

MINUTES OF MEETING MAY 5, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 5th day of May 2009, the Commissioners' Court convened the Voting Session at 9:13 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 11:59 AM.

The Commissioners Court reconvened the Voting Session at 1:43 PM.

The Commissioners Court retired to Executive Session at 1:43 PM.

The Commissioners Court reconvened the Voting Session at 3:37 PM.

The Commissioners Court adjourned the Voting Session at 3:42 PM.

RESOLUTIONS AND PROCLAMATIONS

3. APPROVE RESOLUTION RECOGNIZING THE MONTH OF MAY, 2009 AS “MENTAL HEALTH MONTH” AND MAY 7, 2009 AS “CHILDREN’S MENTAL HEALTH AWARENESS DAY” IN TRAVIS COUNTY. (JUDGE BISCOE)
(9:26 AM)

Members of the Court heard from: Princess Katana, Project Director, The Children’s Partnership; Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Tony Larkin, Pflugerville Independent School District; Christy Kuehn, The Children’s Partnership; Lisa Hill, The Children’s Partnership; Gloria Peterson, Office of Children Services, Travis County Health and Human Services (TCHHS); Sonia Hartman, Program Coordinator, Juvenile Probation; Christiana Hale, Parent Liaison, The Children’s Partnership; David Lurie, Director, Austin-Travis County Health and Human Services (A-TCHHS); and Ronnie Gjemre, Travis County Resident.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 3.

Motion carried:

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

4. APPROVE PROCLAMATION NAMING MAY 7, 2009 AS “LAW DAY” IN TRAVIS COUNTY. (COMMISSIONER ECKHARDT) (9:33 AM)

Members of the Court heard from: Ronnie Gjemre, Travis County Resident.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the Proclamation 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	yes

Clerk’s Note: The Commissioners Court noted that the actual date of Law Day is Tuesday, May 5, 2009. The naming of Tuesday, May 7, 2009 in the Resolution is a typographical error.

- 5. APPROVE PROCLAMATION RECOGNIZING MAY 3 THROUGH MAY 9, 2009 AS "ARSON AWARENESS WEEK" IN TRAVIS COUNTY. (JUDGE BISCOE) (9:35 AM)

Members of the Court heard from: Danny Hobby, Executive Manager, Travis County Emergency Services; and Hershel Lee, Interim Fire Marshal.

Motion by Judge Biscoe and seconded by Commissioner Huber to approve the Proclamation Item 5.

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

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:13 AM)

Item 6 not needed.

- 7. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:24 AM)
 - A. NEW GRANT APPLICATION TO OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION FOR JUVENILE PROBATION TO RECEIVE A FOUR-YEAR GRANT TO ENHANCE THE DEPARTMENT'S EXISTING DRUG COURT;
 - B. NEW GRANT APPLICATION TO SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, CENTER FOR SUBSTANCE ABUSE TREATMENT FOR JUVENILE PROBATION TO RECEIVE A FOUR-YEAR GRANT TO ENHANCE THE DEPARTMENT'S EXISTING DRUG COURT;
 - C. CONTINUATION GRANT APPLICATION TO THE STATE OF TEXAS AUTO BURGLARY AND THEFT PREVENTION AUTHORITY FOR THE SHERIFF'S OFFICE TO CONTINUE THE PROGRAM TO REDUCE AUTO THEFT RATES IN THE TASK FORCE AREA;

ITEM 7 CONTINUED

- D. NEW GRANT CONTRACT TO THE TEXAS HISTORICAL COMMISSION FOR A CULTURAL RESOURCES SURVEY OF RURAL PROPERTIES IN NORTHEAST TRAVIS COUNTY TO BE CONDUCTED BY THE TRAVIS COUNTY HISTORICAL COMMISSION;
- E. CONTINUATION GRANT CONTRACT TO THE TEXAS TASK FORCE ON INDIGENT DEFENSE TO CONTINUE THE MENTAL HEALTH PUBLIC DEFENDER OFFICE THROUGH FISCAL YEAR 2010;
- F. CONTRACT RELEASE AGREEMENT BETWEEN ONESTAR NATIONAL SERVICE COMMISSION AND TRAVIS COUNTY FOR THE AMERICORPS GRANT IN THE HEALTH AND HUMAN SERVICES DEPARTMENT FOR THE PERIOD AUGUST 2006 TO JULY 2007;
- G. CONTRACT RELEASE AGREEMENT BETWEEN ONESTAR NATIONAL SERVICE COMMISSION AND TRAVIS COUNTY FOR THE AMERICORPS GRANT IN THE HEALTH AND HUMAN SERVICES DEPARTMENT FOR THE PERIOD AUGUST 2007 TO JULY 2008;
- H. RATIFY GRANT APPLICATION BY CIVIL COURTS FAMILY DRUG COURT PROGRAM TO LUBBOCK COUNTY FOR PASS-THROUGH GRANT FUNDING FROM THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR, FOR A TRAINING STIPEND TO ATTEND SPECIALIZED NATIONAL AND STATE LEVEL DRUG COURT TRAINING;
- I. RATIFY GRANT APPLICATION BY CRIMINAL COURTS DRUG COURT PROGRAM TO LUBBOCK COUNTY FOR PASS-THROUGH GRANT FUNDING FROM THE CRIMINAL JUSTICE DIVISION, OFFICE OF THE GOVERNOR, FOR A TRAINING STIPEND TO ATTEND SPECIALIZED NATIONAL AND STATE LEVEL DRUG COURT TRAINING; AND
- J. RATIFY NEW GRANT APPLICATION TO LUBBOCK COUNTY, ON BEHALF OF OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR TRAINING STIPENDS FOR ADULT PROBATION EMPLOYEES OF THE DWI COURT PROGRAM.

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

8. CONSIDER AND TAKE APPROPRIATE ACTION ON PROCEDURE FOR COORDINATING GRANT APPLICATIONS FROM VARIOUS COUNTY DEPARTMENTS. (COMMISSIONER ECKHARDT) (10:22 AM)

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer; Sherri Fleming, Executive Manager, TCHHS&VS; Susan Spataro, Travis County Auditor; and Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO).

Discussion only. No formal action taken.

Item 8 to be reposted when ready.

ADMINISTRATIVE OPERATIONS ITEMS

9. 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 \$536,129.04 FOR THE PERIOD OF APRIL 17 TO 23, 2009. (9:24 AM)

Clerk's Note: Item 9 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:24 AM)

A. PROPOSED ROUTINE PERSONNEL AMENDMENTS;

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.

ITEM 10 CONTINUED

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:14 AM)

B. REQUEST FROM JUSTICE OF THE PEACE PRECINCT FIVE FOR AN EXCEPTION TO TRAVIS COUNTY CODE CHAPTER 10.03002, GENERAL OVERVIEW FOR DETERMINING PAY POLICY; AND

Members of the Court heard from: Luane Schull, Compensation Manager, Human Resources Management Department (HRMD).

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 10.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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:16 AM) (1:43 PM) (3:37 PM)

C. REQUEST FROM FACILITIES MANAGEMENT DEPARTMENT FOR AN EXCEPTION TO TRAVIS COUNTY CODE CHAPTER 10.03010, DEMOTION. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.074, PERSONNEL MATTERS)

Members of the Court heard from: Luane Schull, Compensation Manager, HRMD; and Tony Nelson, Assistant County Attorney.

