

MINUTES OF MEETING NOVEMBER 13, 2007

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 13th day of November 2007, the Commissioners' Court convened the Voting Session at 9:14 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 11:57 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 1:38 PM and adjourned at 1:39 PM.

The Commissioners Court reconvened the Voting Session at 1:40 PM.

The Commissioners Court retired to Executive Session at 2:02 PM.

The Commissioners Court reconvened the Voting Session at 3:26 PM.

The Commissioners Court adjourned the Voting Session at 3:29 PM.

PLANNING AND BUDGET DEPT. ITEMS

4. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:30 AM)
 - A. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR TO CONTINUE THE FAMILY VIOLENCE ACCELERATED PROSECUTION PROGRAM IN THE COUNTY ATTORNEY'S OFFICE;
 - B. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE ATTORNEY GENERAL TO CONTINUE PROJECT SAFE NEIGHBORHOODS PROGRAM IN THE DISTRICT ATTORNEY'S OFFICE; AND
 - C. APPROVE GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR ENHANCEMENT SERVICES FOR THE CRIMINAL COURTS DRUG COURT PROGRAM.

Clerk's Note: Items 4.A-C 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 ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:30 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. RECEIVE UPDATE, DISCUSS AND TAKE APPROPRIATE ACTION RELATED TO THE FOLLOWING ITEMS CONCERNING THE CAPITAL FACILITIES STRATEGIC PLAN VERSION 1.1: (10:43 AM)
 - A. SUMMARY OF SPACE ACTIONS ACCOMPLISHED FROM THE STRATEGIC PLAN AND THOSE THAT HAVE DEVIATED;
 - B. DIRECTION TO CONTINUE TO DEVELOP/REDEVELOP A DOWNTOWN CAMPUS TO SUPPORT JUSTICE SYSTEM AND COURT-RELATED ACTIVITIES;
 - C. DIRECTION REGARDING DEVELOPMENT OF A GENERAL GOVERNMENT CAMPUS FOR COUNTY SERVICES THAT DO NOT NEED TO BE LOCATED IN THE AUSTIN CENTRAL BUSINESS DISTRICT;
 - D. FUTURE CAMPUS LOCATION OF THE COUNTY SEAT; AND
 - E. NEXT STEPS TO DETERMINE THE TENANT MAKEUP FOR THE DOWNTOWN REDEVELOPMENT AND THE GENERAL GOVERNMENT CAMPUS.

Clerk's Note: Items 6.A-E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO); and Roger El Khoury, Director, Facilities Management.

Motion by Commissioner Eckhardt **and seconded by** Commissioner Gómez that the location of the County Seat remain in the Central Business District.

Clerk's Note: The Court did not take a vote on the Standing Motion and Second.

Items 6.A-E to be reposted on December 4, 2007.

7. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUESTED DEBT ISSUANCE SCHEDULE AND FUNDING FOR THE FOLLOWING CAPITAL PROJECTS: (11:29 AM)
 - A. 2001 BOND AUTHORIZATION INCLUDED IN FY '08 ADOPTED BUDGET;
 - B. 2005 BOND AUTHORIZATION;
 - C. FY '08 CERTIFICATES OF OBLIGATION FOR THE FOLLOWING:
 1. PURCHASE OF 910 LAVACA STREET (FACILITIES MANAGEMENT);
 2. LONG TERM CERTIFICATES OF OBLIGATION RELATED TO JAIL PROJECT (FACILITIES MANAGEMENT);
 3. TIBURON IJS VERSION 7.5 UPGRADE PHASE 2 IMPLEMENTATION (INFORMATION AND TELECOMMUNICATIONS SYSTEMS DEPARTMENT);
 4. HARDWARE FOR VERSION 7.5 UPGRADE PROJECT (INFORMATION AND TELECOMMUNICATIONS SYSTEMS DEPARTMENT);
 5. WATER AND WASTEWATER CONSTRUCTION FOR EASTSIDE SERVICE CENTER (FACILITIES MANAGEMENT);
 6. FRATE BARKER ROAD IMPROVEMENTS (TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT);
 7. FLOODPLAIN BUY-OUT (TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT);
 8. COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT (CSCD) SMART BUILDING (FACILITIES MANAGEMENT);
 9. CRIMINAL JUSTICE CENTER/GAULT RENOVATIONS (FACILITIES MANAGEMENT); AND
 10. EASTSIDE SERVICE CENTER (TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT);
 - D. OTHER PROJECTS REQUESTED BY TRANSPORTATION AND NATURAL RESOURCES AND FACILITIES MANAGEMENT DEPARTMENTS.

Clerk's Note: Items 7.A-D are associated with one another and were called for concurrent discussion.

ITEM 7 CONTINUED

Members of the Court heard from: Jessica Rio, Budget Analyst, PBO; Christian Smith, Executive Manager, PBO; Steve Manilla, Director, Public Works, TNR; and Roger El Khoury, Director, Facilities Management.

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 7.A-C.

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

Clerk’s Note: The Court noted that Commissioner Davis abstained from the vote on Items 7.C.3&4.

Discussion only on Item 7.D. No formal action taken.

Item 7.D to be reposted on November 20, 2007.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING UPDATE ON A DAY COUNSELING CENTER FOR THE COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT. (10:02 AM)

Members of the Court heard from: Robert Klepac, Community Supervision and Corrections Department (CSCD); Dr Geraldine Nagy, Director, Adult Probation, CSCD; Lila Oshatz, CSCD; Roger El Khoury, Director, Facilities Management; Alicia Perez, Executive Manager, Administrative Operations; and Van Dyke Johnson, Executive Director, East Austin Economic Corporation.

Discussion only. No formal action taken.

Item 8 to be reposted on November 20, 2007.

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 \$675,435.78 FOR THE PERIOD OF OCTOBER 26 TO NOVEMBER 1, 2007. (9:30 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. (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CALLING OF A SPECIAL TERM OF COMMISSIONERS COURT FOR WORK SESSION AT THE TEXAS ASSOCIATION OF COUNTIES BUILDING, 1210 SAN ANTONIO ST., AUSTIN, TEXAS 78701, ON NOVEMBER 29, 2007. (COMMISSIONER ECKHARDT AND COMMISSIONER DAUGHERTY) (9:35 AM)

Members of the Court heard from: Susan Spataro, Travis County Auditor; Steven Broberg, Director, Records Management and Communication Resources; and Alicia Perez, Executive Manager, Administrative Operations.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 11.

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

Clerk’s Note: The Court noted that the work session will start at 12:00 noon on November 29, 2007.

Item 11 to be reposted on November 20, 2007.

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING MODIFICATION OF CONTRACTS AS FOLLOWS: (9:30 AM)

B. MODIFICATION NO. 6 TO CONTRACT NO. PS010047JW, YOUTH AND FAMILY ALLIANCE, INC., D/B/A LIFEWORKS, FOR SUPERVISED VISITATION AND EXCHANGE SERVICES. (JUVENILE PROBATION)

Clerk's Note: Item 14.B 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 PRISONER TRANSPORT INSERTS FOR VANS, IFB NO. B080004LD, TO THE LOW BIDDER, AMERICAN ALUMINUM ACCESSORIES. (TRANSPORTATION AND NATURAL RESOURCES) (9:30 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 ORDER EXEMPTING THE PURCHASE OF PLANNING PHASE ARCHITECTURAL AND ENGINEERING SERVICES AT THE MEDICAL EXAMINER'S OFFICE FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO SECTION 262.024(A)(4) OF THE COUNTY PURCHASING ACT. (FACILITIES MANAGEMENT) (9:30 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 INTERLOCAL AGREEMENT NO. IL080039VR, VICTORIA COUNTY JUVENILE JUSTICE CENTER, TO PROVIDE RESIDENTIAL TREATMENT SERVICES TO JUVENILE OFFENDERS. (JUVENILE PROBATION) (9:15 AM)

Item 17 postponed until November 20, 2007.

18. APPROVE INTERLOCAL AGREEMENT NO. IL080041RE, AUSTIN COMMUNITY COLLEGE, FOR TRAINING SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICES) (9:30 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.

19. APPROVE MODIFICATION NO. 4 TO INTERLOCAL AGREEMENT NO. IL040256RE, WITH THE CITY OF AUSTIN, FOR DEAF INTERPRETING SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICES) (9:30 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 MODIFICATION NO. 1 TO CONTRACT NO. PS070333RE, WITH COLE & POWELL, FOR LITIGATION SERVICES. (COUNTY ATTORNEY) (9:30 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 CONTRACT AWARD FOR JURY IMPANELMENT SESSIONS, CONTRACT NO. LA080025ML, WITH NORRIS CONFERENCE CENTER. (DISTRICT CLERK) (9:30 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.

TRANSPORTATION & NATURAL RESOURCES DEPT. ITEMS

22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:30 AM)

A. PLAT CANCELLATION/VACATION IN PRECINCT TWO: HODDE SUBDIVISION (ONE LOT SUBDIVISION, 1.005 ACRES, APPROVED BY COMMISSIONERS COURT IN 1984, CURRENTLY IN THE PFLUGERVILLE EXTRA TERRITORIAL JURISDICTION AND PARTIALLY IN WILLIAMSON COUNTY;

Clerk's Note: Item 22.A is the action item for the public hearing on Agenda Item 1.

B. A PRELIMINARY PLAN IN PRECINCT TWO: GATTIS CROSSING PRELIMINARY PLAN (7 TOTAL LOTS); AND

C. A PLAT FOR RECORDING IN PRECINCT TWO: GATTIS CROSSING FINAL PLAT (7 TOTAL LOTS).

Clerk's Note: Items 22.A-C 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 PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF LOT 3, BLOCK B OF THE REPLAT OF BLOCKS A, B AND C, CENTRAL COMMERCE PARK (7 TOTAL LOTS). (COMMISSIONER ECKHARDT) (9:30 AM)

Clerk's Note: Item 23 is the action item for the public hearing on Agenda Item 2.

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.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:30 AM)

A. RIVER DANCE, PHASE 7-A FINAL PLAT IN PRECINCT THREE (90 TOTAL LOTS); AND

B. A SUBDIVISION CONSTRUCTION AGREEMENT FOR RIVER DANCE, PHASE 7-A FINAL PLAT. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 27.A&B 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 ON A SHORT FORM PLAT FOR RECORDING IN PRECINCT ONE: VILLAGES OF ELM CREEK COMMERCIAL (5 TOTAL LOTS). (COMMISSIONER DAVIS) (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: WATERFORD ON LAKE TRAVIS, SECTION 6, FINAL PLAT (28 TOTAL LOTS). (COMMISSIONER DAUGHERTY) (9:30 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.

OTHER ITEMS

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

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.

33. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., AND TAKE APPROPRIATE ACTION. ¹ (2:02 PM) (3:26 PM)

Clerk's Note: Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071 Consultation with Attorney.

No action required on Item 33.

ADDED ITEMS

- A1. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING JO CAROL BRADSHAW, EMPLOYEE DISCRIMINATION COMPLAINT. (THIS ITEM MAY BE CONSIDERED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (2:02 PM) (3:29 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.

Motion by Judge Biscoe and seconded by Commissioner Davis that we reject Ms. Bradshaw's request to accept the previous offer from the Commissioners Court in the sum of \$3,500.00, and that we counter in the amount of \$1,500.00.

Motion failed:

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

ADJOURNMENT

Motion by Commissioner Davis and seconded by Commissioner Daugherty to adjourn the Voting Session. (3:29 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	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge