

MINUTES OF MEETING MARCH 10, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 10th day of March 2009, the Commissioners' Court convened the Voting Session at 9:12 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 retired to Executive Session at 10:01 AM.

The Commissioners Court reconvened the Voting Session at 11:40 AM.

The Commissioners Court recessed the Voting Session at 12:23 PM.

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

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:50 PM and adjourned at 1:53 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:54 PM and adjourned at 1:54 PM.

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

The Commissioners Court retired to Executive Session at 1:55 PM.

The Commissioners Court reconvened the Voting Session at 4:15 PM.

The Commissioners Court adjourned the Voting Session at 4:21 PM.

The Commissioners Court record notes that Precinct One Commissioner Ron Davis was not present during this Voting Session.

CITIZENS COMMUNICATION

Members of the Court heard from: Maurice Priest, Travis County Resident; Gus Peña, Travis County Resident; Ms. Phillip A. Dick, Travis County Resident; Jimmy Castro, Travis County Resident; Ronnie Gjemre, Travis County Resident. (9:13 AM)

CONSENT ITEMS

Members of the Court heard from: Christopher Gilmore, Assistant County Attorney.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve the following Consent Items: C1-C2 and Items 2, 3, 4.A&B, 6, 7.A&B, 8, 9, 10, 11, 12, 13, 16, 17.A&B, 18, 19, 20, and 21. (9:29 AM)

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

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF FEBRUARY 24, 2009.

SPECIAL ITEMS

1. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:35 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Hershel Lee, Interim Fire Marshal.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we, basically, approve another prohibition against outdoor burning.

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

Item 1 to be reposted on March 17, 2009.

ADMINISTRATIVE OPERATIONS ITEMS

2. 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 \$949,895.88 FOR THE PERIOD OF FEBRUARY 20 TO 26, 2009. (9:29 AM)

Clerk's Note: Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:29 AM)

Clerk's Note: Item 3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

REVISED LANGUAGE:

4. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING **NON-ROUTINE PERSONNEL AMENDMENTS:** (9:29 AM)
 - A. REQUEST FROM TAX OFFICE FOR AN EXCEPTION TO TRAVIS COUNTY CODE CHAPTER 10.03008, PROMOTION; AND
 - B. REQUEST FROM FACILITIES MANAGEMENT FOR AN EXCEPTION TO TRAVIS COUNTY CODE CHAPTER 10.03009, VOLUNTARY JOB CHANGE.

Clerk's Note: Items 4.A&B 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

5. APPROVE TERMINATION OF CONTRACT NO. 08T00265NB, AMERICAN SAFETY UTILITY CORPORATION, FOR SAFETY SUPPLIES. (9:12 AM)

Item 5 pulled from the Agenda.

6. APPROVE CONTRACT AWARD FOR ASPHALT BASED PAVEMENT CRACK SEALANT, IFB NO. B090163LD, TO THE LOW BIDDER, CRAFTCO TEXAS, INC. (9:29 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.
 - A. APPROVE AUTHORIZATION TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, HDR ENGINEERING, INC., RFQ NO. Q090072LP, PROFESSIONAL ENGINEERING SERVICES FOR TRAVIS COUNTY BRIDGES PROJECT, KIMBRO/PARSONS BRIDGE DESIGN;
 - B. APPROVE AUTHORIZATION TO COMMENCE NEGOTIATIONS WITH THE MOST HIGHLY QUALIFIED FIRM, AECOM, RFQ NO. Q090072LP, PROFESSIONAL ENGINEERING SERVICES FOR TRAVIS COUNTY BRIDGES PROJECT, JESSE BOHLS REPLACEMENT DESIGN. (9:29 AM)

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

8. APPROVE MODIFICATION NO. 2 FOR TERMINATION OF CONTRACT NO. PS070284VR, THE ABUNDANT LIFE NETWORK, FOR TRANSITIONAL HOUSING AND RELATED SERVICES. (9:29 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 NO. PS090015VR, FAMILY CONNECTIONS, FOR PARENT COACHING AND ASSESSMENT SERVICES FOR THE FAMILY DRUG TREATMENT COURT PROGRAM. (9:29 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 CONTRACT NO. PS090013VR, HAROLD D. SCOTT, MD., FOR PSYCHOLOGICAL AND PSYCHIATRIC SERVICES. (9:29 AM)

Clerk's Note: Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. APPROVE CONTRACT NO. PS0900161JT WITH URBAN DESIGN GROUP FOR PLANNING PHASE CONSULTING SERVICES FOR THE TRAVIS COUNTY NORTH CAMPUS (AIRPORT BOULEVARD). (9:29 AM)

Clerk's Note: Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. AUTHORIZE THE PURCHASING AGENT TO COMMENCE NEGOTIATIONS WITH THE HIGHEST RANKED FIRM BROADDUS AND ASSOCIATES, IN REFERENCE TO REQUEST FOR QUALIFICATIONS (RFQ) NO. Q090041RV, TRAVIS COUNTY CENTRAL CAMPUS STUDY FOR A STRATEGIC NEEDS ANALYSIS AND FACILITIES MASTER PLAN. (9:29 AM)

Clerk's Note: Item 12 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

13. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR BRIARCREEK SECTION FIVE, A SUBDIVISION IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:29 AM)

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

PLANNING AND BUDGET DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:29 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.

