

MINUTES OF MEETING AUGUST 26, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 26th day of August 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 Three Commissioner Gerald Daugherty was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 12:24 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:52 PM and adjourned at 1:59 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:59 PM and adjourned at 2:00 PM.

The Commissioners Court reconvened the Voting Session at 2:00 PM.

The Commissioners Court retired to Executive Session at 2:40 PM.

The Commissioners Court reconvened the Voting Session at 4:09 PM.

The Commissioners Court adjourned the Voting Session at 4:12 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; and Stuart Gerstacker, Travis County Resident. (9:19 AM)

Clerk's Note: Citizens Communication was revisited at 9:31 AM.

Members of the Court heard from: Jennifer Gale, Travis County Resident. (9:31 AM)

CONSENT ITEMS

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve the following Consent Items: C1, C3, C4 and Items 2, 3, 4, 5.A&B, 7, 8, 10, 11, 12, 14, 15, 17, 19, 20, 21, 23, 24.A&B, 24.E, 26, 27, 30, 31, and 34. (9:28 AM)

| | |
|------------------------------------------------------|--------|
| 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 |

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. APPROVE CORRECTED COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 29, 2008 (TYPOGRAPHICAL ERROR IN CONSENT ITEM VOTE). (4:09 PM)

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item C2.

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

C3. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF AUGUST 5, 2008.

C4. APPROVE SETTING A PUBLIC HEARING DATE FOR SEPTEMBER 30, 2008, TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOT 1, BLOCK A, ANGEL BAY SUBDIVISION. (COMMISSIONER DAUGHERTY)

SPECIAL ITEMS

1. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:35 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we follow Staff's recommendation and lift the ban.

| | |
|------------------------------------------------------|--------|
| 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 |

RESOLUTIONS AND PROCLAMATIONS

2. APPROVE RESOLUTION SUPPORTING THE DISCONTINUATION OF THE DIVERSION OF TRANSPORTATION USER REVENUES TO NON-TRANSPORTATION USES AND THE APPROPRIATION OF ALL REVENUE GENERATED FROM HIGHWAY USER FEES AND TAXES TO FUND TRANSPORTATION PROJECTS. (9:28 AM)

Clerk's Note: Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

3. APPROVE PROCLAMATION DESIGNATING MONDAY, SEPTEMBER 22, 2008 AS "FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN." (9:28 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 REQUEST FROM MEALS ON WHEELS AND MORE FOR RESOLUTION TO THE TEXAS DEPARTMENT OF AGRICULTURE IN SUPPORT OF A GRANT. (9:28 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.

JUSTICE AND PUBLIC SAFETY ITEMS

5. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING FORM AGREEMENTS BETWEEN EMERGENCY SERVICES DISTRICTS, OTHER GOVERNMENTAL ENTITIES AND TRAVIS COUNTY: (9:28 AM)
 - A. INTERLOCAL COOPERATION AGREEMENT FOR USE OF REVENUE RETURNED UNDER RULE 251.3 BY TRAVIS COUNTY EMERGENCY DISTRICTS; AND
 - B. INTERLOCAL COOPERATION AGREEMENT FOR USE OF REVENUE RETURNED UNDER RULE 251.3 BY NAME OF GOVERNMENT ENTITY.

Clerk's Note: Items 5.A&B 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 MEMORANDUM OF UNDERSTANDING BETWEEN TRAVIS COUNTY, TEXAS TASK FORCE ON INDIGENT DEFENSE, TEXAS DEPARTMENT OF STATE HEALTH SERVICES AND TEXAS A&M UNIVERSITY PUBLIC POLICY RESEARCH INSTITUTE FOR A PROPOSED EVALUATION OF THE TRAVIS COUNTY MENTAL HEALTH PUBLIC DEFENDERS' OFFICE. (2:00 PM)

Members of the Court heard from: Roger Jefferies, Executive Manager, Justice and Public Safety (JPS); and Melissa Shearer, Attorney, Mental Health Public Defender's Office.

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

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 |

PURCHASING OFFICE ITEMS

7. APPROVE CONTRACT AWARD FOR CONSTRUCTION SERVICES FOR THE 2008 HMAC OVERLAY PROGRAM FOR TRAVIS COUNTY PARKS, IFB NO. B080204LP, TO THE LOW BIDDER, JD RAMMING PAVING. (TRANSPORTATION AND NATURAL RESOURCES) (9:28 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO CONTRACT NO. 03T00288OJ, APPRISS, INC., FOR THE TEXAS VINE SERVICES AGREEMENT. (SHERIFF'S OFFICE, INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:28 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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO CONTRACT NO. 07T00006OJ, ARTHUR J. GALLAGHER, FOR AVIATION INSURANCE COVERAGE; AND

B. REJECT TRIA COVERAGE (TERRORISM COVERAGE) AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE TRIA DISCLOSURE FORM. (HUMAN RESOURCES MANAGEMENT DEPARTMENT) (9:18 AM)

Items 9.A&B were postponed.

10. DECLARE CERTAIN EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZE SAME TO BE DISPOSED OF THROUGH DELL, INC. PURSUANT TO SECTION 263.152 OF THE TEXAS LOCAL GOVERNMENT CODE. (PURCHASING) (9:28 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. 8 TO CONTRACT NO. 07K00254RV, STEWART BUILDERS, LTD., FOR CONSTRUCTION OF NEW BUILDINGS FOR THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT'S EASTSIDE SERVICE CENTER. (FACILITIES MANAGEMENT) (9:28 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. 1 TO CONTRACT NO. PS080198ML, FAIRFAX IDENTITY SERVICES, FOR DNA TESTING SERVICES. (DISTRICT ATTORNEY'S OFFICE) (9:28 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 SOLE SOURCE EXEMPTION AND CONTRACT WITH UNISYS CORPORATION FOR THE DORADO 400 SERIES SERVER AND SAN SYSTEMS. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:18 AM)

Item 13 was postponed.

14. APPROVE CONTRACT AWARD FOR SIX (6) PANEL URINALYSIS DRUG SCREEN CUPS, IFB NO. B0802190J, TO THE QUALIFIED LOW BIDDER, COMPLIANCE CONSORTIUM CORPORATION. (JUVENILE PROBATION) (9:28 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 MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL08007VR, HAYS COUNTY JUVENILE CENTER, FOR RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION TO SELECT FIRM TO PROVIDE LEGISLATIVE ADVOCACY SERVICES AND AUTHORIZE THE PURCHASING AGENT TO BEGIN NEGOTIATIONS. (2:32 PM)

Members of the Court heard from: John Hille, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the Purchasing Agent to begin negotiations with the Santos Alliance.

| | |
|------------------------------------------------------|--------|
| 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 |

Clerk's Note: The Court directed Staff to work with the Santos Alliance on the legislative wish list to speed up the learning curve.

17. APPROVE ISSUANCE OF JOB ORDER NO. 4, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00308RV, TRIMBUILT CONSTRUCTION, INC. (FACILITIES MANAGEMENT) (9:28 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 REQUEST TO NOTIFY RESIDENTS OF THE NEW FEMA FLOOD INSURANCE RATE MAP AND FLOOD INSURANCE STUDY FOR TRAVIS COUNTY AND THE PROPOSED FLOODPLAIN REGULATION FOR TRAVIS COUNTY. (2:05 PM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis 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 |

Clerk's Note: The Court noted that by approving Item 18 they are covering the extra Staff needed, approval to print the 15,000 notification letters, and to work with the mailroom. If there are issues the item should be brought back to Court.

19. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: DEER HAVEN SUBDIVISION FINAL PLAT (3 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:28 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 A PLAT FOR RECORDING IN PRECINCT THREE: BELVEDERE PHASE IV FINAL PLAT (29 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:28 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 A CASH SECURITY AGREEMENT WITH HIGHLAND HOMES FOR SIDEWALK FISCAL FOR COMMONS AT ROWE LANE, PHASE 2A, LOT 23 BLOCK J, LOT 5 BLOCK L, LOT 24 BLOCK I AND LOT 24 BLOCK J IN PRECINCT 2. (COMMISSIONER ECKHARDT) (9:28 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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (2:12 PM)
- A. NOTICE OF NON-COMPLIANCE WITH TIMELINESS REQUIREMENTS;
 - B. REVIEW AND AUTHORIZE THE COUNTY JUDGE TO SIGN THE TRAVIS COUNTY RESPONSE; AND
 - C. OTHER RELATED ITEMS.