Clerk's Note: Judge Biscoe announced that Item 10.C 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 Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 10.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

JUSTICE AND PUBLIC SAFETY ITEMS

13. **WILL BE TAKEN UP AT 9:30 A.M.** - RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE RECENT FLU DEVELOPMENT AND RESULTING PUBLIC HEALTH ISSUES IN TRAVIS COUNTY. (9:39 AM)

Clerk's Note: The Court discussed:

- A draft memorandum to be distributed to all Travis County employees discussing prevention of the H1N1 virus;
- A draft memorandum to be sent to Travis County appointed and elected officials containing departmental preparations to be taken in the event of a pandemic;
- Ways to inform the indigent population of the locations and hours of clinics that are available in the event of sickness such as posting information on the Travis County Website,

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Sherri Fleming, Executive Manager, TCHHS&VS; David Lurie, Director, A-TCHHS; Dr. Phil Wong, Medical Director, A-TCHHS; Stacy Moore, Assistant Emergency Management Coordinator, Travis County Emergency Services; Linda Moore Smith, Director, Human Resources Management Department (HRMD); and Gus Peña, Travis County Resident.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize HRMD to finalize these two memos and distribute them to the targeted folk.

A Friendly Amendment to the previous Motion was offered by Commissioner Davis that I would like to include some of those suggestions we brought up before – outreach – especially for folks that do not have insurance to go to primary care physicians. They should have access to our clinics by all means, and I think the City of Austin and Travis County should make sure these locations are made ready and available for those folks who may not even be aware that we even have such clinics, if they become victims of the symptoms of this particular virus.

Acceptance of the Friendly Amendment was made by Judge Biscoe.

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 13 to be reposted on May 12, 2009.

PURCHASING OFFICE ITEMS

- 14. APPROVE CONTRACT AWARD FOR DISHWASHING AND LAUNDRY CHEMICALS, IFB NO. B090077NB, TO THE LOW BIDDER, GULF COAST PAPER COMPANY. (9:24 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. DECLARE CERTAIN EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZE SAME TO BE DISPOSED OF THROUGH DELL, INC., PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE. (9:24 AM)

Clerk's Note: Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 16. APPROVE TERMINATION OF CONTRACT NO. PS040224ML WITH THE LATE FATHER JESSE EURESTI FOR CHAPLAIN SERVICES. (10:18 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; and Ronnie Gjemre, Travis County Resident.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 16.

Motion carried:

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

- 17. APPROVE MODIFICATION NO. 7 TO CONTRACT NO. 07T00270RG, INFORMATION MANAGEMENT SOLUTIONS, FOR PRINTING AND MAILING SERVICES. (9:24 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. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS070340DG, VANDERWEIL FACILITY ADVISORS, INC., FOR PROFESSIONAL CONSULTING SERVICES. (9:24 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. APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ENGINEERING SERVICES FOR BUILDINGS TWO AND THREE AT THE TRAVIS COUNTY CORRECTIONAL COMPLEX FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A) (4) OF THE TEXAS LOCAL GOVERNMENT CODE. (10:19 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent.

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

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

- 20. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 07K00307RV, JOB ORDER NO. 41, FOR ASSIGNMENT OF PAYMENTS FROM ARCHITECTURAL HABITAT TO SURETEC INFORMATION SYSTEMS, INC. (9:24 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. RATIFY WORK PERFORMED UNDER MODIFICATION NO. 1 TO PURCHASE ORDER NO. 403012, AND APPROVE MODIFICATION NO. 1 TO PURCHASE ORDER NO. 403012, B J ELECTRIC CO. FOR TRENCHING AND CONDUIT INSTALLATION FROM THE HOLT BUILDING TO THE RUSK BUILDING.
(9:24 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 7.5 FOOT PUBLIC UTILITY EASEMENT LOCATED ALONG THE REAR LOT LINE OF LOT 61, BLOCK B, RANCH AT DEER CREEK SUBDIVISION, PHASE ONE,
(9:24 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 REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 10 FOOT PUBLIC UTILITY EASEMENT LOCATED PARALLEL TO THE SOUTHWESTERLY LOT LINE OF LOT 8 OF ROCKCLIFF ESTATES SUBDIVISION. (COMMISSIONER HUBER) (9:24 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.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS FOR VARIANCES FOR RIVER TERRACE IV SUBDIVISION IN PRECINCT THREE: (9:24 AM)
- A. TITLE 30-3-191, SIDEWALK INSTALLATION IN SUBDIVISIONS (REQUIRES NEW SUBDIVISIONS TO CONSTRUCT SIDEWALKS); AND
 - B. TITLE 30-2-171(A), ACCESS TO LOTS IN SUBDIVISIONS (REQUIRES EACH LOT IN A NEW SUBDIVISION TO ABUT A DEDICATED PUBLIC STREET). (COMMISSIONER HUBER)

