

## MINUTES OF MEETING JUNE 16, 2009

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 16<sup>th</sup> day of June 2009, the Commissioners' Court convened the Voting Session at 9:12 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 record notes that Precinct Three Commissioner Karen Huber was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:13 AM.

The Commissioners Court reconvened the Voting Session at 12:20 PM.

The Commissioners Court recessed the Voting Session at 12:20 PM.

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

The Commissioners Court adjourned the Voting Session at 2:01 PM.

### CITIZENS COMMUNICATION

**Members of the Court heard from:** Ronnie Gjemre, Travis County Resident; Cecil Drake, Drake Communications Inc.; Gus Peña, Travis County Resident; Maurice Priest, Travis County Resident; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); and Jennifer Brinlee, Onsite Representative; United Healthcare. (9:12 AM)

**CONSENT ITEMS**

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

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve the following Consent Items: C1-C5 and Items 5.A&B, 6, 7.A&B, 8, 9, 11, 12.A&B, 13.A&B, 14.A&B, 15.A-C, 17.A&B, 19, 20, 21, 23, 24, 25, 26, 28, and 31. (9:26 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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE SETTING A PUBLIC HEARING DATE ON JUNE 30, 2009 TO RECEIVE COMMENTS REGARDING A PROPOSED STREET NAME ASSIGNMENT FOR A PRIVATE EASEMENT TO BE KNOWN AS "BOUNTIFUL PLACE" OFF NOACK HILL ROAD NEAR STATE HIGHWAY 71 WEST. (COMMISSIONER HUBER)
- C3. APPROVE SETTING A PUBLIC HEARING ON JUNE 30, 2009 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE IMPERIAL DRIVE NORTH AND COLFAX DRIVE IN PRECINCT ONE FOR DRAINAGE IMPROVEMENTS BEGINNING ON OR ABOUT JULY 13, 2009 AND CONTINUING THROUGH APRIL 9, 2010 OR UNTIL CONSTRUCTION IS COMPLETED. (COMMISSIONER DAVIS)
- C4. APPROVE SETTING A PUBLIC HEARING DATE ON JULY 7, 2009 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 25-FOOT BY 194.01 FOOT (0.11 ACRE) DRAINAGE EASEMENT AS RECORDED IN VOLUME 12390, PAGE 558 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS LOCATED ACROSS A PORTION OF LOT 5, BLOCK A, PALEFACE RANCH, SUBDIVISION, SECTION 2B AS RECORDED IN BOOK 95, PAGE 86 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. (COMMISSIONER HUBER)
- C5. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JUNE 2, 2009.

**RESOLUTIONS AND PROCLAMATIONS**

1. APPROVE PROCLAMATION RECOGNIZING THE 20<sup>TH</sup> ANNUAL “JUNETEENTH – EMANCIPATION DAY” CELEBRATION TO BE HELD ON **THURSDAY**, JUNE 18, 2009. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:29 AM)

**Members of the Court heard from:** Cheryl Brown, Executive Assistant, County Judge’s Office; Feli Chavez-Burleson, Executive Assistant, County Commissioner Precinct 1 Office; Nyralin Kline, Project Manager I, Information and Telecommunications Systems (ITS); Sue Spears, Administrative Assistant, County Commissioner Precinct 1 Office; Donald Rollack, Purchasing Agent Assistant, Purchasing; and Chris Fanuel, Executive Assistant, Commissioner Precinct 1 Office.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve 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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

2. APPROVE PROCLAMATION RECOGNIZING KATY JOHNSON, KILEY BATJER AND KATIE GLEGHORN FOR THEIR WORK AS ASSOCIATES IN THE INTERGOVERNMENTAL RELATIONS OFFICE DURING THE REGULAR SESSION OF THE 81<sup>ST</sup> TEXAS LEGISLATURE. (COMMISSIONER ECKHARDT) (1:47 PM)

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; Katie Gleghorn, Intern, Intergovernmental Office (IGR); Katy Johnson, Intern, IGR, and Kiley Batjer, Intern, IGR.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve all three Resolutions 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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

**PLANNING AND BUDGET DEPT. ITEMS**

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:44 AM)

**Clerk’s Note:** The Court discussed the following Staff recommended changes:

- Amendment Item A2 - the line item needs to be changed from 4801 (utilities) to 6102 (lease savings);
- Amendment Item A3 – needs to be approved so that Item 16 can be funded;
- Transfer Item T1 – needs to be approved so that Item 22 can be funded;
- Discussion Item D1 – to put the pilot project for bilingual stipend on hold; and,
- Discussion Item D2 – the amount needs to be changed from \$5,980.00 to \$1,820.00, to pay for the training already done relating to the bilingual stipend.

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); Diana Ramirez, Budget Analyst, PBO; Katie Peterson, Budget Analyst, PBO; Rodney Rhoades, Executive Manager, PBO; Travis Gatlin, Budget Analyst, PBO; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Carlotta Valdez Leavy, Senior HR Analyst, HRMD; and Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 3, with all those changes included.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

**Clerk’s Note:** Discussion Item D1 is to be reposted as a discussion Item for the June 30, 2009 voting session.

**AT 1:30 P.M.**

4. CONSIDER AND TAKE ACTION ON AN ORDER AUTHORIZING THE ISSUANCE AND SALE OF TRAVIS COUNTY, TEXAS, LIMITED TAX REFUNDING BONDS, SERIES 2009, IN THE AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY \$34,200,000; LEVYING A TAX IN PAYMENT THEREOF; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT AND AN ESCROW AGREEMENT; APPROVING THE OFFICIAL STATEMENT; AND ENACTING OTHER PROVISIONS RELATING THERETO. (1:38 PM)

**Members of the Court heard from:** Ladd Pattillo, Travis County Financial Adviser; Don Gonzalez, Director, Estrada and Hinojosa; Glenn Opel, Bond Counsel, Vinson and Elkins.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to approve all the things we need to do covered by this item.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:26 AM)
  - A. NEW GRANT APPLICATION TO U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE MENTAL HEALTH PUBLIC DEFENDERS OFFICE TO RECEIVE AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS FOR AN ADDITIONAL CASE WORKER AND AN ATTORNEY; AND
  - B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF AGRICULTURE FOR JUVENILE PROBATION TO CONTINUE PARTICIPATION IN THE NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAMS.

**Clerk’s Note:** Items 5.A&B 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**

6. 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 \$358,482.12 FOR THE PERIOD OF MAY 29 TO JUNE 4, 2009. (9:26 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 THE FOLLOWING:  
(9:26 AM)
  - A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
  - B. REQUEST FROM TRAVIS COUNTY SHERIFF'S OFFICE FOR A REVISION TO THE APPROVED PERSONNEL AMENDMENTS ON JANUARY 6, 2009 TO INCLUDE NON-ROUTINE SALARY ADJUSTMENT, TRAVIS COUNTY CODE CHAPTER 10.03002, GENERAL OVERVIEW FOR DETERMINING PAY POLICY.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON APPLICATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANTS-FORMULA GRANT TO USE FOR ENERGY EFFICIENCY IMPROVEMENTS TO THE EXECUTIVE OFFICE BUILDING HVAC SYSTEM AND FISCAL YEAR 2010 BUDGET CONSIDERATIONS. (9:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM BEN HUR SHRINERS AUSTIN CIRCUS SPECTACULAR TO USE THE EXPOSITION CENTER SHOW BARN, GROUNDS, LUEDECKE ARENA, SKYLINE CLUB AND BANQUET HALL FOR PERIOD OF NOVEMBER 13 THROUGH 15, 2009. (9:26 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 REQUEST TO USE PARKING LOT AND COMFORT FACILITIES AT PALM SCHOOL ON JULY 4, 2009 FROM 4:00 P.M. TO 8:00 P.M. (9:41 AM) (11:13 AM) (2:01 PM)

**Members of the Court heard from:** Mary Etta Gerhardt, Assistant County Attorney.

**Clerk's Note:** Judge Biscoe announced that Item 10 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Tenley Aldredge, Assistant County Attorney

Discussion only. No formal action taken.

Item 10 to be reposted June 23, 2009.

## PURCHASING OFFICE ITEMS

11. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (9:26 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. APPROVE CONTRACT AWARD FOR INSULATION SERVICES, IFB NO. B090202NB, TO THE FOLLOWING QUALIFIED LOW BIDDERS: (9:26 AM)

- A. EFFECTIVE ATTIC SYSTEMS - PRIMARY CONTRACTOR; AND
- B. ENERGY MANAGEMENT SERVICES - SECONDARY CONTRACTOR.

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

13. A. DECLARE TWO AMBULANCES AS SURPLUS PROPERTY PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE; AND

- B. DONATE ONE AMBULANCE TO EMERGENCY SERVICES DISTRICT NO. 2 AND DONATE ONE AMBULANCE TO EMERGENCY SERVICES DISTRICT NO. 3, PURSUANT TO SECTION 263.152(A)(4)(B)(C) OF THE TEXAS LOCAL GOVERNMENT CODE. (9:26 AM)

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

14. APPROVE CONTRACT AWARD FOR COMMERCIAL MOVING AND STORAGE SERVICES, IFB NO. B090231NB, TO THE FOLLOWING LOW BIDDERS: (9:26 AM)

- A. GRABEL/SAN ANTONIO MOVERS INC. - PRIMARY CONTRACTOR; AND
- B. MOVE SOLUTIONS LTD. - SECONDARY CONTRACTOR.

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



15. APPROVE CONTRACT AWARDS FOR AUTOMOTIVE OEM PARTS AND MAINTENANCE LABOR, IFB NO. B090240LD, TO THE LOWEST BIDDERS: (9:26 AM)

- A. COVERT CHEVROLET, LINE ITEMS 1, 2 AND 3;
- B. COVERT FORD, LINE ITEMS 4 AND 5; AND
- C. SOUTH POINT DODGE, LINE ITEMS 6, 7, 8 AND 9.

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

16. APPROVE MODIFICATION NO. 10 TO CONTRACT NO. PS070232DG, MWM DESIGN GROUP, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES AT FM 969. (10:10 AM)

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

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING CONTRACTS: (9:26 AM)

- A. CONTRACT NO. PS090257VR, KIDS FIRST HOUSTON LLC D/B/A KIDS IN TOUCH, FOR PROFESSIONAL VISITATION SERVICES; AND
- B. CONTRACT NO. PS090263VR, DIANA GARZA LOUIS D/B/A RIO GRANDE COUNSELING CENTER, FOR THE DOMESTIC RELATIONS OFFICE FOR PROFESSIONAL VISITATION SERVICES.

**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. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE NUCKOLS CROSSING SAFETY IMPROVEMENTS PROJECT, IFB NO. B090249LP, TO THE LOW BIDDER, CAPITAL EXCAVATION COMPANY. (10:12 AM)

**Clerk's Note:** The Court heard a request from Staff that the construction project be funded from 1997 Bond Program savings.

**Members of the Court heard from:** Steve Manilla, Director, Public Works, Transportation and Natural Resources (TNR).

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Item 18.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

**Clerk's Note:** By approving Item 18 the Court indicated that the project will be funded from the 1997 Bond Program savings.

- 19. APPROVE CONTRACT AWARD FOR HVAC REPLACEMENT AT 2501 SOUTH CONGRESS AVE., IFB NO. B090248DG, TO THE LOW BIDDER, THERMAL MECHANICAL CONTRACTORS INC. (9:26 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. APPROVE CONTRACT AWARD FOR ARMORED CAR SERVICE, IFB NO. B090250RG, TO THE QUALIFIED LOW BIDDER, TRIPLE D SECURITY.

**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. APPROVE PURCHASE OF DATAFLUX SOFTWARE LICENSE AND MAINTENANCE SERVICES FROM TEXAS DEPARTMENT OF INFORMATION RESOURCES THROUGH EXECUTIVE INFORMATION SYSTEMS, LLC. (9:26 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. APPROVE CONTRACT AWARD FOR A MASS SPECTROMETER SYSTEM TO APPROVED SOLE SOURCE VENDOR, APPLIED BIOSYSTEMS. (10:10 AM)

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

**Motion carried:**

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

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

23. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO AMEND THE MCKINNEY FALLS PARKWAY AND THAXTON ROAD LOW WATER CROSSING IMPROVEMENTS INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY TO ALLOW FOR THE ADDITION OF A CITY OF AUSTIN 48-INCH WATERLINE INTO THE MCKINNEY FALLS PARKWAY EXTENSION PROJECT IN SOUTHEAST TRAVIS COUNTY, IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:26 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 A REQUEST TO AMEND AND REPLACE IN ITS ENTIRETY A LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT FOR A STATE HIGHWAY 130 COMPREHENSIVE DEVELOPMENT AGREEMENT CONCESSION PAYMENT PROJECT FOR HOWARD LANE, IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:26 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 A REIMBURSEMENT AND JOINT USE AGREEMENT WITH AUSTIN ENERGY TO FACILITATE THE CONSTRUCTION OF THE COUNTY'S HEATHERWILDE BOULEVARD-WELLS BRANCH PARKWAY PROJECT, IN PRECINCT ONE. (COMMISSIONER DAVIS) (9:26 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.

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ACCEPT DONATION OF AN ELECTRIC MUSICAL ORGAN FROM A PRIVATE INDIVIDUAL FOR THE WEST RURAL COMMUNITY CENTER. (9:26 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 THE FOLLOWING ITEMS RELATED TO PLANNING FOR AND THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (10:13 AM)
  - A. RECEIVE UPDATE ON THE CURRENT PROJECTS AND TIMELINESS;
  - B. RECEIVE RESULTS OF THE NEEDS IDENTIFICATION FROM THE SPRING PUBLIC ENGAGEMENT PROCESS;
  - C. REQUEST TO APPROVE THE POTENTIAL PROJECTS FOR THE PROGRAM YEAR 2009 ACTION PLAN; AND
  - D. OTHER RELATED ITEMS.

**Clerk’s Note:** Items 27.A-D are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS); Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); and Gus Peña, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis to approve Item 27.C.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

Items 27.A&B were discussion only.

Item 27.D was not discussed.

### OTHER ITEMS

- 28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 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 ON LEASE AGREEMENT BETWEEN MF AUSTIN RIDGE, LLC AND PB AUSTIN RIDGE, LLC AND TRAVIS COUNTY, TEXAS FOR THE COUNTY'S PARTICIPATION ON THE CHILD PROTECTION TEAM. (10:38 AM)

**Members of the Court heard from:** LaRu Woody, Director, Family Justice Division, Travis County District Attorney's Office; Paul Knight, Captain, Travis County Sheriff's Office (TCSO); and Ronnie Gjemre, Travis County Resident.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 29.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

30. RECEIVE UPDATE ON TRAVIS COUNTY RESPONSE TO AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDING OPPORTUNITIES, INCLUDING PARTICIPATION IN INTERGOVERNMENTAL COORDINATION EFFORTS WITH OTHER POLITICAL SUBDIVISIONS IN THE CENTRAL TEXAS REGION. (10:44 AM)

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; Sherri Fleming, Executive Manager, TCHHS&VS; and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON RENEWAL BOND FOR VISITING JUSTICE OF THE PEACE, KEVIN S. MADISON. (9:26 AM)

**Clerk’s Note:** Item 31 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.

- 32. **REVISED LANGUAGE:** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING **CLAIMS BY JOHN STRICKLAND, JR. FOR DAMAGES** AT 12717 BULLICK HOLLOW ROAD, AUSTIN, TEXAS 78726. <sup>1</sup> (11:13 AM) (1:57 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 Davis that we reject the claim.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

33. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN CLAIM BY LINDAURA DASILVA CONCERNING A TAX RESALE DEED. <sup>1</sup> (11:13 AM) (1:57 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.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we reject it.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

34. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN CLAIM BY DRAKE COMMUNICATIONS INC. CONCERNING RFP NO. P080107. <sup>1</sup> (11:13 AM) (1:56 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.

**Motion by Judge Biscoe and seconded by Commissioner Eckhardt** that we reject the claim.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent



35. CONSIDER AND TAKE APPROPRIATE ACTION ON AN OFFER TO SELL TEMPORARY EASEMENT RIGHTS TO TRAVIS COUNTY FOR USE OF LAND IN THE UPCOMING RECONSTRUCTION OF A COUNTY BRIDGE LOCATED ON FUCHS GROVE ROAD IN PRECINCT ONE. (COMMISSIONER DAVIS) <sup>2</sup> (11:13 AM) (1:58 PM)

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

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe that we accept the offer of \$3,900.00 for the easement on Fuchs Grove Road, and also that permanent and temporary fences will be placed in this area but done by the owner.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING ISSUES RELATED TO NOVATION OF LICENSE AGREEMENT FOR OPERATION OF MANCHACA COMMUNITY CENTER LOCATED AT 1310 FM 1626. <sup>1 AND 2</sup> (11:13 AM) (1:58 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.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt that we approve the proposed contract that Mr. Vogel has signed already; that we have this matter back on the Court's agenda next week, June 23, 2009, for further discussion.

**Motion carried:**

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

- 37. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON PREVAILING WAGE RATE COMPLAINT RECEIVED FROM SUBCONTRACTOR/EMPLOYEE PERFORMING WORK ON ADDITIONS AND ALTERATIONS TO THE TRAVIS COUNTY CORRECTIONAL COMPLEX PROJECT. <sup>1</sup> (11:13 AM) (1:59 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.

**Members of the Court heard from:** Tenley Aldredge, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Davis** that we direct the Travis County Purchasing Office to work with the County Attorney to draft a letter to Faulkner USA and its sub-contractor Double H Homes, LLC requiring them 1) to make restitution to the Double H Homes LLC workers who were not paid prevailing wages; that this action be provided no later than August 1, 2009; and 2) that the County be provided written verification that restitution has been made in full; further, that this communication indicate that if the wages are not paid as required by law, then the County will consider seriously, withholding the amount necessary to make the workers whole, and/or impose an appropriate penalty as required by law immediately after August 1, 2009.

**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	absent
Precinct 4, Commissioner Margaret J. Gómez	absent

