

MINUTES OF MEETING JUNE 03, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 3rd day of June 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 recessed the Voting Session at 11:53 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:39 PM and adjourned at 1:46 PM

The Commissioners Court reconvened the Voting Session at 1:47 PM.

The Commissioners Court retired to Executive Session at 2:58 PM.

The Commissioners Court reconvened the Voting Session at 3:27 PM.

The Commissioners Court adjourned the Voting Session at 3:30 PM.

RESOLUTIONS AND PROCLAMATIONS

2. APPROVE RESOLUTION RECOGNIZING THE 8TH ANNUAL FATHER'S DAY RALLY AND PARADE SPONSORED BY THE RIVER CITY YOUTH FOUNDATION. (COMMISSIONER GÓMEZ) (9:37 AM)

Members of the Court heard from: Mona Gonzalez, Founder and Executive Director, River City Youth Foundation; and Alfonso Rincon, Founder, Fathers Active in Communities and Education (FACE).

Motion by Commissioner Gómez **and seconded by** Commissioner Davis 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

ADMINISTRATIVE OPERATIONS ITEMS

3. 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 \$401,771.55 FOR THE PERIOD OF MAY 16 TO MAY 22, 2008. (9:30 AM)

Clerk's Note: Item 3 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 FOLLOWING:
(9:30 AM)

- A. ROUTINE PERSONNEL AMENDMENTS; AND
- B. NON-ROUTINE PERSONNEL ACTIONS – REVISION TO COMMISSIONER’S COURT APPROVED ACTION ON APRIL 15, 2008 - SHERIFF’S OFFICE - PEACE OFFICER PAY SCALE POLICY - TRAVIS COUNTY CODE SECTION 10.0295(D)(3).

Clerk’s Note: Items 4.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR LICENSE AGREEMENT WITH ALISON CREWS FOR USE OF THE HEMAN MARION SWEATT COURTHOUSE SEVENTH FLOOR ON JUNE 8, 2008 FOR A FILM SHOOT. (9:30 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 TO COLLABORATE WITH THE BROCHURE COMMITTEE, TRAVIS COUNTY HISTORICAL COMMISSION, THE AUSTIN BAR ASSOCIATION AND RESIDENTS BY:
(1:47 PM)

- A. PRINTING THE HEMAN MARION SWEATT TRAVIS COUNTY COURTHOUSE BROCHURE;
- B. DECLARING JUNE 24, 2008 TRAVIS COUNTY HISTORY DAY AND ISSUING A PRESS RELEASE; AND
- C. ISSUING INVITATIONS TO CELEBRATE TRAVIS COUNTY HISTORY DAY.
(COMMISSIONER DAVIS)

Clerk’s Note: Items 6.A-C are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Margie Alford, Travis County Historical Commission; Alicia Perez, Executive Manager, Administrative Operations; Steven Broberg, Director, Records Management and Communication Resources; Amalia Rodriguez-Mendoza, Travis County District Clerk; and The Honorable David Phillips, Judge, County Court at Law Number One.

7. DISCUSS RECOMMENDATIONS REGARDING THE ASSIGNMENT OF SPACE AS FOLLOWS: (2:15 PM)
 - A. 910 LAVACA STREET BUILDING AND RELATED PARKING TO FACILITIES MANAGEMENT DEPARTMENT;
 - B. ASSIGNMENT OF FOURTH FLOOR OF UNIVERSITY SAVINGS BUILDING TO INFORMATION AND TELECOMMUNICATIONS SYSTEMS DEPARTMENT; AND
 - C. RESERVE FOR FUTURE ALLOCATION SPACE VACATED BY THE INFORMATION AND TELECOMMUNICATIONS SYSTEMS DEPARTMENT ON THE FIFTH FLOOR OF THE NED GRANGER BUILDING.

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

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; Gabriel Stock, Senior Architectural Associate, Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; Joe Gieselman, Executive Manager, TNR; and Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO).

Discussion only. No formal action taken.

Items 7.A-C to be reposted on June 17, 2008.

PURCHASING OFFICE ITEMS

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CERTAIN PSYCHOLOGICAL/COUNSELING SERVICES: (9:30 AM)
 - A. MODIFICATION NO. 1 TO CONTRACT NO. PS070349VR, AUSTIN FAMILY INSTITUTE; AND
 - B. MODIFICATION NO. 1 TO CONTRACT NO. PS070350VR, SAMARITAN CENTER FOR THE (COPE)/MENTAL HEALTH YOUTH PROGRAM AND FAMILIES. (JUVENILE PROBATION)

Clerk's Note: Items 8.A&B 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 UNCROSSMATCHED BLOOD PRODUCTS SERVICES AGREEMENT NO. PS0800228RE BETWEEN DAUGHTERS OF CHARITY HEALTH SERVICES OF AUSTIN D/B/A BRACKENRIDGE HOSPITAL AND TRAVIS COUNTY. (EMERGENCY SERVICES) (9:36 AM)

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 9.

Motion carried:

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

- 10. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. 07K00254RV, STEWART BUILDERS, LTD. FOR CONSTRUCTION OF NEW BUILDINGS FOR THE TRANSPORTATION AND NATURAL RESOURCES EASTSIDE SERVICE CENTER. (FACILITIES MANAGEMENT) (9:30 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 MODIFICATION NO. 3 TO CONTRACT NO. 06AE0304JW, HALFF ASSOCIATES, INC., PROFESSIONAL ENGINEERING SERVICES FOR COUNTY-WIDE SIDEWALK AND HIKE AND BIKE FACILITY IMPROVEMENTS. (TRANSPORTATION AND NATURAL RESOURCES) (9:30 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 MODIFICATION NO. 6 TO CONTRACT NO. 99AE601JJ, MWM DESIGN GROUP, FOR THE FERGUSON LANE - TUSCANY WAY EXTENSION ROADWAY IMPROVEMENT PROJECT. (TRANSPORTATION AND NATURAL RESOURCES) (9:30 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 ISSUANCE OF JOB ORDER NO. 2, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00308RV, TRIMBUILT CONSTRUCTION, INC. (SHERIFF'S OFFICE) (9:30 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.

- 14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS: (9:30 AM)
 - A. ORDER EXEMPTING THE PURCHASE OF SERVICES TO REPLACE HOT WATER HEATER SYSTEM IN THE TRAVIS COUNTY JAIL FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A)(2) OF THE TEXAS LOCAL GOVERNMENT CODE; AND
 - B. CONTRACT AWARD FOR EMERGENCY REPLACEMENT OF HOT WATER HEATER SYSTEM IN BUILDING 110, CONTRACT NO. 08K00227DG, TO HOT ROD MECHANICAL, INC. (SHERIFF'S OFFICE)

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 MODIFICATION NO. 30 TO CONTRACT NO. MA980095, TIBURON, INC., FOR AGREEMENT FOR EXTENDED SERVICES. (INFORMATION AND TELECOMMUNICATION SYSTEMS) (9:36 AM)

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 15.

Motion carried:

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

- 16. APPROVE ISSUANCE OF JOB ORDER NO. 19, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (FACILITIES MANAGEMENT) (9:30 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 17. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO TEMPORARILY CLOSE OLD HIGHWAY 20 IN PRECINCT ONE FOR BRIDGE CONSTRUCTION BEGINNING JUNE 5, 2008 AND CONTINUING THROUGH JULY 24, 2008 OR UNTIL CONSTRUCTION IS COMPLETED. (9:30 AM)

Clerk's Note: Item 17 is the action item for the public hearing on Agenda Item 1.

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 REGARDING THE USE OF \$250,000 IN LINE ITEM SAVINGS FROM TRANSPORTATION AND NATURAL RESOURCES ROAD AND BRIDGE TO FUND A PAVEMENT CONDITION SURVEY TO EVALUATE THE CONDITION AND FUTURE NEEDS OF TRAVIS COUNTY'S ROADWAYS. (11:50 AM)

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

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

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

19. CONSIDER AND TAKE APPROPRIATE ACTION ON TRANSPORTATION AND NATURAL RESOURCES PROPOSED SALARY ADJUSTMENT PLAN FOR RECRUITMENT AND RETENTION ISSUES WITHIN THE MAINTENANCE JOB CLASSIFICATIONS. (11:01 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Alicia Perez, Executive Manager, Administrative Operations; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Carol Joseph, Assistant Director, TNR; Jessica Rio, Assistant Budget Manager, PBO; and Greg Powell, Business Manager, Local 1624, American Federation of State, County and Municipal Employees (AFSCME).

Discussion only. No formal action taken.

Item 19 to be reposted on June 17, 2008.

20. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE PAYMENT OF CERTAIN STAFF SALARIES AND OPERATING EXPENSES FROM THE BALCONES CANYONLANDS CONSERVATION PLAN (BCCP) TAX BENEFIT FINANCING FUNDS. (9:30 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.

Clerk's Note: The Court noted that the balance of the BCCP tax benefit financing funds would go towards future acquisition of land for the BCCP.

21. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING BELVEDERE PHASE IV, A PRIVATE STREET SUBDIVISION IN PRECINCT THREE: (9:30 AM)

A. USE OF ALTERNATIVE FISCAL; AND

B. USE OF A CASH SECURITY AGREEMENT. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 21.A&B 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 A PARTICIPATION AGREEMENT WITH THE CROSSWIND PROPERTY OWNERS ASSOCIATION, INC. FOR IMPROVEMENT TO AND ACCEPTANCE OF A PORTION OF CROSSWIND DRIVE AND ALL OF TRADEWIND DRIVE, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO ACCEPT THE DEDICATION OF STREET AND DRAINAGE FACILITIES FOR PRESIDENTIAL MEADOWS SECTIONS 1, 2, 3 AND 4 SUBDIVISIONS AND APPROVE A LICENSE AGREEMENT FOR PRESIDENTIAL MEADOWS SECTION 1 SUBDIVISION, IN PRECINCT ONE. (9:30 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 PLAT FOR RECORDING IN PRECINCT THREE: REALE SUBDIVISION (5 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:30 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 REQUEST TO HOLD AN ADDITIONAL PUBLIC MEETING ON WEDNESDAY, JUNE 18, 2008 FOR THE PURPOSE OF INFORMING THE PUBLIC OF THE STATUS OF THE TRAVIS COUNTY DRAINAGE STUDY. (9:34 AM)

Clerk's Note: The Court heard Staff recommendations that the Court direct Staff to reschedule the June 18, 2008 Public Meeting to June 25, 2008, at the Travis County Road and Bridge Satellite One Office, 9301 Johnny Morris Road, as there are already two other public meetings being held on June 18, 2008.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Mary Etta Gerhardt, Assistant County Attorney.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Staff recommendation.

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

Item 25 to be reposted on June 10, 2008 to approve the June 25, 2008 Public Meeting date.

26. DISCUSS AND TAKE APPROPRIATE ACTION ON PROPOSED TESTIMONY TO THE TEXAS SENATE COMMITTEE ON INTERNATIONAL RELATIONS AND TRADE ON POLICIES RELATING TO DEVELOPMENT AND GROWTH IN RURAL AND UNINCORPORATED REGIONS OF THE STATE. (2:49 PM)

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

Discussion only. No formal action taken.

30. RECEIVE PRESENTATION OF CAPITAL AREA COUNCIL OF GOVERNMENTS' ANALYSIS OF TRAVIS COUNTY ECONOMIC DEVELOPMENT AGREEMENTS WITH HOME DEPOT, HEWLETT PACKARD, SAMSUNG AND DOMAIN. (10:00 AM)

Members of the Court heard from: Katie Gipson, Budget Analyst, PBO; Brian Kelsey, Economic Development Director, Capital Area Council of Governments (CAPCOG); Mary Etta Gerhardt, Assistant County Attorney; Leroy Nellis, Budget Manager, PBO; Brian Rodgers, Stop Domain Subsidies; Frances McIntyre, President, Austin League of Women Voters; and Betty Voights, Executive Director, CAPCOG.

Discussion only. No formal action taken.

OTHER ITEMS

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:30 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.

32. CONTRACT MODIFICATION AND EXTENSION OF CONTRACT NO. 696-PD-0-1-L-L0306 M-008 TRAVIS COUNTY BETWEEN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE AND TRAVIS COUNTY FOR THE HOUSING OF RELEASEES FOR THE 2008-2009 CONTRACT TERM. (SHERIFF'S OFFICE) (9:30 AM)

Clerk's Note: Item 32 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

33. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO DISTRIBUTE FLIERS WITH THE JUNE 15TH PAYROLL CHECKS ANNOUNCING THE TRAVIS COUNTY/CITY OF AUSTIN EMANCIPATION DAY - JUNETEENTH CELEBRATION ON JUNE 18, 2008. (JUDGE BISCOE AND COMMISSIONER DAVIS) (9:30 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 REQUESTS FROM THE TRAVIS COUNTY EMERGENCY SERVICES DISTRICTS NOS. 10 AND 14 TO EXTEND THE DEADLINE TO FILE 2007 AUDIT WITH THE TRAVIS COUNTY COMMISSIONERS COURT UNTIL JULY 1, 2008. (9:30 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.

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.

- 35. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE MCKINNEY FALLS PARKWAY ROAD IMPROVEMENT PROJECT AND THE CONDEMNATION OF PARCELS NO. 6 AND NO. 6E OWNED BY RKS TEXAS INVESTMENTS, LP, A TEXAS LIMITED PARTNERSHIP. ^{1 AND 2} (2:58 PM) (3:27 PM)

Clerk’s Note: Judge Biscoe announced that Item 35 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 to authorize condemnation.

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