Clerk's Note: Items 24.A&B 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 THE FOLLOWING: (10:20 AM)
- A. PROPOSED MODIFICATION TO TRAVIS COUNTY CODE CHAPTER 1.019, COUNTY VEHICLE USAGE POLICY; AND
 - B. REQUEST TO APPROVE PAYMENT OF OUTSTANDING TOLL AMOUNTS.

Discussion only. No formal action taken.

Items 25.A&B to be reposted on May 19, 2009.

OTHER ITEMS

26. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 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. RECEIVE TRAVIS COUNTY COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008. (9:24 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. RECEIVE RACIAL PROFILING REPORT FOR CALENDAR YEAR 2008 FROM TRAVIS COUNTY CONSTABLE PRECINCT FOUR. (9:24 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.

AT 11:00 A.M.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON LEGISLATIVE MATTERS, INCLUDING: (11:24 AM)
- A. STATUS REPORT ON THE 81ST TEXAS LEGISLATURE;
 - B. STATUS REPORT ON TRAVIS COUNTY LEGISLATIVE PRIORITIES, INCLUDING HOUSE BILLS 612, 1119, 1335, 1440, 1531, 1981, 2100, 2161, 2162, 2167, 2414, 2693, 3468, 3585, 3616, 3787, 3963, 4175 AND 4262, AND SENATE BILLS 497, 578, 1299, 1783, 2202, 2280, 2451, 2452 AND 2472;
 - C. STATUS REPORT ON TRAVIS COUNTY LEGISLATIVE ACTIVITIES, INCLUDING HOUSE BILLS 2, 9, 17, 46, 78, 88, 117, 127, 133, 134, 337, 402, 561, 562, 564, 612, 650, 692, 701, 711, 721, 755, 765, 773, 987, 1018, 1029, 1038, 1092, 1211, 1284, 1483, 1507, 1575, 1576, 1674, 1906, 1909, 1920, 2007, 2369, 2495, 2524, 2573, 2859, 3158, 3448, 3607, 3983, 4729 AND 4756, HOUSE JOINT RESOLUTIONS 15, 22, 36, 43, 55 AND 84, SENATE BILLS 1, 16, 18, 218, 253, 294, 299, 383, 402, 555, 624, 678, 700, 721, 771, 855, 942, 1310, 1323, 2294, 2301 AND 2474, AND SENATE JOINT RESOLUTIONS 10 AND 48;
 - D. HOUSE BILL 2170 - RELATING TO THE MINIMUM NUMBER OF COUNTY JAILERS NECESSARY TO STAFF A COUNTY JAIL;
 - E. HOUSE BILL 1195 - RELATING TO THE ISSUANCE OF A PERMIT FOR A MUNICIPAL SOLID WASTE LANDFILL LOCATED NEAR CERTAIN MUNICIPALITIES;
 - F, HOUSE BILL 1184 - RELATING TO DETERMINING POPULATION FOR THE CREATION OF CIVIL SERVICE SYSTEMS IN CERTAIN COUNTIES; AND
 - G. HOUSE BILL 2673 - RELATING TO CONDITIONS OF EMPLOYMENT FOR AN EMPLOYEE OF CERTAIN SHERIFF'S DEPARTMENTS.

Clerk's Note: Items 29.A-G are associated with one another and were called for concurrent discussion.

ITEM 29 CONTINUED

Members of the Court heard from: Deece Eckstein, Intergovernmental Relations Officer.

Clerk's Note: The Court discussed HB 2170, relating to the minimum number of county jailers necessary to staff a county jail.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis that we oppose this bill.

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 HB 1195, relating to the issuance of a permit for a municipal solid waste landfill located near certain municipalities.

Motion by Commissioner Davis **and seconded by** Commissioner Huber to approve Item 29.E.

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

Clerk's Note: By not approving this Motion, the Court chooses not to show support for HB 1195.

Items 29.A-C&G discussion only. No formal action taken.

Item 29.F was not discussed.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND LAKESIDE MUNICIPAL DISTRICT NO. 3. (9:24 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 A PRESENTATION AND DISCUSS THE TRANSITION OF THE AUSTIN/TRAVIS COUNTY COMMUNITY HEALTH CENTERS OPERATIONS AND EMPLOYEES FROM THE CITY OF AUSTIN TO THE TRAVIS COUNTY HEALTHCARE DISTRICT. (10:58 AM)

Members of the Court heard from: Trish Young, President and Chief Executive Officer, Travis County Healthcare District; and Leslie Froelisch, Chief Operating Officer, CommUnityCare.

Discussion only. No formal action taken.

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.

32. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION IN THE MATTER OF TRAVIS COUNTY V. FLINT HILLS RESOURCES, L.P. AND KOCH PIPELINE CO., L.P. REGARDING COMPLIANCE WITH THE FEDERAL COURT'S SCHEDULING ORDER AND TAKE APPROPRIATE ACTION. ¹
(1:43 PM) (3:38 PM)

Clerk's Note: Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we authorize mediation in this matter; that we accept Commissioner Davis' offer to represent Travis County there; and that we reject the offer that we received from the defendants.

A Friendly Amendment to the previous Motion was offered by Commissioner Davis that we also direct County Staff to attend that mediation - Joe Gieselman, Executive Manager, TNR - whenever it is scheduled.

A Clarification of the Friendly Amendment was made by Judge Biscoe with the appropriate Staff to accompany Commissioner Davis to the mediation.

Acceptance of the Friendly Amendment was made by Judge Biscoe **and** Commissioner Gómez.

Motion carried:

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

33. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL LOT 353, BLOCK D, IMPERIAL VALLEY SECTION 2 TO TRAVIS COUNTY, FOR USE IN THE 2005 BOND IMPERIAL VALLEY DRAINAGE IMPROVEMENT PROJECT. ^{1 AND 2} (1:43 PM) (3:38 PM)

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

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

Discussion only. No formal action taken.

Item 33 to be reposted on May 12, 2009.

Clerk's Note: The County Judge noted that Item 33 will need to be reposted May 12, 2009 to make sure the correct lot number (363) is listed.

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING APPOINTMENT OF TRAVIS COUNTY FIRE MARSHAL. ³ (1:43 PM) (3:39 PM)

Clerk's Note: Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Discussion only. No formal action taken.

Item 34 to be reposted on May 12, 2009.

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2} (1:43 PM) (3:39 PM)

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

Discussion only. No formal action taken.

Item 35 to be reposted on May 12, 2009.

37. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2}
(1:43 PM) (3:41 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 Davis that we approve the terms that were presented to us today; that we indicate our intention to have this matter back on the Court's agenda in two weeks, May 19, 2009; and that we work between now and then to have appropriate legal documents prepared for Court consideration; and that we run the necessary traps with the State of Texas, which owns a facility that is adjacent to this property.

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. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING FINANCIAL INCENTIVES AGREEMENT WITH THE DOMAIN/SIMON PROPERTIES. ¹ (1:43 PM) (3:42 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.

Discussion only. No formal action taken.

Item 38 to be reposted on May 12, 2009.

