

MINUTES OF MEETING JULY 29, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29th day of July 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 record notes that Precinct Two Commissioner Sarah Eckhardt was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:29 AM.

The Commissioners Court reconvened the Voting Session at 11:53 AM.

The Commissioners Court adjourned the Voting Session at 11:54 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 11:55 AM and adjourned at 11:56 AM.

The Commissioners Court, meeting as the Travis County Bee Caves Road District #1 (Galleria), convened at 11:57 AM and adjourned at 11:57 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 11:57 AM and adjourned at 11:59 AM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 11:59 AM and adjourned at 12:01 PM.

The Commissioners Court, meeting as the Travis County Development Authority; the Travis County Cultural Education Facilities Finance Corporation; the Capital Health Facilities Development Corporation; and the Capital Industrial Development Corporation, convened at 12:01 PM and adjourned at 12:01 PM.

CONSENT ITEMS

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C2 and Items 3, 7, 8, 9.A&B, 10, 11, 12, 13, 14, 15, 17, and 22. (9:23 AM)

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR THE VOTING SESSION OF JULY 8 AND 15, 2008.

SPECIAL ITEMS

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:25 AM)

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

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

Item 2 to be reposted on August 05, 2008.

PLANNING AND BUDGET DEPT. ITEMS

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:23 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 ORDER AMENDING CHAPTER 23, INVESTMENT POLICY AND PROCEDURES, OF THE TRAVIS COUNTY CODE. (9:26 AM)

Clerk's Note: The Court heard the following recommendations:

- 1) Approve investment authority for the Senior Financial Analyst;
- 2) Extend the weighted average maturity of the Operating Portfolio from 365 days to 547 days to increase returns;
- 3) Increase the maximum maturity for operating agency (from 3 to 5 years) and treasury securities (from 5 to 7 years) to increase returns; and,
- 4) Make changes in investment certification to encourage brokerage firms' interest.

Members of the Court heard from: Mary Mayes, Investment Manager, Cash/Investment Management.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve all the recommendations.

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

- 5. CONSIDER AND TAKE APPROPRIATE ACTIONS RELATED TO THE ON-GOING ANALYSIS OF IMPLEMENTING A COMPRESSED WORK WEEK FOR TRAVIS COUNTY EMPLOYEES AND/OR OFFICES. (9:31 AM)

Clerk’s Note: The County Judge read the following into the record: “Regular County office hours are from 8 AM to 5 PM, Monday through Friday, with the exception of those departments or offices whose mission requires 24-hour operations or alternate work schedules, However, the Commissioners Court encourages Elected Officials and Department Heads to implement flex time schedules for their employees where it is feasible and can be done within the operating budget, without impacting service delivery. Only with written authorization and instructions from the Elected Official or Department Head can an employee begin a flexible work schedule.” Travis County Code section 10.002 (c).

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Barbara Wilson, Assistant County Attorney; Susan Spataro, Travis County Auditor; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we continue to rely on Section 10.002 (c) of the Travis County Code, to grant managers appropriate authority to go to any flex hours that they deem necessary and appropriate for their department, providing they do not have a budget impact and that they do not adversely affect service delivery.

Motion carried:

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

Clerk’s Note: The Court requested Staff to send a reminder of this provision to all Elected Officials and Department Heads.

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO AUTHORIZE AUGUST POSTING OF POSITIONS FUNDED IN FISCAL YEAR 2009 PRELIMINARY BUDGET RELATED TO THE NEW COUNTY COURT AT LAW NO. 8. (9:50 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 6.

Motion carried:

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

ADMINISTRATIVE OPERATIONS ITEMS

- 7. 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 \$586,014.65 FOR THE PERIOD OF JULY 11 TO JULY 17, 2008. (9:23 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:23 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. A. CONSIDER AND TAKE APPROPRIATE ACTION ON EMPLOYEE REFUNDS UNDER TUITION REIMBURSEMENT POLICY 10.021; AND
B. AUTHORIZE THE COUNTY AUDITOR AND TREASURER TO REIMBURSE CERTAIN EMPLOYEES. (9:23 AM)

Clerk's Note: Items 9.A&B 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

10. APPROVE TERMINATION OF CONTRACT NO. PS020015JW, WILLIAMS, WILLIAMS & HANKS D/B/A INCENTIVES, FOR RESIDENTIAL TREATMENT SERVICES. (JUVENILE PROBATION) (9:23 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. 6 TO CONTRACT NO. 06T00108NB, ECOLAB, INC., FOR DISHWASHING AND LAUNDRY CHEMICALS. (SHERIFF'S OFFICE AND JUVENILE PROBATION) (9:23 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 ISSUANCE OF JOB ORDER NO. 22, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (FACILITIES MANAGEMENT) (9:23 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO INTERLOCAL AGREEMENT NO. IL040256RE, CITY OF AUSTIN, FOR DEAF INTERPRETING SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:23 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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO INTERLOCAL AGREEMENT NO. IL060335RE, PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT, FOR THE AFTER SCHOOL PROGRAM. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:23 AM)

Clerk’s Note: Item 14 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 15. APPROVE ISSUANCE OF JOB ORDER NO. 5, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00308RV, TRIMBUILT CONSTRUCTION, INC. (FACILITIES MANAGEMENT) (9:23 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. APPROVE CONTRACT AWARD FOR LONG DISTANCE TELECOMMUNICATION SERVICES, FOR VOICE & DATA AND ANY ASSOCIATED TELECOMMUNICATIONS SERVICES INCLUDING LOCAL DIAL TONE FOR VOICE AND DATA, RFP NO. P080189BF, TO THE MOST QUALIFIED RESPONDENT, TW TELECOM HOLDINGS, INC. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (10:11 AM)

Members of the Court heard from: Cyd Grimes, Travis County Purchasing Agent; Barbara Wilson, Assistant County Attorney; and Walter Lagrone, Director, Operations and Technology, Information and Telecommunications Systems (ITS).

Motion by Judge Biscoe and seconded by Commissioner Gómez to approve Item 16.

Motion carried:

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

- 17. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS070316LC, BURTON GROUP, FOR THE PURCHASE OF CONSULTING, RESEARCH AND ADVISORY SERVICES. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS/COUNTY AUDITOR) (9:23 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON OPTIONAL LOCAL FEES (COUNTY ROAD AND BRIDGE FEE AND CHILD SAFETY FEE) FOR THE CALENDAR YEAR 2009 RELATING TO THE REGISTRATION OF VEHICLES IN TRAVIS COUNTY. (10:09 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

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

Motion carried:

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

Clerk's Note: By approving Item 18, The Court is authorizing Staff to inform the Texas Department of Transportation (TxDOT) of the County's intention to continue to collect the fees in 2009.

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPROVAL OF ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR RANCH AT DEER CREEK PHASE 3, SECTION 4, A SUBDIVISION IN PRECINCT 3. (COMMISSIONER DAUGHERTY) (9:54 AM)

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Ann Hawken, Travis County Resident; Steve Manilla, Director, Public Works, TNR; and Jonathan McCabe, Travis County Resident.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 19.

Motion carried:

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

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
 - A. REQUEST TO USE 2005 BOND UNALLOCATED PROJECT FUNDS, OR 1997 OR 2001 BOND FUND SAVINGS FROM COMPLETED PRECINCT ONE PROJECTS, TO ACQUIRE RIGHT OF WAY FOR THE REALIGNMENT OF FM 3177, IN PRECINCT ONE; AND
 - B. ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH FOR THE FM 3177 AND BRAKER LANE 1 PROJECT, IN PRECINCT ONE.

Clerk’s Note: Items 20.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Steve Manilla, Director, Public Works, TNR.

Discussion only. No formal action taken.

Items 20.A&B to be reposted August 5, 2008.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 21. **REVISED:** CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT INTERLOCAL WITH THE CITY OF AUSTIN AS FOLLOWS: (10:13 AM)
 - A. MID-YEAR REPORT ON SERVICES PROVIDED BY THE CITY OF AUSTIN; AND
 - B. CITY OF AUSTIN’S REQUEST FOR ADDITIONAL FUNDING FOR FISCAL YEAR 2009.

Clerk’s Note: Items 21.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS); Shannon Jones, Acting Director, Health and Human Services, City of Austin; and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we authorize the County Judge to draft an appropriate letter to the Austin City Manager and City Council addressing the issue of administrative overhead, basically, the three main interlocals, highlight the need for us to address this as soon as possible, and in the letter describe as many facts as necessary to describe the problem.

Motion carried:

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

OTHER ITEMS

- 22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:23 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 AND DISCUSS AS NECESSARY THE THIRD REVENUE ESTIMATE FOR THE FISCAL YEAR 2009 BUDGET PROCESS. (COUNTY AUDITOR)
(10:40 AM)

Members of the Court heard from: Blain Keith, Chief Assistant County Auditor, Travis County Auditor's Office; and Susan Spataro, Travis County Auditor.

Discussion only. No formal action taken.

24. RECEIVE BRIEFING ON THE COUNTY AUDITOR'S OFFICE NEW FINANCIAL SYSTEM. (10:56 AM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Cyd Grimes, Travis County Purchasing Agent; Linda Moore Smith, Director, Human Resources Management Department (HRMD); Joe Harlow, Chief Technology Officer, ITS; and Rodney Rhoades, Executive Manager, PBO.

Discussion only. No formal action taken.

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.

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH PARKE PROPERTIES I AND II, L.P. AND GDF REALTY INVESTMENTS LTD. FOR THE ACQUISITION OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ² (11:29 AM)
(11:54 AM)

Clerk's Note: Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez that we reissue our offer of \$5.6 million for this piece of property, and that we give a 30-day period for that to stand.

Motion carried:

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

