

## **MINUTES OF MEETING DECEMBER 30, 2008**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Tuesday, the 30<sup>th</sup> day of December 2008, the Commissioners' Court convened the Voting Session at 9:18 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court retired to Executive Session at 11:45 AM.

The Commissioners Court reconvened the Voting Session at 12:33 PM.

The Commissioners Court adjourned the Voting Session at 12:34 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 12:34 PM and adjourned at 12:36 PM.

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Ms. Phillip A. Dick, Travis County Resident; Tomas Ybarra, Travis County Resident. (9:20 AM)

**Clerk's Note:** The Court held a moment of silence in remembrance of Captain Louie White.

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C4 and Items 5, 6.A-D, 7.A-M, 8, 9, 12.A-J, 13, 14, 15, 16, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 36, 37.A&B, and 38. (9:33 AM)

<b>Motion carried:</b> 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 SETTING A PUBLIC HEARING ON JANUARY 13, 2009 TO RECEIVE COMMENTS REGARDING A REQUEST TO TEMPORARILY CLOSE MANDA ROAD IN PRECINCT ONE FOR DRAINAGE IMPROVEMENTS BEGINNING JANUARY 14, 2009 AND CONTINUING THROUGH FEBRUARY 4, 2009 OR UNTIL CONSTRUCTION IS COMPLETED.
- C3. APPROVE SETTING A PUBLIC HEARING ON JANUARY 20, 2009 TO RECEIVE COMMENTS REGARDING A TOTAL SUBDIVISION VACATION IN PRECINCT TWO: SCARBROUGH SUBDIVISION (9 TOTAL LOTS); AND A REPLAT OF LOTS 1-9, SCARBROUGH SUBDIVISION, (11 LOTS). (COMMISSIONER ECKHARDT)
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF DECEMBER 16, 2008.

**RESOLUTIONS AND PROCLAMATIONS**

1. APPROVE PROCLAMATION RECOGNIZING TERRY PICKERING FOR HIS MANY YEARS OF SERVICE TO TRAVIS COUNTY. (JUDGE BISCOE)  
(9:36 AM)

**Members of the Court heard from:** Terry Pickering, Lieutenant, Travis County Sheriff's Office (TCSO); and Jean Beckerley, mother-in-law of Terry Pickering.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Proclamation in Item 1.

**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. APPROVE PROCLAMATION RECOGNIZING SCOTT BURROUGHS FOR HIS MANY YEARS OF SERVICE TO TRAVIS COUNTY. (JUDGE BISCOE)  
(9:45 AM)

**Members of the Court heard from:** Scott Burroughs, TCSO; and Sherileen Burroughs, wife of Scott Burroughs.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Proclamation 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

3. APPROVE PROCLAMATION RECOGNIZING TRAVIS COUNTY COMMISSIONER GERALD DAUGHERTY FOR HIS MANY YEARS OF SERVICE TO TRAVIS COUNTY. (9:55 AM)

**Members of the Court heard from:** Bob Moore, Executive Assistant, Commissioner Precinct 3 Office; Martin Zamzow, Executive Assistant, Commissioner Precinct 3 Office; Barbara Smith, Executive Assistant, Commissioner Precinct 3 Office; and Judy Pittsford, Project Manager, Information and Telecommunications Systems (ITS).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Proclamation in Item 3.

**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

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

4. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION REGARDING APPLICANTS FOR APPOINTMENT TO THE TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS: (10:14 AM)
  - A. REQUEST TO EXTEND THE APPLICATION DEADLINE;
  - B. ADDITIONAL OUTREACH REGARDING THE OPPORTUNITY TO SERVE;  
AND
  - C. PROCESS FOR SELECTING THE AUSTIN-TRAVIS COUNTY JOINT APPOINTEE.

**Clerk's Note:** Items 4.A-C 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); and Stacy Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we extend the deadline 30 days, that we authorize advertising, that the source of funding be the Human Resources Management Department (HRMD), and if we need to replenish the amount used for this advertising in the future, to indicate our intention to do that, and we would, basically, tap Allocated Reserve at the appropriate time if we need to; and in terms of where, the typical places where we think we would get out the word, affordability has to matter some. Our goal would be, basically, to make sure that anybody interested will have an opportunity to see it.

**A Clarification of the previous Motion was made by** Judge Biscoe that we approve a 30-day extension, we advertise it, and this would be 4.A&B. That the source of funding be HRMD. We would indicate to them if we need to replenish whatever amount we use later in the fiscal year we would do that, and approval of an appropriate advertisement.

<b>Motion carried:</b> 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

**ITEM 4 CONTINUED**

**Clerk's Note:** The Court discussed the process for selecting a joint appointee with the City of Austin.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we draft a letter to the City of Austin indicating that we will interview multiple applicants and send a list of suitable applicants for the City to consider. The advertisement would explain the two different appointments vacant and emphasize the importance of experience with neighborhood participation in decision-making. If the City has a different process in mind they should let us know. The letter is to come from the County Judge's Office.

<b>Motion carried:</b> 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

**PLANNING AND BUDGET DEPT. ITEMS**

5. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:33 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:33 AM)
  - A. GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR RETIRED SENIOR VOLUNTEER PROGRAM TO PROVIDE FUNDS TO PAY A PORTION OF STAFF'S SALARY AND SUPPORT THE PROGRAM'S OPERATIONS;
  - B. GRANT CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR RETIRED SENIOR VOLUNTEER PROGRAM TO SUPPORT OPERATING EXPENSES;
  - C. GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE SHERIFF'S OFFICE PARTICIPATION IN THE AUSTIN AREA FUSION CENTER PROJECT, A REGIONAL INFORMATION SHARING CENTER; AND
  - D. REQUEST FOR HEALTH AND HUMAN SERVICES AND VETERANS SERVICE TO SUBMIT REQUEST TO U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CARRY OVER FIRST YEAR UNSPENT GRANT FUNDS FOR THE PARENTING IN RECOVERY PROGRAM.

**Clerk's Note:** Items 6.A-D 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

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING INTERLOCAL AGREEMENTS WITH TRAVIS COUNTY FOR AGENCY REIMBURSEMENTS UNDER RULE 251.3: (9:33 AM)
- A. EMERGENCY SERVICES DISTRICT NO. 1;
  - B. EMERGENCY SERVICES DISTRICT NO. 2;
  - C. EMERGENCY SERVICES DISTRICT NO. 3;
  - D. EMERGENCY SERVICES DISTRICT NO. 4;
  - E. EMERGENCY SERVICES DISTRICT NO. 5;
  - F. EMERGENCY SERVICES DISTRICT NO. 6;
  - G. EMERGENCY SERVICES DISTRICT NO. 8;
  - H. EMERGENCY SERVICES DISTRICT NO. 9;
  - I. EMERGENCY SERVICES DISTRICT NO. 10;
  - J. EMERGENCY SERVICES DISTRICT NO. 11;
  - K. EMERGENCY SERVICES DISTRICT NO. 12;
  - L. EMERGENCY SERVICES DISTRICT NO. 14; AND
  - M. CITY OF AUSTIN.

**Clerk's Note:** Items 7.A-M 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

8. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR PARTICIPANTS IN THE TRAVIS COUNTY EMPLOYEE HEALTH CARE FUND FOR PAYMENT OF \$391,245.55 FOR THE PERIOD OF DECEMBER 12 TO DECEMBER 18, 2008. (9:33 AM)

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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:33 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 PLAN SPONSOR AGREEMENT AND NEW ACCOUNT FORM WITH TD AMERITRADE INCLUDING CLIENT AGREEMENT TO PROVIDE FOR SELF-DIRECTED BROKERAGE ACCOUNTS FOR PARTICIPANTS IN THE 457 DEFERRED COMPENSATION PROGRAM. (9:34 AM)

Item 10 postponed until January 6, 2009.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON LETTER OF UNDERSTANDING CONCERNING ADMINISTRATION OF THE NATIONWIDE FIXED ACCOUNT. (10:28 AM)

**Members of the Court heard from:** Norman McRee, Financial Analyst, Lead, Human Resources Management Department (HRMD); and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve the proposed letter of understanding.

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

**Clerk's Note:** The Court thanked County Staff, Nationwide, and Great West Retirement Services for their cooperation and hard work.

**PURCHASING OFFICE ITEMS**

12. APPROVE THE FOLLOWING FISCAL YEAR 2009 CRIME VICTIMS FUND CONTRACTS FOR CRIME VICTIMS SERVICES, RFS NO. S090001VR: (9:33 AM)

- A. PS090001VR - AUSTIN ACADEMY;
- B. PS090002VR - AUSTIN CHILD GUIDANCE;
- C. PS090003VR - CASA OF TRAVIS COUNTY, INC.;
- D. PS090004VR - CENTER FOR CHILD PROTECTION;
- E. PS090005VR - FOR THE LOVE OF CHRISTI;
- F. PS090006VR - YOUTH AND FAMILY ALLIANCE, INC., D/B/A LIFEWORKS;
- G. PS090007VR – AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION;
- H. PS090009VR - TEXAS RIOGRANDE LEGAL AID, INC.;
- I. PS090010VR – SAFEPLACE; AND
- J. PS090011VR - VOLUNTEER LEGAL SERVICES OF CENTRAL TEXAS. (COUNSELING AND EDUCATION SERVICES)

**Clerk's Note:** Items 12.A-J approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

13. APPROVE CONTRACT NO. PS090012VR, JUDY L. BRANHAM, FOR INTEGRATED CHILD SUPPORT SYSTEM CONSULTING SERVICES. (JUVENILE PROBATION) (9:33 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 MODIFICATION NO. 8 TO CONTRACT NO. PS010144JW, PROVIDENCE SERVICES CORPORATION OF TEXAS, FOR INTENSIVE IN-HOME SERVICES. (JUVENILE PROBATION) (9:33 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 TO MAXIM HEALTHCARE FOR TEMPORARY HEALTHCARE SERVICES STAFFING FOR INMATES. (SHERIFF'S OFFICE) (9:33 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 JURY IMPANELMENT SESSIONS TO NORRIS CONFERENCE CENTER. (DISTRICT CLERK) (9:33 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.

17. APPROVE MODIFICATION NO. 8 TO CONTRACT NO. PS970315LB, VINSON AND ELKINS L.L.P., FOR PROFESSIONAL SERVICES RELATED TO THE PURCHASE OF A NEW FINANCIAL SYSTEM. (COUNTY ATTORNEY)

Item 17 postponed until January 6, 2009.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON MODIFICATION NO. 3 TO CONTRACT NO. PS050216MB, PROFESSIONAL CONSULTING SERVICES FOR TRAVIS COUNTY CORRECTIONAL COMPLEX DESIGN-BUILD PROJECT, WITH HOK. (FACILITIES MANAGEMENT) (10:37 AM)

**Members of the Court heard from:** Ken Gaede, Project Manager, Facilities Management.

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

**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

19. APPROVE CONTRACT AWARD FOR COURTROOM PEWS FOR PRECINCT 2, IFB NO. B090068OJ, TO THE RESPONSIBLE LOW BIDDER, AMERICAN PEW AND BENCH, LLC. (FACILITIES MANAGEMENT) (9:33 AM)

**Clerk's Note:** Item 19 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

20. APPROVE CONTRACT AWARD FOR PORTABLE CEMENT SILO, IFB NO. B090039RG, TO THE LOW BIDDER, CEMEN TECH. (TRANSPORTATION AND NATURAL RESOURCES) (9:33 AM)

**Clerk's Note:** Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 6) TO INTERLOCAL AGREEMENT NO. IL060341RE, AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, FOR SUBSTANCE ABUSE SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (10:40 AM)

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

<b>Motion carried:</b> 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

22. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 3) TO INTERLOCAL AGREEMENT NO. IL070171RE, AUSTIN-TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION, FOR MENTAL HEALTH SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (10:40 AM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 22.

<b>Motion carried:</b> 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

23. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO INTERLOCAL NO. IL060254RE, THE UNIVERSITY OF TEXAS AT AUSTIN, FOR STUDY OF HUMAN RESOURCES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:33 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. APPROVE MODIFICATION NO. 6 TO INTERLOCAL AGREEMENT NO. IL040256RE, CITY OF AUSTIN, FOR DEAF INTERPRETING SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:33 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. APPROVE CONTRACT NO. PS090134RE, WORKFORCE SOLUTIONS, FOR RAPID EMPLOYMENT MODEL SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:33 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. APPROVE CONTRACT NO. PS090133RE, COMMUNITIES IN SCHOOLS, FOR YOUTH AND FAMILY ASSESSMENT CENTER SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:33 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. APPROVE CONTRACT NO. PS090135RE, CARITAS OF AUSTIN, FOR COMPREHENSIVE ENERGY ASSISTANCE PROGRAM. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:33 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. APPROVE ORDER EXEMPTING THE PURCHASE OF PLANNING PHASE CONSULTING SERVICES FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024 (A)(4) OF THE COUNTY PURCHASING ACT. (FACILITIES MANAGEMENT) (9:33 AM)

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

29. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. CM060201LC, ARGENT SOFTWARE INC., FOR LICENSES AND SUPPORT SERVICES. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:33 AM)

**Clerk's Note:** Item 29 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

30. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. PS070046ML, RENEA HICKS, FOR LEGAL SERVICES. (COUNTY ATTORNEY) (9:33 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.

## TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

31. DISCUSS EFFECT OF APPROVAL OF "ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR A PORTION OF AUSTIN LAKE HILLS SECTION 2, A SUBDIVISION IN PRECINCT THREE" ON SEPTEMBER 7, 2004 AND TAKE APPROPRIATE ACTION. (COMMISSIONER DAUGHERTY) (10:41 AM) (11:45 AM) (12:33 PM)

**Clerk's Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR); Tom Jones, Tom Jones Homes, Inc.; and Anna Bowlin, Program Manager, Planning and Engineering, TNR.

Discussion only. No formal action taken.

Item 31 to be reposted on January 13, 2008.

## OTHER ITEMS

32. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:33 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 AMENDED INTERLOCAL AGREEMENT BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN RELATED TO THE ACCEPTANCE OF THE 2008 BYRNE JUSTICE ASSISTANCE GRANT. (9:33 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 THE TRAVIS COUNTY SHERIFF'S OFFICE CONTINUED PARTICIPATION IN THE LONE STAR FUGITIVE TASK FORCE VIA A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES MARSHAL SERVICE. (9:33 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 TO REVISE THE TRAVIS COUNTY HEALTH DISTRICT FINANCIAL POLICIES TO REFLECT THE ADOPTION OF THE PROVISIONS OF GOVERNMENT CODE CHAPTER 2264 (HOUSE BILL 2365) FOR THE ACCOUNTING AND REPORTING STANDARDS BY TRAVIS COUNTY. (11:35 AM)

**Members of the Court heard from:** Susan Spataro, Travis County Auditor; and Stacy Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve what's proposed today, Tuesday, December 30, 2008, with the understanding that on some of the non-GASB 45 related stuff, if the Travis County Healthcare District has different language to propose at some point in the future, that it would be brought to us, we will put it on the Agenda and, basically, consider it.

<b>Motion carried:</b> 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

36. CONSIDER AND TAKE APPROPRIATE ACTION ON ACCEPTANCE OF A DONATION OF \$10,000 FROM THE DOWNTOWN AUSTIN ALLIANCE FOR THE DISTRICT ATTORNEY'S OFFICE. (9:33 AM)

**Clerk's Note:** Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON BONDS FOR THE FOLLOWING ELECTED OFFICIALS: (9:33 AM)

- A. KAREN LYNN HUBER, TRAVIS COUNTY COMMISSIONER PRECINCT THREE;
- B. GREGORY MAURICE HAMILTON, TRAVIS COUNTY SHERIFF; AND
- C. NELDA WELLS SPEARS, TAX ASSESSOR COLLECTOR.

**Clerk's Note:** Items 37.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

Item 37.C postponed.



38. CONSIDER AND TAKE APPROPRIATE ACTION ON BOND FOR CRAIG HOWARD, CHIEF DEPUTY, CONSTABLE PRECINCT ONE. (9:33 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.

## 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.

39. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE STATUS OF INVESTIGATION OF CLAIMS BY KAREN STEITL, INCLUDING THE CLAIMS IN EEOC CHARGE NO. 31C-2008-01470 AND DELIBERATE THE EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE AND DISMISSAL OF EMPLOYEES AS APPROPRIATE. <sup>1 AND 3</sup> (9:19 AM)

**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.

Item 39 pulled from the Agenda.

40. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING THE STATUS OF INVESTIGATION OF CLAIMS BY CHUCK KELLEY, INCLUDING THE CLAIMS IN EEOC CHARGE NO. 31C-2008-01436 AND DELIBERATE THE EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE AND DISMISSAL OF EMPLOYEES AS APPROPRIATE. <sup>1 AND 3</sup> (9:19 AM)

**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 and Gov't. Code Ann. 551.074, Personnel Matters.

Item 40 pulled from the Agenda.

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. <sup>1</sup> (9:19 AM)

**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.

42. RECEIVE LEGAL ADVICE AND TAKE APPROPRIATE ACTION RELATED TO TYPE OF CONTRACT USED WHEN HIRING VISITING JUDGES. <sup>1</sup> (11:45 AM) (12:33 PM)

**Clerk's Note:** Judge Biscoe announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Barbara Wilson, Assistant County Attorney.

Discussion only. No formal action taken.

Item 41 to be reposted on January 6, 2009.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (12:34 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

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**Date of Approval**

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**Samuel T. Biscoe, Travis County Judge**