motion carried:**

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

- 38. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING WHETHER TO FILE SUIT AGAINST PEDRO DANIEL TO RECOVER FOR DAMAGE TO A COUNTY-OWNED GUARDRAIL. <sup>1</sup> (3:12 PM) (5:16 PM)

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

**Motion by Judge Biscoe and seconded by Commissioner Gómez** that we agree to settle this matter for \$1,720.00.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

39. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER FROM GRIMES COUNTY CONCERNING PAYMENT OF COURT COSTS ASSOCIATED WITH MENTAL HEALTH SERVICES PROCEEDINGS CONDUCTED IN TRAVIS COUNTY. <sup>1</sup> (3:12 PM) (5:17 PM)

**Clerk's Note:** Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we give in and settle for \$500.00 and get this matter behind us.

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

40. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. <sup>1 AND 2</sup> (12:12 PM)

**Clerk's Note:** Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Item 40 postponed until March 10, 2009.

41. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND OUTSIDE COUNSEL, RENE HICKS, ESQ. AND TAKE APPROPRIATE ACTION REGARDING NORTHWEST AUSTIN M.U.D. V. HOLDER IN THE SUPREME COURT OF THE UNITED STATES. <sup>1</sup> (12:12 PM)

**Clerk's Note:** Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 41 postponed until March 10, 2009.

42. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON STATUTORY REQUIREMENTS UNDER LOCAL GOVERNMENT CODE 157.022 REGARDING TREATMENT OF OVERTIME FOR CERTAIN PEACE OFFICERS. <sup>1</sup> (3:12 PM) (5:18 PM)

**Clerk's Note:** Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 42 to be reposted if necessary.

43. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING NEW LEASES BETWEEN TRAVIS COUNTY AND THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR COUNTY OWNED CLINICS. <sup>1 AND 2</sup> (3:12 PM) (5:18 PM)

**Clerk's Note:** Judge Biscoe announced that Item 43 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.

Item 43 to be reposted on March 10, 2009.

44. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE MEDIATION OF CLAIMS BY KAREN STEITL, INCLUDING SETTLEMENT OFFER IN EEOC CHARGE NO. 31C-2008-01470. <sup>1 AND 3</sup> (3:12 PM) (5:18 PM)

**Clerk's Note:** Judge Biscoe announced that Items 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 44 to be reposted on March 10, 2009.

**Clerk's Note:** The County Judge thanked Commissioner Huber for representing the Commissioners Court at the mediation hearings.

- 45. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., ET. AL. <sup>1</sup> (12:12 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Item 45 postponed until March 10, 2009.

**ADDED ITEM**

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON SETTING HEARING DATE REGARDING APPEAL FROM DECEMBER 15, 2008 TRAVIS COUNTY GRIEVANCE PANEL DECISION IN GERALD SIEM V. TRAVIS COUNTY FACILITIES MANAGEMENT DEPARTMENT, PURSUANT TO TRAVIS COUNTY CODE SECTION 9.257(K). (1:39 PM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we schedule A1 for hearing on Tuesday, March 10, 2009 at 2:30 PM in the afternoon or earlier, upon adjournment or recess of the Commissioners Court voting session.

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

**ADJOURNMENT**

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

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

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

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**Date of Approval**

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

**MINUTES OF MEETING – MARCH 3, 2009**

**TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1**

On Tuesday, the 3<sup>rd</sup> day of March, 2009, the Commissioners' Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:37 PM 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 Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:38 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:37 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve the investments in Item 1.

**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

2. APPROVE TRAVIS COUNTY BEE CAVE ROAD DISTRICT #1 MINUTES FOR THE VOTING SESSIONS OF FEBRUARY 10 AND 17, 2009. (10:45 AM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve 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	yes

**ADJOURNMENT**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to adjourn the Voting Session of the Travis County Bee Cave Road District No. 1. (1:38 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 ROAD DISTRICT BOARD**

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**Date of Approval**

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

**MINUTES OF MEETING – MARCH 3, 2009**

**NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3**

On Tuesday, the 3<sup>rd</sup> day of March 2009, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:36 PM 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 Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:37 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:36 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve the investments in Item 1.

**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

2. APPROVE N.W.T.C.R.D.#3 MINUTES FOR THE VOTING SESSIONS OF FEBRUARY 10 AND 17, 2009. (1:37 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Huber to approve 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                            yes