Clerk's Note: The County Judge noted that the fee for consulting in Item 16 is to cover the scope of service needed to cover pre- and post-meeting work involved with the ad hoc compensation committee.

17. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:29 AM)

A. NEW GRANT APPLICATION WITH THE U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE TO BEGIN THE JUSTICE AND MENTAL HEALTH COLLABORATION PROGRAM, AN ENHANCEMENT TO THE MENTAL HEALTH PUBLIC DEFENDER OFFICE; AND

B. NEW GRANT APPLICATION WITH THE BUREAU OF JUSTICE ASSISTANCE FOR THE JUVENILE PROBATION DEPARTMENT TO ENHANCE COLLABORATIVE OPPORTUNITIES FOR POSITIVE EXPERIENCES (COPE) MENTAL HEALTH COURT.

Clerk's Note: Items 17.A&B 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 THE FISCAL YEAR 2009 CERTIFICATES OF OBLIGATION. (9:29 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.

Clerk's Note: The County Judge noted that the FY '09 Certificates of Obligation (CO's) will total \$15.7M.

OTHER ITEMS

- 19. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:29 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. RECEIVE STATE REQUIRED RACIAL PROFILING REPORT FOR CALENDAR YEAR 2008 FROM THE TRAVIS COUNTY SHERIFF'S OFFICE. (9:29 AM)

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

- 21. RECEIVE STATE REQUIRED RACIAL PROFILING REPORT FOR CALENDAR YEAR 2008 FROM TRAVIS COUNTY CONSTABLE PRECINCT ONE. (9:29 AM)

Clerk's Note: Item 21 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FISCAL YEAR 2008 COUNTYWIDE ANNUAL FINANCIAL AUDIT. (9:51 AM)

Members of the Court heard from: Susan Spataro, Travis County Auditor.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 22.

Motion carried:

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

AT 11:00 A.M.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:40 AM)
- A. ADDITIONS, DELETIONS OR MODIFICATIONS TO THE LEGISLATIVE PRIORITIES ADOPTED BY THE COMMISSIONERS COURT;
 - B. LEGISLATION RELATING TO HEALTH BENEFITS COVERAGE PROVIDED TO PERSONS WHO RETIRE EARLY FROM EMPLOYMENT BY CERTAIN COUNTIES OR MUNICIPALITIES;
 - C. LEGISLATION RELATING TO COURT COSTS AND FEE INCREASES, INCLUDING: HOUSE BILLS 79, 286, 363, 400, 572, 579, 588, 666, 755, 985, 1212, 1260, 1284, 1531, 1753, 1860, 2008; AND SENATE BILLS 82, 409, 919, 934, 950, 1087 AND 1120;
 - D. TRAVIS COUNTY PRINCIPLES REGARDING, AND SPECIFIC ACTION ON LEGISLATION RELATING TO:
 - 1. APPRAISAL REFORM (INCLUDING HOUSE BILLS 2, 133, 134, 1038; HOUSE JOINT RESOLUTIONS 22, 36; AND SENATE BILLS 678, 721 AND 771);
 - 2. APPRAISAL CAPS (INCLUDING HOUSE BILLS 17, 46, 127, 700, 701, 711, 1018, 1092, 1575; HOUSE JOINT RESOLUTIONS 12, 15, 21, 42, 43, 44, 51, 55; SENATE BILLS 218, 299, 700; AND SENATE JOINT RESOLUTIONS 10 AND 13);
 - 3. REVENUE CAPS (INCLUDING HOUSE BILL 1576 AND SENATE BILL 402); AND
 - 4. TAX ABATEMENTS (INCLUDING HOUSE BILLS 88, 703, 773, AND 1127); AND
 - E. HOUSE BILL 561 - RELATING TO THE AUTHORITY OF COUNTY AUDITORS WITH RESPECT TO COMPUTER SOFTWARE AND DATA OF OTHER LOCAL OFFICERS OR DEPARTMENTS.

Clerk's Note: Items 23.A-E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer (IGR); Susan Spataro, Travis County Auditor; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); April Bacon, Assistant County Auditor; Barbara Wilson, Assistant County Attorney; and Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO).

ITEM 23 CONTINUED

Clerk's Note: The Court discussed legislation relating to creating a presiding Criminal Court Judge in Travis County.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Huber to advocate for the creation of the title but not for the funding due to the economic circumstances.

Motion failed:

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

Clerk's Note: The County Judge noted that for the Commissioners Court to support a specific bill at the legislature there must be a minimum of 4 votes. The above Motion failed, as there were only 3 votes in support.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve the title and the pay. That would be true equity for the position in terms of what other judges are doing with presiding judges.

Motion failed:

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

ITEM 23 CONTINUED

Clerk’s Note: The Court discussed legislation relating to health benefits coverage provided to persons who retire early from employment by certain counties or municipalities.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that we support the language as defined; the comparable coverage, as well as the language regarding an alternative and the ability to access our current plan, which is in accord with our previous decision to support options for early retirees.

An Addition to the previous Motion was made by Commissioner Eckhardt that we support the filing of whatever is a ready bill and work toward inclusion of a definition of “comparable coverage” in whatever is filed.

A Clarification of the previous Motion was made by Judge Biscoe that we try to get the language in, but, if to get a timely filing, we have to go without it, then we go without it and try to get it in later, if possible, but if we end up fighting and the language becomes do or die for some governmental entities that we need, then we look at doing a policy where we provide definitions to govern how we implement the statute in Travis County.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 legislation related to appraisal reform, appraisal caps, and revenue caps.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that we have stated opposition to Senate Bills 700, 402, and 15, and House Bill 1576.

Motion carried:

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

ITEM 23 CONTINUED

Clerk’s Note: The Court discussed adopting principles recommended by Staff to support more transparent, user-friendly, and efficient homestead appraisal processes in relation to the appraisal reform bills that have been filed.

Motion by Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve the principles as stated.

Motion carried:

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

Clerk’s Note: The County Judge noted that these principles were set out in the March 5, 2009 memo.

Clerk’s Note: The Court discussed methods of communicating the position Travis County takes on specific legislation to the 81st Legislature.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that for any bills we have supported by a vote of 4-1 or 5-0, officials, employees of Travis County are authorized to indicate that to the legislature - any person, any legislator, committee, etc. The Court directs IGR and the legislative consultants to communicate both Travis County’s general principle and its positions on specific legislation to the 81st Legislature.

Motion carried:

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

ITEM 23 CONTINUED

Clerk's Note: The Court discussed legislation relating to the authority of county auditors with respect to computer software and data of other local officers or departments.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe that we oppose HB 561.

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

Item 23.C discussion only. No formal action taken.

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM DANIEL KALLICK TO WAIVE PENALTY AND INTEREST ON TAXES DUE. (JUDGE BISCOE) (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY)

Item 24 postponed until March 17, 2009.

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

Note 4 Gov't Code Ann 551.076, Security

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.

AT 2:30 P.M. OR UPON ADJOURNMENT OR RECESS OF THE COMMISSIONERS COURT

- 25. CONDUCT HEARING AND TAKE APPROPRIATE ACTION ON 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 AND 3} (1:55 PM) (4:16 PM)

Clerk's Note: Judge Biscoe announced that Items 25 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.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that we uphold the judgment of the Grievance Panel.

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

Clerk's Note: The County Judge indicated the Commissioners Court's intention to have the recommendations from the panel on the Commissioners Court Agenda at some date in the future for consideration.

- 26. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY REGARDING OFFICE OF PARENTAL REPRESENTATION AND OFFICE OF CHILD REPRESENTATION AND TAKE APPROPRIATE ACTION. ¹ (10:01 AM) (4:16 PM)

Clerk’s Note: Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt that we ask the County Judge and Commissioner Eckhardt, two members of the committee that set up these offices, to check with the rest of the committee members, specifically, The Honorable W. Jeanne Meurer, Judge, 98th District and The Honorable Darlene Byrne, Judge, 126th District, about the legal briefing that we received, and decide how we should proceed. We will report back to the Court about what they think the appropriate actions are.

Motion carried:

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

- 27. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. ROLAND AND MARY ANNE PELOZA (SANDHYA AND HARSH ZADOO RESALE DEED). ¹ (10:01 AM) (4:17 PM)

Clerk’s Note: Judge Biscoe announced that Item 27 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 authorize the County Judge to sign the prepared tax resale deed to Sandhya and Harsh Zadoo, who have paid Travis County the sum of \$4,200.00 in cash.

Motion carried:

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

- 28. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN SETTLEMENT OFFER ON ATTORNEY'S FEES; IN RELIABLE CONSULTANTS, INC., D/B/A DREAMERS V. RONNIE EARLE, ET AL NO. A-0-CA-086-LY. ¹ (10:01 AM) (4:18 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

No action required on Item 28.

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON THE POSSIBLE DISPOSITION OF 0.733 ACRES (31,949 SQUARE FEET) OF UNUSED, EXCESS RIGHT-OF-WAY ADJACENT TO THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4 FIRE STATION ON HUNTERS BEND ROAD, AS REQUESTED BY THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4. (COMMISSIONER DAVIS) ^{1 AND 2} (10:01 AM) (1:55 PM) (4:18 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 Judge Biscoe and seconded by Commissioner Gómez that we authorize County Staff to proceed with this matter, to follow the steps that they outlined for us; and to indicate that Commissioner Davis will be the Commissioner for the sale of this property; and if, after we communicate that to Commissioner Davis, if he has other plans, we will put that back on the Court's agenda.

Motion carried:

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

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL APPROXIMATELY 18.5 ACRES OF LAND LOCATED NEAR STATE HIGHWAY 130 AND U.S. HIGHWAY 71 EAST, FOR INCLUSION IN THE ONION CREEK OPEN SPACE PROJECT. ^{1 AND 2} (10:01 AM) (1:55 PM) (4:19 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 Judge Biscoe **and seconded by** Commissioner Gómez that we accept the offer to sell this property to the County for the sum of \$90,000.00.

Motion carried:

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

- 31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SECURITY IMPROVEMENTS TO THE TRAVIS COUNTY ADMINISTRATION BUILDING. (COMMISSIONER ECKHARDT) ⁴ (10:01 AM) (1:55 PM) (4:19 PM)

Clerk's Note: Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.076, Security.

Discussion only. No formal action taken.

Item 31 to be reposted on March 31, 2009.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2} (10:01 AM) (4:20 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.

Discussion only. No formal action taken.

Item 32 to be reposted on when ready.

- 33. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND OUTSIDE COUNSEL, RENEA HICKS, ESQ. AND TAKE APPROPRIATE ACTION REGARDING NORTHWEST AUSTIN M.U.D. V. HOLDER IN THE SUPREME COURT OF THE UNITED STATES. ¹ (10:01 AM) (4:20 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.

No action required on Item 33.

- 34. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING NEW LEASES BETWEEN TRAVIS COUNTY AND THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR COUNTY OWNED CLINICS. ^{1 AND 2} (10:01 AM) (4:21 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.

Motion by Judge Biscoe and seconded by Commissioner Huber to approve the proposed leases.

Motion carried:

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

- 35. 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. ¹ (10:01 AM) (4:21 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.

Discussion only. No formal action taken.

Item 35 to be reposted on March 24, 2009.

- 36. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CONTRACT WITH THE STAR OF TEXAS FAIR AND RODEO, INCLUDING CERTAIN SIGNAGE PLACED IN THE LUEDECKE ARENA AT TRAVIS COUNTY EXPOSITION CENTER. ¹ (10:01 AM)

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.

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

Item 36 was pulled from the Agenda.

ADDED ITEMS

- A.1 CONSIDER AND TAKE APPROPRIATE ACTION TO ACCEPT SIGN CHANGES AT COUNTY COMMUNITY HEALTH CENTER SITES OPERATED BY CENTRAL TEXAS COMMUNITY HEALTH CENTERS (CTCHC), A 501 (c)(3) NON-PROFIT CORPORATION, DOING BUSINESS AS COMMUNITYCARE, AND FORMERLY COMMUNITY CARE, AN ORGANIZATION AFFILIATED WITH BUT NOT OWNED BY THE TRAVIS COUNTY HEALTHCARE DISTRICT. (9:52 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item A1.

Motion carried:

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

A.2 APPROVE CONTRACT AWARD FOR MEDIATION SERVICES TO COACH CENTRIC. (9:56 AM)

Members of the Court heard from: John Hille, Assistant County Attorney; and Cyd Grimes, Travis County Purchasing Agent.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item A2.

Motion carried:

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

Clerk's Note: The County Judge noted that approval of Item A2 is subject to the Consultant signing the agreement, and Risk Management submitting a requisition.

A.3. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE MEDIATION OF CLAIMS BY KAREN STEITLE, INCLUDING SETTLEMENT OFFER IN EEOC CHARGE NO. 31C-2008-01470. (EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071 (CONSULTATION WITH ATTORNEY AND 551.074 PERSONNEL MATTERS) (10:01 AM) (4:15 PM)

Clerk's Note: Judge Biscoe announced that Items A3 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 A3 to be reposted on March 17, 2009.

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to adjourn the Voting Session. (4:21 PM)

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge

MINUTES OF MEETING – MARCH 3, 2009

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 3rd 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, 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 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

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to adjourn the Voting Session of the Northwest Travis County Road District No. 3. (1:37 PM)

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

MINUTES APPROVED BY THE ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge