

MINUTES OF MEETING FEBRUARY 26, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 26th day of February 2008, the Commissioners' Court convened the Voting Session at 9:17 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 retired to Executive Session at 11:03 AM.

The Commissioners Court reconvened the Voting Session at 12:02 PM.

The Commissioners Court recessed the Voting Session at 12:02 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:43 PM and adjourned at 1:55 PM.

The Commissioners Court, meeting as the Travis County Cultural Education Facilities Finance Corporation, convened at 1:55 PM and adjourned at 1:58 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; and the Travis County Development Corporation, convened at 1:58 PM and adjourned at 1:58 PM.

The Commissioners Court reconvened the Voting Session at 1:58 PM.

The Commissioners Court retired to Executive Session at 1:59 PM.

The Commissioners Court reconvened the Voting Session at 2:54 PM.

The Commissioners Court adjourned the Voting Session at 2:59 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; and Jennifer Gayle, Travis County Resident. (9:18 AM)

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSAL TO CONDUCT A COMMUNITY OPINION SURVEY OF COUNTY LAND USE AUTHORITY. (COMMISSIONER DAVIS AND COMMISSIONER ECKHARDT) (9:43 AM)

Clerk’s Note: The Court discussed employing a survey firm to conduct a two-part process which would start with telephone surveys with informed stakeholders and then move on to focus groups.

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Cyd Grimes, Travis County Purchasing Agent; and Susan Spataro, Travis County Auditor.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Daugherty to go forward with the development of the scope of services, as well as a web questionnaire, and establishing three forums for the public on this issue as part of our plan for eliciting the community opinion on land use.

An Addition to the previous Motion was made by Commissioner Eckhardt **and Seconded by** Commissioner Davis that we will have some forums. We are just going to wait until the report comes back to decide how many and under what circumstances they should be held.

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

Clerk’s Note: The Court expressed a preference that the interviews be conducted by categories of the interviewees, and that one of the public forums be conducted during a Commissioners Court voting session.

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRIORITIZE HOWARD LANE PROJECT ON APPLICATION TO CAMPO FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS. (9:26 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.

PLANNING AND BUDGET DEPT. ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:42 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 5.

Motion carried:

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

6. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE: (9:26 AM)

- A. GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR FOR THE COUNTY ATTORNEY'S OFFICE TO CONTINUE THE FAMILY VIOLENCE ACCELERATED PROSECUTION PROGRAM; AND
- B. GRANT CONTRACT AMENDMENT NO. 3 WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO EXTEND THE PROJECT EXPIRATION DATE TO ALLOW FOR THE COMPLETION AND MATCHING REIMBURSEMENT OF THE REMAINING GRANT-FUNDED ELEMENTS AT THE EAST METROPOLITAN PARK.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE FY '09 BUDGET, INCLUDING: (10:10 AM)

A. FY '09 BUDGET PARAMETERS; AND

B. PROPOSED FY '09 BUDGET GUIDELINES.

Clerk's Note: Items 7.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; Cyd Grimes, Travis County Purchasing Agent; and David Escamilla, Travis County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the budget parameters and the budget guidelines.

Withdrawal of the previous Motion was made by Judge Biscoe.

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

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the budget guidelines in Item 7.B.

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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

ADMINISTRATIVE OPERATIONS ITEMS

- 8. 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 \$329,018.30 FOR THE PERIOD OF FEBRUARY 8 TO FEBRUARY 14, 2008. (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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (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 FOR OFFICE SPACE FOR SPECIAL ASSISTANT TO THE COMMISSIONERS COURT. (10:54 AM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Christian Smith, Executive Manager, PBO.

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

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

JUSTICE & PUBLIC SAFETY ITEMS

11. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PAY CERTIFICATION FEES FOR TWO NON-TRAVIS COUNTY EMPLOYEES WHO GRADUATED FROM THE NATIONAL INSTITUTE OF CORRECTIONS, OFFENDER WORKFORCE DEVELOPMENT SPECIALIST TRAINING IN TAMPA, FLORIDA. (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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY MEDICAL EXAMINERS OFFICE FOR THE FOLLOWING TWO AGREEMENTS BETWEEN THE UNIVERSITY OF TEXAS AND TRAVIS COUNTY, AND A FORM INTERNSHIP AGREEMENT: (9:26 AM)
 - A. EDUCATION EXPERIENCE AFFILIATION AGREEMENT;
 - B. PHARMACY PROGRAM AGREEMENT; AND
 - C. FORM INTERNSHIP AGREEMENT.

Clerk's Note: Items 12.A-C 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

13. APPROVE MODIFICATION NO. 14 TO CONTRACT NO. 04K00147JJ, RGM CONSTRUCTORS, LP, FOR SCOFIELD RIDGE PARKWAY STREET AND DRAINAGE IMPROVEMENTS IN PRECINCT ONE. (TRANSPORTATION AND NATURAL RESOURCES) (9:26 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.

Clerk's Note: The County Judge read a statement prepared by Steve Manilla, Director, Public Works, TNR: "Funding for change orders to the construction contract for the Howard Lane/Scofield Ridge Parkway project is to come from savings on the Blake/Manor Road project which has been completed, and was in the same 2001 Bond Order."

14. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. 01T00680J, CMI BARRON RISK MANAGEMENT SERVICES, INC., FOR THE THIRD PARTY ADMINISTRATION FOR COUNTY'S SELF-FUNDED PROGRAMS FOR WORKERS COMPENSATION AND AUTO LIABILITY FOR THE FOLLOWING ACTIONS: (10:56 AM)

A. ASSIGNMENT OF CONTRACT FROM CMI BARRON RISK MANAGEMENT SERVICES, INC. TO SEDGWICK CLAIM MANAGEMENT SERVICES, INC., AND

B. TWELVE-MONTH EXTENSION. (HUMAN RESOURCES MANAGEMENT DEPARTMENT)

Clerk's Note: Items 14.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); Bill Paterson, HRMD; and Barbara Wilson, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 14.A&B.

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

15. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 2) TO CONTRACT NO. PS070186RE, THE WRIGHT HOUSE WELLNESS CENTER, INC., FOR CLIENT ADVOCACY SERVICES. (HEALTH, HUMAN SERVICES AND VETERANS' SERVICES) (9:26 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.

19. REJECT BID RECEIVED FOR IFB NO. B080103VC, PERSYSTENT SOFTWARE LICENSES AND MAINTENANCE. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (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 MODIFICATION NO. 1 TO CONTRACT NO. CM060288VC, STRATEGIC NETWORK CONSULTING, FOR PERSYSTENT SOFTWARE LICENSES AND MAINTENANCE. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:26 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. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. 03T00287LD, ACCENT FOODS, FOR CAFETERIA AND VENDING MACHINE CONCESSION SERVICES. (FACILITIES MANAGEMENT) (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.

OTHER ITEMS

22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF JANUARY, 2008. (COUNTY AUDITOR) (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 MANAGEMENT REPRESENTATION LETTER TO BE PROVIDED TO DELOITTE & TOUCHE, LLP REGARDING FY '07 COUNTY-WIDE ANNUAL FINANCIAL AUDIT. (COUNTY AUDITOR) (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 REQUEST IN ACCORDANCE WITH BUDGET RULE #12 TO ALLOW THE COUNTY AUDITOR'S OFFICE TO PROCESS AUTO THEFT GRANT TRAVEL REIMBURSEMENTS FOR TRAVEL TAKEN DURING THE CURRENT GRANT PERIOD. (SHERIFF'S OFFICE) (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.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SET A PUBLIC HEARING ON MARCH 11, 2008 TO RECEIVE COMMENTS REGARDING A PROPOSED ISSUANCE OF THE TRINITY HIGHER EDUCATIONAL FACILITIES CORPORATION VARIABLE RATE DEMAND REVENUE BONDS, SERIES 2008A FOR A HUSTON-TILLOTSON UNIVERSITY PROJECT. (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.

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.

- 27. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR JUVENILE PROBATION EMPLOYEE, SLOT 438. ^{1 AND 3} (11:03 AM) (2:54 PM)

Clerk's Note: Judge Biscoe announced that Item 27 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 authorize 6 days with pay to the employee who used to be in slot #438.

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

- 30. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN TRAVIS COUNTY, ET AL V. MARION HILL (CHARITY RUTH BARTELL RESALE DEED). ¹ (9:18 AM)

Clerk's Note: Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 30 postponed until March 4, 2008.

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED OPTION AGREEMENT TO PURCHASE OPEN SPACE PARKLAND IN SOUTHWEST TRAVIS COUNTY. ² (11:03 AM) (2:55 PM)

Clerk's Note: Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we generally direct Staff to touch base with the property owners, the Reimers, for more specifics about a proposed agreement, and report back to the Court at the appropriate time.

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