Clerk's Note: Items 22.A-C are associated with one another and were called for concurrent discussion.

Clerk's Note: The Court suggested the following additions to the draft letter to be sent to HUD:

- 1) The County understands the importance of spending the funds in a timely manner, because the projects that we've submitted are critical to our community; and,
- 2) We will be happy to file monthly reports as HUD requests.

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the letter with the recommended changes by the County Judge, and authorize the County Judge to sign this letter and get it to them as soon as possible.

| | |
|------------------------------------------------------|--------|
| 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 |

PLANNING AND BUDGET DEPT. ITEMS

23. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:28 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:28 AM)

- A. GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE (THROUGH ONESTAR FOUNDATION) FOR HEALTH AND HUMAN SERVICES AND VETERAN SERVICES TO CONTINUE THE AMERICORPS GRANT TO SUPPORT THE ACTIVITIES OF THE COOPERATIVE EXTENSION'S 4-H CAPITAL PROGRAM;

Clerk's Note: Item 24.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:28 AM)

- B. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR JUVENILE PROBATION TO AUGMENT THE EXISTING JUVENILE ASSESSMENT CENTER FUNDING AND PROVIDE JUVENILES WITH ASSESSMENT SERVICES;

Clerk's Note: Item 24.B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

ITEM 24 CONTINUED

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(11:49 AM)

C. GRANT CONTRACT WITH THE SUPREME COURT OF TEXAS TASK FORCE ON FOSTER CARE FOR CIVIL COURTS TO PROVIDE LEGAL REPRESENTATION FOR PRIMARY PARENTS IN PENDING CHILD ABUSE AND NEGLECT CASES IN TRAVIS COUNTY;

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO); and The Honorable W. Jeanne Meurer, Judge, 98th District.

Discussion only. No formal action taken.

Item 24.C to be reposted on September 9, 2008.

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(11:54 AM)

D. GRANT CONTRACT WITH THE SUPREME COURT OF TEXAS, TASK FORCE ON FOSTER CARE FOR CIVIL COURTS TO ESTABLISH A CHILD PUBLIC DEFENDER'S OFFICE TO PROVIDE LEGAL REPRESENTATION TO CHILDREN IN CHILD PROTECTIVE SERVICES; AND

Item 24.D postponed until September 9, 2008.

24. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:28 AM)

E. GRANT CONTRACT AMENDMENT WITH THE U.S. FISH AND WILDLIFE SERVICE THROUGH TEXAS PARKS AND WILDLIFE DEPARTMENT FOR TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT TO ACQUIRE LAND WITH ENDANGERED SPECIES HABITAT FOR THE BALCONES CANYONLANDS PRESERVE.

Clerk's Note: Item 24.E 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 VARIOUS ISSUES RELATED TO THE FISCAL YEAR 2009 BUDGET PROCESS, INCLUDING:
(2:20 PM)
- A. REMAINING SCHEDULE IN SEPTEMBER FOR PUBLIC HEARINGS, ADVERTISEMENTS, MARK-UP AND FINAL ADOPTION OF FISCAL YEAR 2009 COUNTY BUDGET;
 - B. STATUTORILY REQUIRED NEWSPAPER ADVERTISEMENT FOR PUBLIC HEARINGS ON PROPOSED FISCAL YEAR 2009 TAX RATE;
 - C. OTHER ADVERTISEMENTS NECESSARY TO COMPLETE THE FISCAL YEAR 2009 BUDGET PROCESS; AND
 - D. OTHER RELATED ISSUES.

Clerk's Note: Items 25.A-D are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; and Jessica Rio, Assistant Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Item 25.

| | |
|------------------------------------------------------|--------|
| 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 |

ADMINISTRATIVE OPERATIONS ITEMS

26. 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 \$538,099.67, FOR THE PERIOD OF AUGUST 8, 2008 TO AUGUST 14, 2008. (9:28 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 ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:28 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 REGARDING CAMPUS MASTER PLAN STUDY AND PLANNING FOR A NEW BUILDING AND PARKING GARAGE AT THE AIRPORT BOULEVARD NORTH CAMPUS. (2:24 PM)

Item 28 postponed until September 2, 2008.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(11:55 AM)
- A. RECOMMENDATION OF DEFERRED COMPENSATION PLAN OVERSIGHT COMMITTEE FOR THIRD PARTY ADMINISTRATOR OF DEFERRED COMPENSATION PLAN; AND
 - B. AUTHORIZE DEFERRED COMPENSATION PLAN OVERSIGHT COMMITTEE, DEFERRED COMPENSATION CONSULTANT AND COUNTY ATTORNEY TO BEGIN SPECIFIC CONTRACT DEVELOPMENT WITH GREAT WEST RETIREMENT SERVICES FOR PLAN ADMINISTRATION SERVICES FOR THE TRAVIS COUNTY DEFERRED COMPENSATION 457(B) PLAN, INCLUDING GUARANTEES RELATED TO PROVIDING PRODUCTS AND SERVICES AS PROPOSED. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY)

Clerk's Note: Items 29.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Norman McRee, Financial Analyst, Lead, Human Resources Management Department (HRMD); William Sawyer, Program Director, Nationwide Retirement Solutions; Barbara Wilson, Assistant County Attorney; Al DiCristifaro, President, The Retirement Store; Kim Wilder, Deferred Compensation, Nationwide Retirement Solutions; and Nancy Goodman, Travis County Employee.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Davis that we accept the recommendations of the Committee and move forward with negotiations with Great West Retirement Services.

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 |

OTHER ITEMS

30. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:28 AM)

Clerk's Note: Item 30 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER OF GENERAL ELECTION FOR COUNTY AND PRECINCT OFFICERS. (9:28 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. CONSIDER AND TAKE APPROPRIATE ACTION ON FISCAL YEAR 2009 DISTRICT CLERK RECORDS MANAGEMENT PLAN AND TRANSFER OF FUNDS. (9:28 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 FROM FAMILY CONNECTIONS TO USE COUNTY OWNED PARKING LOT ON PROPERTY LOCATED AT 5335 AIRPORT BOULEVARD. (2:25 PM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Tenley Aldredge, Assistant County Attorney.

Clerk's Note: Without objection the Court directed Staff to negotiate the best price possible for the parking spaces requested by Family Connection, with the understanding that their clients will need to park by the 53 ½ Street entrance and that once building commences there will be no spaces available.

Discussion only. No formal action taken.

Item 33 to be reposted on September 2, 2008.

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING DONATION OF FUNDS FROM AT&T FOR THE SHERIFF'S OFFICE COPPER THEFT TASK FORCE TO BE DEPOSITED IN THE SHERIFF'S OFFICE OPERATING ACCOUNTS FOR STAFF ATTENDANCE AT THE NATIONAL METAL THEFT INVESTIGATIONS SEMINAR. (9:28 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.

35. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:37 AM)
- A. REQUEST FOR ADDITIONAL RESOURCES FOR THE NOVEMBER 4, 2008 PRESIDENTIAL ELECTION, INCLUDING THE NEED FOR ADDITIONAL TEMPORARY PERSONNEL AND ELECTION EQUIPMENT; (COUNTY CLERK)
 - B. RECEIVE COMMENTS FROM VOTE RESCUE REGARDING USE OF ELECTRONIC VOTING EQUIPMENT IN NOVEMBER 2008 GENERAL ELECTION.

Clerk's Note: Items 35.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; Randy Lott, Budget Analyst, PBO; Karen Renick, Founder, VoteRescue; Jenny Clark, VoteRescue; Lee LeTeff, VoteRescue; William Trautman, VoteRescue; Leonard Engquist, Travis County Resident; Kenneth Koym, Travis County Resident; Larry Nelson, VoteRescue; Nancy Robbins, VoteRescue; Elizabeth Baar, VoteRescue; Shirley Johnson, VoteRescue; Cecelia Crossly, Travis County Resident; Katie Brewer, VoteRescue; Clayton Holmes, Travis County Resident; Hector Ortega Travis County Resident; Mitchell Stein, VoteRescue; Joe Barwell, Travis County Resident; Lisa Orr, Travis County Resident; Kathleen Bokros, Travis County Resident; Travis Snively, Travis County Resident; and Jennifer Gale, Travis County Resident.

ITEM 35 CONTINUED

Clerk's Note: The Court discussed the formation of a Citizens Panel to review:

- 1) Electronic voting equipment that would be available to consider for the future;
and,
- 2) Feasibility of returning to paper ballots.

The Court heard that previous reviews have taken about 3 years and that 20-30 citizens were involved.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the 35 machines for the use at the mega site locations for the 2008 General Election.

A Friendly Amendment to the previous Motion was offered by Commissioner Davis that we look at less than 3 years to come back. If we can do it 6 months to a year, within that time frame, I would like to see the concerns that were brought up by the citizens as far as paper ballot, and all the other things as far as the committee is concerned.

Acceptance of the Friendly Amendment was made by Commissioner Gómez.

| | |
|------------------------------------------------------|--------|
| 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 |

36. CONDUCT HEARING AND TAKE APPROPRIATE ACTION ON APPEAL FROM MAY 23, 2008 TRAVIS COUNTY GRIEVANCE PANEL DECISION REGARDING TRAVIS COUNTY FACILITIES MANAGEMENT DEPARTMENT EMPLOYEE SLOT NO. 19, PURSUANT TO TRAVIS COUNTY CODE SECTION 9.257(K). (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.074, PERSONNEL MATTERS) (9:18 AM)

Clerk's Note: Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters

Item 36 postponed until September 2, 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

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.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING ISSUES RELATED TO CONTRACT BETWEEN TRAVIS COUNTY AND AUSTIN TRAVIS COUNTY LIVESTOCK SHOW AND CLAIMS RESULTING FROM THE 2008 STAR OF TEXAS FAIR AND RODEO. ¹ (2:40 PM)

Clerk's Note: Judge Biscoe announced that Item 37 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.

Item 37 postponed until September 9, 2008.

38. RECEIVE LEGAL BRIEFING REGARDING BUDGET AND COMPENSATION FUNDING FOR DEPARTMENTS HEADED BY CERTAIN APPOINTED OFFICIALS. ¹ (2:40 PM) (4:09 PM)

Clerk's Note: Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 38 was not discussed.

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND/OR TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR JUVENILE PROBATION EMPLOYEE, SLOT 156. ^{1 AND 3} (2:40 PM) (4:09 PM)

Clerk's Note: Judge Biscoe announced that Item 39 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 Davis that we extend administrative leave with pay five days beyond our policy, and that will take this employee through August 12, 2008.

| | |
|------------------------------------------------------|--------|
| 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 |

40. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON REQUEST TO HIRE OUTSIDE COUNSEL FOR OFFICER C. HOTARD REGARDING MONTEZ V. TRAVIS COUNTY, ET AL. ¹ (2:40 PM) (4:10 PM)

Clerk's Note: Judge Biscoe announced that Item 40 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 Davis that we approve the request to hire outside legal counsel, and that we authorize County Attorney's Office to hire an appropriate lawyer for Mr. Hotard, if he chooses to use one. He can always retain his own counsel without our assistance if he chooses to.

| | |
|------------------------------------------------------|--------|
| 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 |

41. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT, LTD. AND RODMAN EXCAVATION, INC. ET AL. ¹ (2:42 PM)

Clerk's Note: Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 41 postponed until September 2, 2008.

ADDED ITEMS

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON APRIL 18, 2008 GRIEVANCE PANEL'S DECISION REGARDING HUMAN RESOURCES MANAGEMENT DEPARTMENT (HRMD) EMPLOYEE SLOT NO. 7 TO IMPLEMENT THE PANEL'S RECOMMENDATIONS, INCLUDING COUNSELING AND MEDIATION RECOMMENDATIONS; AND ON CONDUCTING A CLIMATE REVIEW OF HRMD. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY, AND GOV'T CODE ANN. 551.074, PERSONNEL MATTERS) (2:40 PM) (4:10 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 and Gov't. Code Ann. 551.074, Personnel Matters

Discussion only. No formal action taken.

Item A1 to be reposted on September 2, 2008.

- A2. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CLAIMS BY CHARLES KELLEY, INCLUDING THE CLAIMS MADE IN EEOC CHARGE NO. 31C-2008-01436C. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:40 PM) (4:11 PM)

Clerk's Note: Judge Biscoe announced that Item A2 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item A2 to be reposted on September 2, 2008.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (4:12 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 | absent |
| Precinct 4, Commissioner Margaret J. Gómez | yes |

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge