

MINUTES OF MEETING JANUARY 29, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29th day of January 2008, 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 11:56 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:40 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 1:51 PM

The Commissioners Court reconvened the Voting Session at 1:51 PM.

The Commissioners Court retired to Executive Session at 3:20 PM.

The Commissioners Court reconvened the Voting Session at 4:57 PM.

The Commissioners Court adjourned the Voting Session at 4:58 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Alberto Garcia, Travis County Resident; and Gus Peña, Travis County Resident. (9:15 AM) (9:49 AM)

Clerk's Note: The County Judge reminded Travis County employees that the deadline for donations to the Combined Charities effort is January 31, 2008.

2. APPROVE PROCLAMATION SUPPORTING PROCUREMENT OF GOODS FROM VENDORS MAINTAINING SAFE AND LEGAL OPERATIONS. (COMMISSIONER ECKHARDT) (9:36 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Reverend Carla Cheatham, Member, Travis County Sweat Free Coalition and Executive Director, Religion and Labor Network of Austin (RLNA); and Leslie Ramsey, RLNA.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the resolution 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 Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

SPECIAL ITEM

3. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:53 AM)

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

Discussion Only. No formal action taken.

Item 3 to be reposted on February 5, 2007.

Clerk's Note: Judge Biscoe announced that by taking no action the prohibition against outdoor burning stays in place. The Order is effective until February 6, 2008.

PURCHASING OFFICE ITEMS

4. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. PS070158DG, MACIAS AND ASSOCIATES L.P. (FACILITIES MANAGEMENT AND TRANSPORTATION AND NATURAL RESOURCES) (9:50 AM)

Clerk's Note: Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

5. APPROVE MODIFICATION NO. 3 TO CONTRACT NO. PS070094DG, LOOMIS AUSTIN, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES FOR BLOCK 108 AND THREE-QUARTERS OF BLOCK 134 OF THE ORIGINAL CITY OF AUSTIN. (FACILITIES MANAGEMENT) (9:50 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 REGARDING DAY TREATMENT FACILITY SERVICES: (9:50 AM)
 - A. EXEMPTION ORDER FOR THE PROCUREMENT OF DAY TREATMENT FACILITIES SERVICES; AND
 - B. CONTRACT NO. PS080068VR, SOUTHWEST KEY PROGRAMS, INC., TO PROVIDE DAY TREATMENT FACILITY SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION)

Clerk's Note: Items 6.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. APPROVE MODIFICATION NO. 5 TO INTERLOCAL IL030285LC, CITY OF AUSTIN, FOR THE OPERATION AND MAINTENANCE OF THE COMBINED TRANSPORTATION, EMERGENCY AND COMMUNICATIONS CENTER. (EMERGENCY SERVICES) (9:50 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.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON DRAFT SCOPE OF PROFESSIONAL SERVICES, LIST OF STAKEHOLDERS AND BUDGET RELATING TO A COMMUNITY OPINION SURVEY OF COUNTY LAND USE AUTHORITY. (COMMISSIONER DAVIS) (10:45 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR.

Discussion only. No formal action taken.

Item 11 to be reposted February 19, 2008.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON AN UPDATE OF THE 8-HOUR OZONE NATIONAL AMBIENT AIR QUALITY STANDARD AND THE CENTRAL TEXAS O3 FLEX PROGRAM. (10:00 AM)

Members of the Court heard from: Jon White, Environmental Quality Program Manager, TNR; Cathy Stevens, Environmental Program Manager, Capital Area Metro Planning Organization (CAMPO), and Co-Chair, Early Action Compact Task Force; and Adele Noel, Air Quality Project Manager, TNR.

Discussion only. No formal action taken.

Item 12 to be reposted on February 5, 2008.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

13. RECEIVE PRESENTATION ON TRAVIS COUNTY SNAPSHOT FROM AMERICAN COMMUNITY 2006 REPORT. (11:43 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Koren Darling, Senior Planner, Research and Planning, Travis County Health and Human Services (TCHHS); and Rachel Coff, Planner, Research and Planning, TCHHS.

Discussion only. No formal action taken.

16. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:50 AM)
- A. GRANT APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR JUVENILE PROBATION TO ENHANCE THE DEPARTMENT'S EXISTING DRUG COURT PROGRAM;
 - B. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR JUVENILE PROBATION TO AUGMENT OTHER ASSESSMENT CENTER FUNDING TO PROVIDE JUVENILES WITH A COMPREHENSIVE ADOLESCENT SEVERITY INVENTORY;
 - C. GRANT APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR JUVENILE PROBATION TO ENHANCE THE COURT SERVICES DIVISION'S EXISTING VICTIM OFFENDER MEDIATION PROGRAM;
 - D. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR JUVENILE PROBATION TO CONTINUE FUNDING THE RESIDENTIAL SERVICES PROVIDED TO JUVENILES WITH MENTAL HEALTH AND SUBSTANCE ABUSE ISSUES; AND
 - E. GRANT CONTRACT WITH THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR TRAVIS COUNTY TO PARTICIPATE IN THE PARENTING IN RECOVERY PROJECT WITH TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICES AS PROJECT HEAD ON BEHALF OF A REGIONAL PARTNERSHIP.

Clerk's Note: Items 16.A-E 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

17. 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 \$417,637.44 FOR THE PERIOD OF JANUARY 11 TO JANUARY 17, 2008. (9:50 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:50 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.

OTHER ITEMS

19. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:50 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. CONSIDER AND TAKE APPROPRIATE ACTION ON UPDATED MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FY '06 COUNTY-WIDE ANNUAL FINANCIAL AUDIT IN CONNECTION WITH THE JANUARY 25, 2008 PRELIMINARY OFFICIAL STATEMENT. (COUNTY AUDITOR) (9:50 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. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AMENDMENT TO CHAPTER FIVE OF THE TRAVIS COUNTY CAPITAL FACILITIES STRATEGIC PLAN TO CLARIFY THAT IN ADDITION TO EXPANDING THE CURRENT PRECINCT TWO JUSTICE OF THE PEACE/CONSTABLE PRECINCT TWO/COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT OFFICE BUILDING, A SEARCH FOR A NEW SITE FOR THE BUILDING IS AUTHORIZED. (COMMISSIONER ECKARDT) (9:14 AM)

Item 21 was pulled from the Agenda.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON DIRECTING COUNTY STAFF TO DEVELOP ADDITIONS TO THE TRAVIS COUNTY CODE RELATING TO DISPOSITION OF CERTAIN TYPES OF TRAVIS COUNTY-OWNED REAL PROPERTY UNRELATED TO ROAD CONSTRUCTION. (COMMISSIONER DAVIS AND COMMISSIONER ECKHARDT) (2:54 PM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Alicia Perez, Executive Manager, Administrative Operations; John Hille, Assistant County Attorney; and Greg Chico, Right-of-Way Manager, TNR.

Discussion only. No formal action taken.

Item 22 to be reposted on February 5, 2008.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION OF THE TRAVIS COUNTY COMMISSIONERS COURT APPROVING THE TRAVIS COUNTY HEALTHCARE DISTRICT'S NOMINATION OF MARY MAYES AND FARAZ KHAN TO SERVE ON THE TOBACCO SETTLEMENT PERMANENT TRUST ACCOUNT INVESTMENT ADVISORY COMMITTEE. (COMMISSIONER ECKHARDT) (9:50 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: (9:50 AM)
- A. REDUCE SLOT NUMBER 1725, SHERIFF'S OFFICE PSYCHIATRIST FROM FULL-TIME TO 0.5 TIME AND REMOVE END DATE OF FEBRUARY 28, 2008; AND
 - B. CREATION OF ONE (1) 0.5 TIME SLOT FOR PSYCHIATRIST FOR THE TRAVIS COUNTY JAIL EFFECTIVE IMMEDIATELY THROUGH MAY 31, 2008. THE SHERIFF'S OFFICE WILL REPORT BACK TO COMMISSIONERS COURT WITHIN SIX MONTHS FOR PERMANENT POSITION OR DISCUSS OTHER OPTIONS. (SHERIFF'S OFFICE)

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 CHANGES TO CHAPTER 32, COMMERCIAL TRANSACTIONS WITH THE COUNTY, SECTION 32.015, FINANCIAL DISCLOSURE REPORTING SYSTEM, OF THE TRAVIS COUNTY CODE CONSISTENT WITH RECENT STATUTORY AMENDMENTS. (9:52 AM)

Item 25 postponed until ready.

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER TO DESIGNATE THE MAIN EARLY VOTING POLLING PLACE, EARLY VOTING PERMANENT POLLING PLACES AND EARLY VOTING MOBILE POLLING PLACES FOR THE MARCH 4, 2008 JOINT PRIMARY ELECTION. (COUNTY CLERK) (9:50 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 REGARDING AN ORDER TO DESIGNATE POLLING PLACES FOR THE MARCH 4, 2008 JOINT PRIMARY ELECTION. (COUNTY CLERK) (9:50 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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM ENVISION CENTRAL TEXAS TO APPROVE AND RELEASE \$25,000 FOR FISCAL YEAR 2008 FUNDING. (9:55 AM)

Members of the Court heard from: Sally Campbell, Executive Director, Envision Central Texas; Jose Palacios, Chief Assistant County Auditor, Travis County Auditor's Office; and John Hille, Assistant County Attorney.

Discussion only. No formal action taken.

Item 28 to be reposted when ready.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ADDITIONAL ASSISTANCE WITH CAPITAL PROJECT OF THE EAST AUSTIN COMMUNITY DEVELOPMENT PROJECT BUILDING (SOUTHWEST KEY). (1:51 PM)

Clerk’s Note: The Court discussed funding the \$200,000.00 request by:

- 1) Guaranteeing \$100,000.00 in FY '08, the funds would be transferred from the Health Facilities Development Corporation immediately after October 1, 2008 and would then be available from the General Fund.
- 2) Recommending that Southwest Key Programs submit a budget request for the remaining \$100,000.00, and that the request would be considered during the FY '09 budget process.

Members of the Court heard from: Gus Garcia, Former Mayor, City of Austin; Marcelo Tafoya, Deputy State Director, League of United Latin American Citizens (LULAC); Joella Brooks, Deputy Executive Director, Southwest Key Programs; Johnny Limón, Community Advocate; Tim Villasana, President, The Groves Homeowners Association; Paul Hernandez, Travis County Resident; and Juan Sanchez, Chief Executive Office, Southwest Key Programs.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve the Biscoe proposal, that is \$100,000.00, now payable October 1, 2008, and try to raise the other \$100,000.00, but submit the budget request and we will revisit this during the budget process.

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	yes

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.

31. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ON AIRPORT BOULEVARD. ¹ AND ² (3:20 PM) (4:57 PM)

Clerk's Note: Judge Biscoe announced that Item 31 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 31 to be reposted on February 12, 2008.

32. 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. ¹ (3:20 PM) (4:58 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.

Discussion only. No formal action taken.

- 33. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION ON TEXAS DEPARTMENT OF PUBLIC SAFETY TCIC/TLETS ACCESS POLICY AND MANAGEMENT CONTROL AGREEMENT REGARDING TEXAS DEPARTMENT OF PUBLIC SAFETY AND FBI CRIMINAL JUSTICE INFORMATION SYSTEMS. ¹ (3:20 PM) (4:58 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 Gómez that we execute, approve, and authorize the County Judge to sign the Management Control Agreement regarding the Texas Department of Public Safety and the FBI Criminal Justice Information Systems, that Joe Harlow, Chief Technology Officer, Information and Telecommunications Systems and Greg Hamilton, Travis County Sheriff have signed already.

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	yes

ADDED ITEM

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH OWNERS OF 'CHAIR KING' PROPERTY LOCATED AT 5335 AIRPORT BOULEVARD FOR USE OF PARKING SPACES. (9:50 AM)

Clerk's Note: Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

