

MINUTES OF MEETING SEPTEMBER 9, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 9th day of September 2008, the Commissioners' Court convened the Voting Session at 9:15 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 11:13 AM.

The Commissioners Court reconvened the Voting Session at 12:11 PM.

The Commissioners Court adjourned the Voting Session at 12:13 PM.

The Commissioners Court, meeting as the Travis County Bee Caves Road District #1 (Galleria), convened at 12:14 PM and adjourned at 12:14 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 12:15 PM and adjourned at 12:15 PM.

PUBLIC HEARINGS

1. RECEIVE COMMENTS ON PROPOSED COMPREHENSIVE REVISIONS TO CHAPTER 64 OF THE TRAVIS COUNTY CODE, REGULATIONS FOR FLOODPLAIN MANAGEMENT AND GUIDELINES AND PROCEDURES FOR DEVELOPMENT PERMITS. (ACTION ITEM #30) (9:16 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 30 for a summary of the action item.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to open the public hearing.

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

Members of the Court heard from: Stacey Scheffel, Flood Plain Manager, Transportation and Natural Resources (TNR); Julie Joe, Assistant County Attorney; Joe Gieselman, Executive Manager, TNR; Frank Devooght, Travis County Resident; and Les Huff, Travis County Resident.

Motion by Commissioner Davis **and seconded by** Commissioner Daugherty to close the public hearing.

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

2. RECEIVE COMMENTS ON JACOBSON ESTATES RESUBDIVISION OF LOT 7, BLOCK A, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (ACTION ITEM #22) (10:01 AM)

Clerk's Note: This Item is a public hearing to receive comments. Please refer to Agenda Item 22 for a summary of the action item.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to open the public hearing.

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

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

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to close the public hearing.

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

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Karen Renick, Founder, VoteRescue; Jennifer Gale, Travis County Resident; and Don Smith, Chief, Travis County Fire Control, ESD # 4. (10:02 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C5 and Items 3, 6, 8.A-E, 8.G, 9, 10, 11, 12, 13, 14, 15, 16.A&B, 22, 23, 24, 25, 26, 28.A&B, 31, 32, 35, 38, 39, 40, 41, 42, 43, and 45. (10:18 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF AUGUST 19, 2008.
- C3. APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 30, 2008 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE BETWEEN LOTS 22 AND 23, BLOCK HH OF VALLEY LAKE HILLS, SECTION ONE, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C4. APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 30, 2008 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A FIVE FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT LOCATED ALONG REAR LOT LINE OF LOT 15, BLOCK C OF VALLE VERDE BEACH SUBDIVISION, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)
- C5. APPROVE SETTING A PUBLIC HEARING ON SEPTEMBER 30, 2008 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A TWENTY-TWO SQUARE FOOT PORTION OF A PUBLIC UTILITY EASEMENT LOCATED ALONG THE NORTHWEST LOT LINE OF LOT 295 OF APACHE SHORES, 1ST INSTALLMENT, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY)

PLANNING AND BUDGET DEPT. ITEMS

3. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:18 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 FISCAL YEAR 2009 BUDGET RULES. (10:25 AM)

Members of the Court heard from: Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO); Susan Spataro, Travis County Auditor; and Leroy Nellis, Budget Manager, PBO.

Discussion only. No formal action taken.

Item 4 to be reposted on September 16, 2008.

5. CONSIDER AND TAKE APPROPRIATE ACTION ON CONTINUATION OF FISCAL YEAR 2009 BUDGET MARK-UP. (10:43 AM)

Members of the Court heard from: Rodney Rhoades, Executive Manager, PBO; Joe Gieselman, Executive Manager, TNR; Mike Joyce, Fleet Manager, TNR; and Jessica Rio, Assistant Budget Manager, PBO.

Discussion only. No formal action taken.

Item 4 to be reposted on September 16, 2008.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON SETTING THE CALENDAR YEAR 2009 SHERIFF'S AND CONSTABLES' FEE SCHEDULE. (10:18 AM)

Clerk's Note: Item 6 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 THE FOLLOWING:
(9:16 AM)
 - A. 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; AND
 - B. 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.

Items 7.A&B postponed until September 16, 2008.

8. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:18 AM)
 - A. GRANT APPLICATION TO THE DEPARTMENT OF LABOR FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO HOST A STAND DOWN EVENT FOR HOMELESS VETERANS TO ENHANCE EMPLOYMENT AND TRAINING OPPORTUNITIES OR PROMOTE SELF-SUSTAINMENT;
 - B. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO CONTINUE COMPREHENSIVE UNDERAGE DRINKING PREVENTION PROGRAM IN THE COUNTY ATTORNEY'S OFFICE;
 - C. **REVISED LANGUAGE:** GRANT CONTRACT **AMENDMENT** WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR TRANSPORTATION AND NATURAL RESOURCES TO SUPPORT CLEAN AIR PROJECTS PROPOSED BY THE COUNTY THROUGH THE LOW INCOME REPAIR ASSISTANCE, RETROFIT, AND ACCELERATED VEHICLE RETIREMENT PROGRAM;
 - D. GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS, LOW INCOME HOME ENERGY ASSISTANCE PROGRAM FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO PROVIDE ASSISTANCE TO AN ADDITIONAL EIGHT RESIDENCES WITHIN TRAVIS COUNTY;
 - E. GRANT CONTRACT AMENDMENT WITH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO PROVIDE WEATHERIZATION REPAIRS FOR LOW INCOME PERSONS;

Clerk's Note: Items 8.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

ITEM 8 CONTINUED

8. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:21 AM)

F. GRANT CONTRACT WITH AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION FOR COMMUNITY RESOURCE COORDINATOR IN JUVENILE PROBATION DEPARTMENT; AND

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to approve Item 8.G.

Motion carried: County Judge Samuel T. Biscoe	abstain
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

8. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:18 AM)

G. REQUEST TO AUTHORIZE CRIMINAL COURTS TO CONTINUE THE DRUG COURT PROGRAM GRANT POSITION THROUGH THE END OF SEPTEMBER 2008. THIS ALLOWS CONTINUATION OF THE GRANT PROGRAM UNTIL A FULLY EXECUTED CONTRACT CAN BE COMPLETED.

Clerk's Note: Item 8.G 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

9. 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 \$496,473.74 FOR THE PERIOD OF AUGUST 22 TO AUGUST 28, 2008. (10:18 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (10:18 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. **REVISED LANGUAGE:** CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH **CHILD, INC.** TO USE 20 PARKING SPACES IN "CHAIR KING" PARKING LOT LOCATED AT 5335 AIRPORT BOULEVARD. (10:18 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.

JUSTICE AND PUBLIC SAFETY ITEMS

12. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THIRTEENTH PAYMENT TO THE CITY OF AUSTIN FOR FISCAL YEAR 2007 OPERATIONS AND MAINTENANCE OF THE COMBINED TRANSPORTATION, EMERGENCY AND COMMUNICATIONS CENTER, INTERLOCAL AGREEMENT IL030285LC. (10:18 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.

PURCHASING OFFICE ITEMS

13. DECLARE LISTING OF CERTAIN EQUIPMENT AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE. (FIXED ASSETS) (10:18 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. REJECT SOLE BID RECEIVED FOR IFB NO. B080241DR, RESIDENTIAL ROOF REPAIR/REPLACEMENT SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (10:18 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 CONTRACT AWARD FOR ROAD RECYCLING, IFB NO. B080261RG, TO THE LOW BIDDER, AARON CONCRETE CONTRACTORS. (TRANSPORTATION AND NATURAL RESOURCES) (10:18 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 REGARDING INTERLOCAL AGREEMENT NO. IL020037RE, TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES: (10:18 AM)

A. MODIFICATION NO. 9 TO INCREASE FISCAL YEAR 2008 REVENUE FUNDS; AND

B. MODIFICATION NO. 10 TO RENEW THE AGREEMENT FOR AN ADDITIONAL TWELVE-MONTH PERIOD. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE)

Clerk's Note: Items 16.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

17. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS070371JW, ESPEY CONSULTANTS, INC., CONSULTING SERVICES FOR HAMILTON POOL POLLUTION. (COUNTY ATTORNEY) (11:11 AM)

Members of the Court heard from: Marvin Brice, Construction Procurement Management, Purchasing.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 17.

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

18. APPROVE MODIFICATION NO. 2, AN ASSIGNMENT OF CONTRACT NO. MA030284LC FROM COMPLETE COMMUNICATION SERVICE, INC. D/B/A CO COM CABLING SYSTEMS TO TITUS SYSTEMS, LP. D/B/A CO COM CABLING SYSTEMS. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (11:11 AM)

Motion by Judge Biscoe **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. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. 05AE0176JJ, LOCKWOOD, ANDREWS AND NEWNAM, INC., FOR EASTSIDE SERVICE CENTER PROJECT. (FACILITIES MANAGEMENT) (11:12 AM)

Motion by Commissioner Davis **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	yes
Precinct 3, Commissioner Gerald Daugherty	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

20. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. PS080068VR, SOUTHWEST KEY PROGRAMS, INC., FOR DAY TREATMENT SERVICES FOR JUVENILE OFFENDERS. (JUVENILE PROBATION) (11:12 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 20.

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

21. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. CM060287LC, COGENT SYSTEMS, FOR COGENT HARDWARE, SOFTWARE AND SUPPORT. (SHERIFF'S OFFICE) (11:13 AM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 21.

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

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION ON JACOBSON ESTATES RESUBDIVISION OF LOT 7, BLOCK A, A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (10:18 AM)

Clerk's Note: Item 22 is the action item for the public hearing on Agenda Item 2.

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 LICENSE AGREEMENT WITH PIRATE RACE PRODUCTIONS TO HOLD BIKE RACES AT EAST METROPOLITAN PARK, RICHARD MOYA PARK, AND SOUTHEAST METROPOLITAN PARK. (10:18 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 ONE: BALLI SUBDIVISION (4 TOTAL LOTS). (10:18 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 TO HOLD PUBLIC MEETINGS ON SEPTEMBER 24 AND 25, 2008 FOR THE PURPOSE OF INFORMING THE PUBLIC AND TAKING COMMENTS ON THE RESULTS OF THE TRAVIS COUNTY DRAINAGE STUDY. (10:18 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 A FINAL PLAT IN PRECINCT ONE: HORNSBY GLEN PHASE 1 (126 TOTAL LOTS), AND A SUBDIVISION CONSTRUCTION AGREEMENT WITH MAIN STREET LTD. (10:18 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 A REQUEST FOR A VARIANCE TO CHAPTER 82.401 (C)(4), STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS TO ALLOW THE ACCEPTANCE OF DEDICATION OF A PORTION OF THE STREET AND DRAINAGE FACILITIES IN BEE CREEK HILL, SECTIONS ONE AND TWO, SPECIFICALLY A PORTION OF BEE HIVE LANE AND A PORTION OF BUMBLE BEE DRIVE, TWO SUBDIVISIONS IN PRECINCT THREE.
(COMMISSIONER DAUGHERTY) (10:59 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 27.

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

28. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(10:18 AM)
- A. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN SHADOWGLEN PHASE 1, SECTION 12 AND 13 AND SHADOWGLEN PHASE 1, LEXINGTON STREET; AND
 - B. **REVISED LANGUAGE:** A **SECOND** AMENDMENT TO A LICENSE AGREEMENT WITH SHADOWGLEN HOMEOWNERS ASSOCIATION, INC. FOR IMPROVEMENTS IN PUBLIC RIGHT OF WAY.

Clerk's Note: Item 28.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

29. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REQUESTS: (10:49 AM)

- A. PROPOSED UPDATE TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) MOBILITY 2035 PLAN FOR THE ALIGNMENT OF WILLIAM CANNON DRIVE ALONG A SOUTHERN ROUTE, FROM MCKINNEY FALLS PARKWAY TO FM 812; AND
- B. AUTHORIZE TRANSPORTATION AND NATURAL RESOURCES TO REVIEW AND APPROVE RIGHT-OF-WAY DEDICATIONS, PLATS, AND CONSTRUCTION DOCUMENTS BASED UPON THE PROPOSED REALIGNMENT IN ADVANCE OF THE CAMPO MOBILITY 2035 PLAN UPDATE APPROVAL.

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

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; and Steve Manilla, Director, Public Works, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Items 29.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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

30. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSED COMPREHENSIVE REVISIONS TO CHAPTER 64 OF TRAVIS COUNTY CODE, REGULATIONS FOR FLOODPLAIN MANAGEMENT AND GUIDELINES AND PROCEDURES FOR DEVELOPMENT PERMITS. -
(10:01 AM)

Clerk's Note: Item 30 is the action item for the public hearing on Agenda Item 1.

Item 30 postponed until September 23, 2008.

OTHER ITEMS

31. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:18 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 TO SET A PUBLIC HEARING ON SEPTEMBER 23, 2008 TO DISCUSS THE ANNUAL WRITTEN PLANS FOR THE 028 RECORDS MANAGEMENT PRESERVATION FUND AND 057 COUNTY CLERK'S RECORDS ARCHIVAL FUND AND PUBLISH THE APPROPRIATE NOTICE AS REQUIRED BY SECTION 118.025 OF THE LOCAL GOVERNMENT CODE. (10:18 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 AN ORDER TO DESIGNATE LOCATIONS AND HOURS FOR TEMPORARY BRANCH EARLY VOTING POLLING PLACES FOR THE MOBILE EARLY VOTING PROGRAM FOR THE NOVEMBER 4, 2008 ELECTIONS. (11:00 AM)

Clerk's Note: Items 33, 34, and 36 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk; and Julie Joe, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Exhibit A on Item 33.

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: By approving Exhibit A in Item 33 the Court adopted the order to designate the mobile early voting locations.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve Exhibit A on Item 34.

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: By approving Exhibit A in Item 34 the Court adopted the order to designate the Election Day voting locations.

Discussion only for Item 36.

Item 36 to be reposted weekly until the November 4, 2008 Joint General and Special Elections.

34. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING AN ORDER TO DESIGNATE ELECTION DAY POLLING PLACES FOR THE NOVEMBER 4, 2008 JOINT GENERAL AND SPECIAL ELECTIONS. (11:00 AM)

Clerk's Note: Items 33, 34, and 36 are associated with one another and were called for concurrent discussion. Please refer to Item 33 for a summary of the action taken by the Court.

35. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ELECTION SERVICES AGREEMENTS BETWEEN TRAVIS COUNTY AND VISTA MUNICIPAL UTILITY DISTRICT AND TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 2. (10:18 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

36. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 4, 2008 JOINT GENERAL AND SPECIAL ELECTIONS. (11:00 AM)

Clerk's Note: Items 33, 34, and 36 are associated with one another and were called for concurrent discussion. Please refer to Item 33 for a summary of the action taken by the Court.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE AUSTIN TOWING ASSOCIATION TO INCREASE THE NON-CONSENT TOWING RATE. (9:16 AM)

Item 37 was pulled from the Agenda.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON AN INTERLOCAL COOPERATION AGREEMENT BETWEEN TRAVIS COUNTY AND THE LEANDER INDEPENDENT SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICERS. (10:18 AM)

Clerk's Note: Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND LAKESIDE WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2A. (10:18 AM)

Clerk's Note: Item 39 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

40. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND RANCH AT CYPRESS CREEK MUNICIPAL UTILITY DISTRICT NO. 1. (10:18 AM)

Clerk's Note: Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND WILLIAMSON TRAVIS COUNTIES MUNICIPAL UTILITY DISTRICT NO. 1. (10:18 AM)

Clerk's Note: Item 41 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND THE CITY OF LEANDER. (10:18 AM)

Clerk's Note: Item 42 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

43. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT. (10:18 AM)

Clerk's Note: Item 43 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

44. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1 (GALLERIA). (10:48 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 44.

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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

45. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE TRAVIS COUNTY FIRE ACADEMY FOR A REDUCED FEE TO USE THE TRAVIS COUNTY EXPOSITION CENTER FOR CADET GRADUATION. (10:18 AM)

Clerk's Note: Item 45 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 previously set discounted rate of \$275.00 covers the costs associated with the use of the Exposition Center for the cadet graduation.

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.

46. 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
(11:13 AM) (12:12 PM)

Clerk's Note: Judge Biscoe announced that Item 46 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 communicate to the Austin Travis County Livestock Board that the County's position is this: That we shall settle this for the sum of \$100,00.00; and that we shall give ourselves an opportunity to discuss four outstanding issues which will require additional time, probably two to three months; and that we think that the short-term cash claim should be separate from the other issues that we need to discuss; that we authorize an appropriate letter to be directed to the Executive Director of the Association as soon as possible.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	no
Precinct 3, Commissioner Gerald Daugherty	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

47. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN VALDEZ/NAUTILUS CASE (OPHELIA MALICIA CLAIM). ¹ (11:13 AM) (12:11 PM)

Clerk's Note: Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 47 was not discussed.

Item 47 to be reposted on September 16, 2008.

48. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR HUMAN RESOURCES EMPLOYEE, SLOT NO. 2. ^{1 AND 3} (11:13 AM) (12:13 PM)

Clerk's Note: Judge Biscoe announced that Item 48 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 an additional two weeks, which will be up to and including September 23, 2008 – administrative leave with pay.

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

ADDED ITEM

- A1. CONSIDER AND TAKE APPROPRIATE ACTION ON GRANT CONTRACT WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR TRANSPORTATION AND NATURAL RESOURCES TO ADMINISTER THE LOW INCOME VEHICLE REPAIR, RETROFIT AND REPLACEMENT ASSISTANCE PROGRAM THAT PROVIDES GRANT FUNDS TO QUALIFYING INDIVIDUALS WHO OWN VEHICLES IN THE COUNTY THAT FAIL MANDATORY EMISSION INSPECTION. (10:22 AM)

Members of the Court heard from: Adele Noel, Air Quality Project Manager, TNR; Joe Gieselman, Executive Manager, TNR; and Jessica Rio, Assistant Budget Manager, PBO.

Motion by Commissioner Gómez **and seconded by** Judge Biscoe to approve Item A1.

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

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (12:13 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