

MINUTES OF MEETING – SEPTEMBER 5, 2006

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 5th day of September 2006, the Commissioners' Court convened the regular Voting Session at 9:19 AM in the Commissioners' Courtroom, 1st Floor of the Ned Granger Administration Building, 314 West 11th Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court recessed the Voting Session at 12:06 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:38 PM and adjourned at 1:49 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation convened at 1:50 PM and adjourned at 1:50 PM.

The Commissioners Court reconvened the Voting Session at 1:51 PM.

The Commissioners Court retired to Executive Session at 1:51 PM.

The Commissioners Court reconvened the Voting Session at 2:33 PM.

The Commissioners Court adjourned the Voting Session at 2:34 PM.

ADMINISTRATIVE OPERATIONS ITEMS

3. REVIEW AND APPROVE THE IMMEDIATE RELEASE OF REIMBURSEMENT PAYMENT TO UNITED HEALTH CARE FOR CLAIMS PAID FOR PARTICIPANTS IN THE TRAVIS COUNTY EMPLOYEE HEALTH CARE FUND FOR PAYMENT OF \$571,156.11 FOR THE PERIOD OF AUGUST 18 TO AUGUST 24, 2006. (9:24 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:24 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.

5. CONSIDER AND TAKE APPROPRIATE ACTION TO ACCEPT DONATION OF MOBILE DATA COMPUTER FROM PANASONIC TO BE USED FOR TROUBLESHOOTING AND TESTING. (9:24 AM)

Clerk's Note: Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

6. CONSIDER AND TAKE APPROPRIATE ACTION ON METHODOLOGY AND PROPOSED FY '07 BUDGET FOR FURNITURE, FIXTURES AND EQUIPMENT AT 5501 AIRPORT BOULEVARD. (11:49 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; and Roger El Khoury, Director, Facilities Management.

Discussion only. No formal action taken.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON TWELVE-MONTH LEASE OF 80 PARKING SPACES LOCATED AT 9TH AND LAVACA FOR PERIOD OF OCTOBER 2006 THROUGH SEPTEMBER 2007. (9:24 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.

JUSTICE & PUBLIC SAFETY ITEMS

- 8. CONSIDER AND TAKE APPROPRIATE ACTION ON A JOINT RESOLUTION WITH THE VILLAGE OF WEBBERVILLE, TEXAS TO ESTABLISH AN INTERJURISDICTIONAL EMERGENCY MANAGEMENT PLAN. (9:24 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 RECOMMENDATION REGARDING THE FEES CURRENTLY CHARGED TO PATIENTS FOR STAR FLIGHT SERVICES. (9:27 AM)

Clerk’s Note: Staff recommendations to the Court are:

- 1) Increase the lift-off fee by \$500.00 to \$2,500.00 for Travis County residents and \$5,000.00 for non-county residents.
- 2) Increase the Transport Mileage fee by \$10 to \$55.00 per loaded mile for both Travis County and non-county residents.

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Casey Ping, Program Manager, STAR Flight.

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

Motion carried:

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

- 13. APPROVE MODIFICATION NO. 6 TO CONTRACT NO. 02T002920J, SAFE GUARD HEALTH PLANS, INC. AND SAFE HEALTH LIFE INS. CO., FOR THE PROVISION OF DENTAL COVERAGE FOR TRAVIS COUNTY EMPLOYEES AND TRAVIS COUNTY HEALTHCARE DISTRICT EMPLOYEES. (HRMD) (COMMISSIONER GÓMEZ) (9:24 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 RENEWAL OF INTERLOCAL COOPERATION AGREEMENT NO. IL9901090J, CITY OF AUSTIN/DOWNTOWN AUSTIN ALLIANCE, TO PROVIDE SERVICES AND IMPROVEMENTS FOR THE AUSTIN DOWNTOWN PUBLIC IMPROVEMENT DISTRICT. (COMMISSIONER SONLEITNER) (9:24 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO INTERLOCAL AGREEMENT NO. IL060153RE, DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES, FOR SENIOR CITIZENS PROGRAM. (HHS & VS) (COMMISSIONER GÓMEZ) (9:24 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. PS020281LB, JOHN S. FORD, FOR PSYCHIATRIC SERVICES. (SHERIFFS OFFICE) (COMMISSIONER GÓMEZ) (9:46 AM)

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

Motion by Commissioner Daugherty **and seconded by** Commissioner Sonleitner to approve Item 16.

Motion carried:

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

17. APPROVE MODIFICATION NO. 10 TO CONTRACT NO. PS960275JG, THE COMMITTEE FOR WILD BASIN WILDERNESS, INC., FOR MANAGEMENT OF WILD BASIN WILDERNESS PRESERVE. (TNR) (COMMISSIONER GÓMEZ) (9:24 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.

Clerk's Note: The Court announced that the contract would only be renewed for one year.

18. APPROVE CONTRACT AWARD FOR HISTORICALLY UNDERUTILIZED BUSINESS TRACKING SOFTWARE AND SOFTWARE MAINTENANCE SUPPORT, RFP P060004-JT, TO THE HIGHEST RANKED PROPOSER, B2GNOW/ASKREPLY, INC. (PURCHASING) (COMMISSIONER GÓMEZ) (9:24 AM)

Clerk's Note: Item 18 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

19. CONSIDER AND TAKE APPROPRIATE ACTION ON A PROPOSED STREET NAME ASSIGNMENT FOR AN UNNAMED PUBLIC ROAD OFF LAKEHURST ROAD TO BE KNOWN AS "DORADO PASS" IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 AM)

Clerk's Note: Item 19 is the action item for the public hearing on Agenda Item 1.

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 THE APPROVAL OF ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR A PORTION OF VICTORIA STATION BOULEVARD ADJACENT TO MEADOWS OF CAMBRIDGE HEIGHTS. (COMMISSIONER SONLEITNER) (9:24 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 MORRISON HOMES FOR SIDEWALK FISCAL FOR STEINER RANCH PHASE 1 SECTION 7A CONSTRUCTION PHASE 2, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:24 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.

22. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE A CASH SECURITY AGREEMENT FOR BOUNDARY STREET FISCAL FOR ELROY ROAD, IN PRECINCT FOUR. (COMMISSIONER GÓMEZ) (9:24 AM)

Clerk's Note: Item 22 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:24 AM)
- A. ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR STEINER RANCH BOULEVARD FROM FM 620 TO VIA COLINA DRIVE;
 - B. SECOND AMENDMENT TO LICENSE AGREEMENT BETWEEN TRAVIS COUNTY AND THE STEINER RANCH MASTER ASSOCIATION, INC.; AND
 - C. PHASING AGREEMENT BETWEEN TAYLOR WOODROW COMMUNITIES/STEINER RANCH, LTD. AND TRAVIS COUNTY.

Clerk's Note: Items 23.A-C 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 REGARDING BELVEDERE PHASE TWO SUBDIVISION, A PRIVATE STREET SUBDIVISION IN PRECINCT THREE: (9:24 AM)
- A. USE OF ALTERNATIVE FISCAL; AND
 - B. USE OF CASH SECURITY AGREEMENT.

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

- 25. A. CONSIDER AND TAKE APPROPRIATE ACTION TO WAIVE THE DUE DATE OF THE FINANCIAL ADVISOR'S REPORT REGARDING THE APPLICATION FOR THE CREATION OF GALLERIA ROAD DISTRICT; AND
- B. RECEIVE THE FINANCIAL ADVISOR'S REPORT ON THE APPLICATION FOR THE CREATION OF GALLERIA ROAD DISTRICT. (9:36 AM)

Members of the Court heard from: Carol Joseph, Assistant Director, TNR.

Motion by Commissioner Sonleitner **and seconded by** Commissioner Gómez to move approval of the waiving and the receiving.

Motion carried:

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

PLANNING AND BUDGET DEPT. ITEMS

- 26. RECEIVE UPDATE ON TRAVIS COUNTY DEBT MODEL OBLIGATIONS, IMPACT ON DEBT CAPACITY AND FUTURE CASH-FLOW ASSUMPTIONS. (9:49 AM) (11:21 AM)

Members of the Court heard from: Christian Smith, Executive Manager, Planning and Budget Office (PBO); Jessica Rio, Budget Analyst, PBO; and Joe Gieselman, Executive Manager, TNR.

Item 26 was revisited at 11:21 AM.

Members of the Court heard from: Roger El Khoury, Director, Facilities Management.

Discussion only. No formal action taken.

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON SETTING THE CALENDAR YEAR 2007 SHERIFFS AND CONSTABLES FEE SCHEDULE. (9:19 AM)

Item 17 postponed until September 12, 2006.

28. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:43 AM)

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO; and Joe Gieselman, Executive Manager, TNR.

Motion by Commissioner Gómez **and seconded by** Commissioner Sonleitner to approve Item 28.

Motion carried:

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

OTHER ITEMS

29. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 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.

AT 10:00 A.M.

30. RECEIVE AND DISCUSS THE PROPOSED BUDGET AND ASSOCIATED TAX RATE OF THE TRAVIS COUNTY HEALTHCARE DISTRICT FOR FISCAL YEAR 2007. (10:16 AM)

Members of the Court heard from: Clarke Heidrick, Chairman, Travis County Healthcare District Board; Trish Young, Chief Operating Officer, Travis County Healthcare District; Thomas N Young, Board Member, Travis County Healthcare District Board; John Hille, Assistant County Attorney; and Carl S Richie, Vice Chairman, Travis County Healthcare District Board.

Clerk’s Note: The Court discussed requesting the Healthcare District Board to reduce the budget by \$1,000,000.00, which would mean setting a tax rate at 6% above the effective rate.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we request the Board of Managers to reduce the Healthcare District's budget by \$1,000,000.00, with the minimum impact on residents.

Clerk’s Note: The Court did not take a vote on the Standing Motion and Second at this time.

Clerk’s Note: The Court discussed reducing the Healthcare District’s budget by \$500,000.00, which would mean setting the tax rate for the Healthcare District at 6.95% above the effective tax rate.

A Substitute Motion was made by Commissioner Sonleitner and seconded by Commissioner Daugherty to be receptive to a budget reflecting a rate of 6.95% above the effective tax rate.

Motion failed:

County Judge Samuel T. Biscoe	no
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Karen Sonleitner	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	no

Clerk’s Note: The Court took a vote on the Standing Motion and Second at this time.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Karen Sonleitner	no
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 7, 2006 JOINT GENERAL AND SPECIAL ELECTIONS. (COUNTY CLERK) (11:49 AM)

Item 31 postponed until September 12, 2006.

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
- Note 4 Gov't Code Ann 551.076, Security

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.

- 32. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING CONTRACT WITH STANEK AND ASSOCIATES FOR RESEARCH AND RECOVERY SERVICES. ¹ (1:51 PM) (2:33 PM)

Clerk's Note: Judge Biscoe announced that Item 32 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 Daugherty that we authorize the County Attorney to contact the Stanek and Associates firm, for discussions consistent with legal advice given in Executive Session.

Motion carried:

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

