

MINUTES OF MEETING AUGUST 11, 2009

TRAVIS COUNTY COMMISSIONERS' COURT

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

The Commissioners Court recessed the Voting Session at 10:52 AM.

The Commissioners Court reconvened the Voting Session at 11:00 AM.

The Commissioners Court recessed the Voting Session at 12:00 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:39 PM and adjourned at 1:47 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; and the Capital Industrial Development Corporation, convened at 1:47 PM and adjourned at 1:48 PM.

The Commissioners Court reconvened the Voting Session at 1:48 PM.

The Commissioners Court retired to Executive Session at 1:49 PM.

The Commissioners Court reconvened the Voting Session at 3:02 PM.

The Commissioners Court adjourned the Voting Session at 3:10 PM.

PUBLIC HEARINGS

- 1. RECEIVE COMMENTS REGARDING REQUESTS TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED OF A 0.248 ACRE PORTION OF THE MANSFIELD DAM COURT RIGHT OF WAY AS DEDICATED THROUGH VOLUME 771, PAGE 543 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND LOCATED ADJACENT TO THE SOUTHERN LOT LINE OF LOT 1-A OF THE RESUBDIVISION OF LOT 1, SUNDAY HOUSE SUBDIVISION. (COMMISSIONER HUBER) (ACTION ITEM #14) (9:15 AM)

Clerk’s Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 14 for a summary of the action item.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to open the public hearing.

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

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Bill Hale, Agent, Commanders Point; and Stacey Scheffel, Flood Plain Manager, TNR.

Motion by Commissioner Huber **and seconded by** Commissioner Gómez to close the public hearing.

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

JUSTICE AND PUBLIC SAFETY

- 2. **SPECIAL ANNOUNCEMENT:** ANNOUNCE RECEIPT OF NATIONAL ASSOCIATION OF MEDICAL EXAMINERS (NAME) ACCREDITATION BY THE TRAVIS COUNTY MEDICAL EXAMINER’S OFFICE. (9:14 AM)

Item 2 postponed until August 18, 2009.

CITIZENS COMMUNICATION

Members of the Court heard from: Craig Griffin, Travis County Resident; Ronnie Gjemre, Travis County Resident; and Maurice Priest, Travis County Resident. (9:20 AM)

CONSENT ITEMS

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C2 and Items 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 24, 25.A-F, 29, 33, and 34. (9:29 AM)

Motion carried:

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 28, 2009.

SPECIAL ITEMS

- 3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE PROHIBITION OF OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:33 AM)

Members of the Court heard from: Hershel Lee, Assistant Fire Marshal.

Clerk’s Note: The County Judge announced that by taking no action the prohibition against outdoor burning stays in place.

Discussion only. No formal action taken.

Item 3 to be reposted on August 18, 2009.

Clerk’s Note: The County Judge noted that if Travis County residents have any questions regarding the prohibition on outdoor burning they can call:

- The Fire Marshal’s Office at 512-854-4621,
- The Emergency Services Department at 512-854-9637, or,
- Check the website at www.co.travis.tx.us/fire_marshal.

RESOLUTIONS AND PROCLAMATIONS

- 4. APPROVE PROCLAMATION HONORING LOWELL H. LEBERMANN, JR. (COMMISSIONER HUBER) (9:34 AM)

Members of the Court heard from: Anthony Gibbs, representing the Lebermann family.

Motion by Commissioner Huber **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

ADMINISTRATIVE OPERATIONS ITEMS

- 5. 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 \$475,109.52 FOR THE PERIOD OF JULY 24 TO 30, 2009. (9:29 AM)

Clerk’s Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (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. CONSIDER AND TAKE APPROPRIATE ACTION ON STATUS REPORT AND ACTION PLAN FOR 467 CLASSIFIED JOB DESCRIPTIONS IN 20 JOB FAMILIES, IN ACCORDANCE WITH TRAVIS COUNTY CODE SECTION 10.080, JOB DESCRIPTIONS. (9:38 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 7.

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

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO TRANSFER PROJECT SAVINGS FROM CHILD/PARENT DEFENDER OFFICE IT EQUIPMENT TO BE USED FOR DATA CENTER IMPROVEMENT PROJECT. (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.

PURCHASING OFFICE ITEMS

9. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. 08K00087JW, BORETEX, LLC., FOR NORTHRIDGE ACRES WATERLINE IMPROVEMENTS. (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. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 11) TO CONTRACT NO. IL020037RE, TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES, FOR DEAF INTERPRETER SERVICES. (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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO INTERLOCAL AGREEMENT NO. IL080013RE, TEXAS DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES FOR DEAF INTERPRETER SERVICES. (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.

13. APPROVE MODIFICATION NO. 11 TO CONTRACT NO. PS070232DG, MWM DESIGN GROUP, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES AT THE SMART FACILITY. (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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUESTS TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED OF A 0.248 ACRE PORTION OF THE MANSFIELD DAM COURT RIGHT OF WAY AS DEDICATED THROUGH VOLUME 771, PAGE 543 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND LOCATED ADJACENT TO THE SOUTHERN LOT LINE OF LOT 1-A OF THE RESUBDIVISION OF LOT 1, SUNDAY HOUSE SUBDIVISION. (COMMISSIONER HUBER) (9:20 AM)

Clerk's Note: Item 14 is the action item for the public hearing on Agenda Item 1.

Item 14 postponed until August 18, 2009.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON RESOLUTION WITH TEXAS DEPARTMENT OF TRANSPORTATION TO ACCEPT MAINTENANCE AND JURISDICTION OF SUNCREST ROAD, SCHMIDT LOOP AND WALTON HILL PASS, FORMERLY SECTIONS OF FM 973 ON THE STATE HIGHWAY SYSTEM. (COMMISSIONER DAVIS) (9:29 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. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL WITH THE VILLAGE OF THE HILLS, TEXAS, FOR PURPOSES OF ROADWAY, RIGHT OF WAY AND SIGN MAINTENANCE WITHIN THE JURISDICTION OF THE VILLAGE OF THE HILLS. (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 by entering into this agreement the County agrees to do the work for the entity, but that the entity reimburses the County the costs plus 10%.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL WITH WILLIAMSON COUNTY FOR PURPOSES OF ROADWAY, RIGHT OF WAY AND SIGN MAINTENANCE WITHIN THE JURISDICTION OF WILLIAMSON COUNTY. (9:29 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 ACCEPTANCE OF DEDICATION OF MEADOWS OF BLACKHAWK PHASE 7A-2 AND MEADOWS OF BLACKHAWK PHASE 7B, TWO SUBDIVISIONS IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (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.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CALL DOWN OF A LETTER OF CREDIT FROM WACHOVIA BANK FOR FISCAL POSTING FOR MEADOWS OF BLACKHAWK PHASE 8 SUBDIVISION IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (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 PRESENTATION FROM DR. JOHN SHARP REGARDING HYDROLOGICAL INVESTIGATION OF TECOLOTE FARM, MANOR, TEXAS AND TAKE APPROPRIATE ACTION. (11:00 AM)

Members of the Court heard from: Professor John Sharp, Department of Ground Water Sciences, University of Texas at Austin; Clinton Waller, Student, Department of Ground Water Sciences, University of Texas at Austin; Joe Gieselman, Executive Manager, TNR; and Ronnie Gjemre, Travis County Resident.

Discussion only. No formal action taken.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 21. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE FOR PERMISSION TO POST STRATEGIC PLANNING STAKEHOLDER SURVEY ON THE TRAVIS COUNTY WEBSITE. (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 THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (9:54 AM)
 - A. ACCEPT COMMENTS RECEIVED DURING THE 30-DAY PUBLIC COMMENT PERIOD ON THE PROPOSED USAGE OF CDBG FUNDS FOR PROGRAM YEAR 2009;
 - B. THE FINAL DRAFT OF PROGRAM YEAR 2009 ANNUAL ACTION PLAN; AND
 - C. AUTHORIZE SUBMISSION OF THE PROGRAM YEAR 2009 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAN ANTONIO FIELD OFFICE, REGION VI.

Clerk's Note: Items 22.A-C 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).

Motion by Judge Biscoe **and seconded by** Commissioner Gómez that we accept the public comments submitted.

Motion carried:

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

ITEM 22 CONTINUED

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

Clerk's Note: Staff requested that the Court:

- Authorize the County Judge, as the certifying official, to sign all of the related documents
- Allow Staff to submit 2009 Annual Action Plan

Motion by Commissioner Gómez **and seconded by** Commissioner Huber to approve those actions in Item 22.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

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE SUB-RECIPIENT AGREEMENT WITH AUSTIN HABITAT FOR HUMANITY, INC. TO PROVIDE \$445,518 OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE ACQUISITION OF LAND FOR AFFORDABLE HOUSING DEVELOPMENT IN THE UNINCORPORATED AREAS OF THE COUNTY. (9:58 AM)

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

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the agreement in Item 23.

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

24. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:29 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:29 AM)
- A. GRANT APPLICATION TO THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR HEALTH AND HUMAN SERVICES TO CONTINUE TO RECEIVE FUNDS TO SUPPORT THE RETIRED AND SENIORS VOLUNTEER PROGRAM;
 - B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN ADVANCE FUNDING AGREEMENT FOR THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 PROJECT OFF-SYSTEM, FOR TRANSPORTATION AND NATURAL RESOURCES TO UPGRADE FOUR ROADS IN PRECINCTS ONE AND THREE;
 - C. GRANT CONTRACT FROM THE OFFICE OF ATTORNEY GENERAL FOR THE OTHER VICTIM ASSISTANCE GRANT TO PROVIDE FOR AN EXISTING VICTIM COUNSELOR IN THE COUNTY ATTORNEY'S OFFICE;
 - D. GRANT CONTRACT WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION TO CONTINUE THE COMMUNITY RESOURCE COORDINATOR IN THE JUVENILE PROBATION DEPARTMENT;
 - E. GRANT CONTRACT AMENDMENT WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE REIMERS RANCH RECREATIONAL TRAILS GRANT IN TRANSPORTATION AND NATURAL RESOURCES, TO EXTEND THE TERM OF CONTRACT ONE YEAR, TO AUGUST 31, 2010;
AND
 - F. GRANT CONTRACT AMENDMENT TO INCREASE THE ORIGINAL AWARD FROM THE EMERGENCY FOOD AND SHELTER LOCAL BOARD FOR HEALTH AND HUMAN SERVICES TO PROVIDE EMERGENCY UTILITY ASSISTANCE TO AN ESTIMATED ADDITIONAL FIVE HOUSEHOLDS.

Clerk's Note: Items 25.A-F 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 REGARDING SETTING ELECTED OFFICIALS' SALARIES FOR FISCAL YEAR 2010, INCLUDING:
(1:49 PM) (3:03 PM)
 - A. LONGEVITY PAY FOR JUDGES QUALIFYING UNDER THE ELIGIBILITY PRESCRIBED IN SENATE BILL 497; AND
 - B. PAYMENT FOR DUTIES AS PRESIDING CRIMINAL DISTRICT COURT JUDGE AS ALLOWED UNDER HOUSE BILL 3468. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY)

Clerk's Note: Judge Biscoe announced that Items 26.A&B would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from: Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 26.A&B.

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

Items 26.A&B to be reposted on August 18, 2009.

- 27. PRESENTATION AND DISCUSSION OF THE FISCAL YEAR 2010 PRELIMINARY BUDGET. (10:08 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); Leroy Nellis, Budget Manager, PBO; Ronnie Gjemre, Travis County Resident; Susan Spataro, Travis County Auditor; and Sherri Fleming, Executive Manager, TCHHS&VS.

Discussion only. No formal action taken.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE TRAVIS COUNTY CENTRAL CAMPUS NEEDS ANALYSIS AND MASTER PLAN VISIONING SESSION HELD JUNE 23, 2009, INCLUDING FOLLOW-UP COMMENTS FROM THE COMMISSIONERS COURT WORK SESSION ON JULY 23, 2009. (10:45 AM)

Clerk's Note: Staff requested that the Commissioners Court:

- Approve the Central Campus Study Visioning Outcomes Summary Report
- Release the report for public information purposes

Members of the Court heard from: Belinda Powell, Capital Planning Coordinator, PBO; and Rodney Rhoades, Executive Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the request.

Motion carried:

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

OTHER ITEMS

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:29 AM)

Clerk's Note: Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERIM CHARGES FOR THE 81ST TEXAS LEGISLATURE, INCLUDING: (11:46 AM)
 - A. SUGGESTED TOPICS FOR SUCH CHARGES, AND
 - B. RECOMMENDATIONS FOR PROPOSING SUCH CHARGES TO THE APPROPRIATE MEMBERS OF THE LEGISLATURE.

Clerk's Note: Items 30.A&B are associated with one another and were called for concurrent discussion.

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

Discussion only. No formal action taken.

Items 30.A&B to be reposted on August 25, 2009.

- 31. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR MONTH OF JUNE 2009. (10:52 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 31.

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

32. DRAW NAMES FROM GRAND JURY POOL FOR ELECTED OFFICIALS SALARY GRIEVANCE COMMITTEE FOR 2009, AS REQUIRED BY SECTION 152.015 OF THE LOCAL GOVERNMENT CODE. (10:42 AM)

Members of the Court heard from: David Ferris, Division Manager, Civil/Probate Division, Travis County Clerk's Office.

Clerk's Note: The members of the Commissioners Court chose the following names from the Grand Jury pool to be candidates for the Salary Grievance Committee for 2009: Ed Check; Sharon Flournoy; Karen Brenner; Jimmy Westfall; Cleo Barnette; Joe Lored; Amelia Rodriguez; W. M. (BH) Gibson, Jr.; Rosa Puentes; Janie Noriega; Robin Mayfield; Pete Gil; Carlos Garcia; Joyce Thoresen; and Carla G. Roberson.

Discussion only. No formal action taken.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SET A PUBLIC HEARING DATE ON SEPTEMBER 1, 2009 TO RECEIVE COMMENTS REGARDING A PROPOSED ISSUANCE OF THE TRINITY HIGHER EDUCATIONAL FACILITIES CORPORATION VARIABLE RATE DEMAND REVENUE BONDS (HUSTON-TILLOTSON UNIVERSITY PROJECT) SERIES 2008A. (9:29 AM)

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

34. CONSIDER AND TAKE APPROPRIATE ACTION ON SETTING HEARING DATE ON AUGUST 25, 2009 REGARDING APPEAL FROM JUNE 17, 2009 TRAVIS COUNTY GRIEVANCE PANEL DECISION IN NANCY DIMAS V. JUSTICE OF THE PEACE, PRECINCT 5, PURSUANT TO TRAVIS COUNTY CODE SECTION 9.257(K). (9:29 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.

Clerk's Note: The County Judge noted that the hearing will be set for August 25, 2009 at 2:30 PM.

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CURRENT STRUCTURE AND FUNCTIONING OF HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD) AND ADMINISTRATIVE OPERATIONS POST-IMPLEMENTATION OF HRMD DEVELOPMENT PLAN. (3:02 PM)

Item 35 postponed until August 18, 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

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.

36. RECEIVE LEGAL BRIEFING REGARDING SHUMAKER ENTERPRISES, INC. VS. COUNTY OF TRAVIS, TEXAS ET AL AND TAKE APPROPRIATE ACTION.
¹ (9:14 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.

Item 36 postponed until August 18, 2009.

- 37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. PATRICIA BASURTO ANAYA AND ENRIQUE V. MONSALVE (DINH TRUONG AND MELANIE TRUONG RESALE DEED). ¹ (1:49 PM) (3:05 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.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize the County Judge to sign the proposed tax resale deed to Dinh and Melanie Truong, who have paid Travis County the sum of \$3,399.01 in cash.

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 BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. FEDERAL DEPOSIT INSURANCE CORPORATION (JAY SULLIVAN RESALE DEED). ¹ (9:14 AM)

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.

Item 38 was postponed.

- 39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. MAURICIO AND DOLORES VILLATORO (JAY SULLIVAN RESALE DEED). ¹ (1:49 PM) (3:06 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 authorize the County Judge to sign the proposed tax resale deed to Jay Sullivan, who has paid the County \$2,000.00 in cash.

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. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. LEON E. AND LILLIAN S. HOLBROOK (MELISSA LE RESALE DEED). ¹ (1:49 PM) (3:05 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.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize the County Judge to sign the proposed tax resale deed to Melissa Le, who has paid Travis County the sum of 4,026.05.

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

41. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POSSIBLE SALE OF COUNTY-OWNED LAND OFF FM 969 IN EAST AUSTIN. ^{1 AND 2} (9:14 AM)

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 and Gov't. Code Ann. 551.072, Real Property.

Item 41 was postponed.

42. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE EMPLOYMENT OF THE EXECUTIVE MANAGER OF ADMINISTRATIVE OPERATIONS. ^{1 AND 3} (1:49 PM) (3:06 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 and Gov't. Code Ann. 551.074, Personnel Matters.

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

Motion by Judge Biscoe and seconded by Commissioner Gómez that we:

- Acknowledge that last time, July 28, 2009, the leave with pay was authorized from July 28, 2009 through August 11, 2009, so that would end today
- Authorize administrative leave without pay, but to authorize the use of any earned vacation or sick leave upon the request of our Executive Manager of Administrative Operations through September 1, 2009.

A Substitute Motion was made by Commissioner Davis that the Administrative Operations Executive Manager continue, as of tomorrow, August 12, 2009, their employment as Executive Manager of Administrative Operations.

Clerk's Note: The Motion died for lack of a Second.

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

Clerk's Note: The County Judge explained that this was to give the Court an opportunity to further continue consult and negotiate with the attorneys for both of these employees and authorize them to use earned leave upon their request.

43. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE EMPLOYMENT OF THE DIRECTOR OF THE HUMAN RESOURCES MANAGEMENT DEPARTMENT. ^{1 AND 3} (1:49 PM) (3:08 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. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we:

- Acknowledge expiration of leave with pay authorized two weeks ago, July 28, 2009
- Authorize administrative leave without pay, and authority to use any earned vacation or sick leave upon request of the employee through September 1, 2009.

A Substitute Motion was made by Commissioner Davis to allow the Director of Human Resources Management Department (HRMD) to continue their employment status with Travis County.

Clerk's Note: The Motion died for lack of a Second.

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

Clerk's Note: The County Judge explained that this was to give the Court an opportunity to further continue consult and negotiate with the attorneys for both of these employees and authorize them to use earned leave upon their request.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (3:10 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 COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge