

MINUTES OF MEETING JANUARY 2, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Wednesday, the 2nd day of January, 2008, the Commissioners' Court convened the Voting Session at 10:09 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 record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 10:43 AM.

The Commissioners Court reconvened the Voting Session at 12:15 PM.

The Commissioners Court adjourned the Voting Session at 12:21 PM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 12:21 PM and adjourned at 12:21 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident.
(10:10 AM)

Clerk's Note: Judge Biscoe reminded Travis County employees that the Combined Charities Campaign is underway, and encouraged employees to contribute as generously as they have historically.

- 2. REVIEW AND TAKE APPROPRIATE ACTION ON RECRUITING PROFILE AND ADVERTISEMENT DEVELOPED BY EXECUTIVE RECRUITER FOR EXECUTIVE MANAGER, PLANNING AND BUDGET. (10:16 AM)

Clerk's Note: The Court discussed the following changes to the recruiting profile:

- 1) Start of employment to be as soon as possible, not May 9-May 13, 2008;
- 2) Percentage of racial make-up of Travis County to be listed in descending order of percentage of population; and,
- 3) Add "Corrections" after "Law Enforcement" under County Organization.

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 2 and proceed.

Motion carried:

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

Clerk's Note: The Court noted that the source of funding will be from salary savings in the Planning and Budget Office.

- 3. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (10:15 AM)

- A. GRANT APPLICATION TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS FOR THE 2008 SOLID WASTE ENFORCEMENT GRANT FOR TRANSPORTATION AND NATURAL RESOURCES TO CURTAIL ILLEGAL SOLID WASTE DUMPING WITHIN THE COUNTY; AND
- B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS TO PROVIDE WEATHERIZATION REPAIRS FOR LOW INCOME PERSONS IN THE HEALTH AND HUMAN SERVICES AND VETERANS SERVICES DEPARTMENT.

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

4. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ADOPTION OF AN ORDER AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE CERTIFICATES OF OBLIGATION. (12:17 PM)

Clerk's Note: Items 4 and 19 are associated with one another and were called for concurrent discussion. Please refer to Item 19 for a summary of the action taken by the Court.

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 \$336,020.75 FOR THE PERIOD OF DECEMBER 14 TO DECEMBER 20, 2007. (10:15 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. (10:15 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.

PURCHASING OFFICE ITEMS

7. RATIFY APPROVAL OF TWELVE MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. PS060210RE, WITH WORKSOURCE-GREATER AUSTIN WORKFORCE BOARD FOR WORKFORCE DEVELOPMENT. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (10:15 AM)

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

8. APPROVE ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL ENGINEERING SERVICES FOR THE HUNTERS BEND SAFETY SIDEWALK PROJECT FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (TRANSPORTATION AND NATURAL RESOURCES) (COMMISSIONER DAVIS) (10:15 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 ISSUANCE OF JOB ORDER NO. 1, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. FOR MINOR CONSTRUCTION AND RENOVATION SERVICES. (FACILITIES MANAGEMENT) (10:15 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

10. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS REGARDING GREENSHORES ON LAKE AUSTIN PHASE 2 AND PHASE 3, TWO SUBDIVISIONS IN PRECINCT THREE: (10:15 AM)
 - A. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES; AND
 - B. AMENDMENT TO THE LICENSE AGREEMENT. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 10.A&B 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

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE ENVIRONMENTAL ASSESSMENT FOR NORTHRIDGE ACRES WATERLINE IMPROVEMENTS PROJECT PARTIALLY FUNDED BY THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (10:25 AM)
 - A. REVIEW COMMENTS RECEIVED DURING THE PUBLIC COMMENT PERIOD;
 - B. CERTIFY THE RESULTS OF THE ENVIRONMENTAL ASSESSMENT;
 - C. AUTHORIZE THE COUNTY JUDGE TO SIGN THE HUD RELATED DOCUMENTS AS THE CERTIFYING OFFICIAL; AND
 - D. AUTHORIZE SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAN ANTONIO FIELD OFFICE, REGION IV.

Clerk’s Note: Items 11.A-D are associated with one another and were called for concurrent discussion.

Clerk’s Note: The Court noted that Item 11.D should read “Region VI” not “Region IV”.

Members of the Court heard from: Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Items 11.A-D.

Motion carried:

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

Clerk’s Note: The County Judge noted that by approving Item 11.A-D the Court is:

- 1) certifying the results of the Environmental Assessment;
- 2) authorizing the County Judge to sign the Housing and Urban Development (HUD) related documents; and,
- 3) authorizing the submission of the HUD related documents to the US Department of Urban Housing.

OTHER ITEMS

- 12. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:15 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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING MANAGEMENT HIGHLIGHTS FOR INCLUSION IN BOND RATING PRESENTATION. (10:28 AM)

Members of the Court heard from: Christian Smith, Executive Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 13.

Motion carried:

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

- 14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE MEMORANDUM OF UNDERSTANDING AND JOINT RESOLUTION WITH THE DEMOCRATIC AND REPUBLICAN PARTIES FOR THE MARCH 4, 2008 JOINT PRIMARY ELECTION AND THE APRIL 8, 2008 JOINT PRIMARY RUNOFF ELECTION. (COUNTY CLERK) (10:10 AM)

Item 14 postponed until January 8, 2008.

- 15. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER DESIGNATING ELECTION DAY POLLING PLACES FOR THE MARCH 4, 2008 JOINT PRIMARY ELECTION. (COUNTY CLERK) (10:10 AM)

Item 15 postponed until January 8, 2008.

16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER DESIGNATING MAIN EARLY VOTING POLLING PLACE, TEMPORARY BRANCH EARLY VOTING POLLING PLACES, AND MOBILE EARLY VOTING POLLING PLACES FOR THE MARCH 4, 2008 JOINT PRIMARY ELECTION. (COUNTY CLERK) (10:10 AM)

Item 16 postponed until January 8, 2008.

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.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO LEASE OR SELL COUNTY OWNED LAND ADJACENT TO TRAVIS COUNTY COMMUNITY JUSTICE CENTER. ^{1 AND 2} (10:43 AM) (12:15 PM)

Clerk's Note: Judge Biscoe announced that Item 17 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 17 to be reposted on January 15, 2008.

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING SELECTION OF EXECUTIVE MANAGER, JUSTICE AND PUBLIC SAFETY. ³ (10:43 AM)
(12:16 PM)

Clerk's Note: Judge Biscoe announced that Item 18 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Motion by Judge Biscoe and seconded by Commissioner Davis that the County Judge communicate our questions to Danny Hobby, Executive Manager, Travis County Emergency Services, so that he in turn can ask the applicants for that information, and we'll have this item back on the Court's agenda Tuesday, January 8, 2007 for action.

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

Item 18 to be reposted on January 8, 2008.

19. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING STEPS NECESSARY TO CONSTRUCT AND PROVIDE FUNDING FOR ADDITIONAL BUILDING AT THE SMART FACILITY. ^{1 AND 2} (10:43 AM) (12:16 PM)

Clerk's Note: Judge Biscoe announced that Item 19 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.

Clerk's Note: Items 19 and 4 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we approve this item, which will bring our Certificates of Obligation (CO's) issuance to the sum of \$23,900,000.00.

Motion carried:

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

Clerk's Note: By approving Items 19 and 4, the Court is adopting an order authorizing publication of a Notice of Intent to issue Certificates of Obligation (CO's).

Clerk's Note: The Court considered two draft orders and noted that should they approve the draft which included a "not-to-exceed" amount of \$23,900,000.00, it would include an amount of \$800,000.00 for funding for an additional building at the SMART facility.

ADDED ITEM

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON THE CONSTRUCTION RELATED EROSION EVENT IN HAYS COUNTY, ASSOCIATED WATER QUALITY AND ENVIRONMENTAL IMPACTS ON HAMILTON POOL AND OTHER NATURAL RESOURCES IN TRAVIS COUNTY. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (10:42 AM) (12:18 PM)

Clerk's Note: Judge Biscoe announced that Item A1 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.

Discussion only. No formal action taken.

Item A1 to be reposted on January 22, 2008.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Judge Biscoe to adjourn the Voting Session. (12:21 PM)

Motion carried:

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

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge