

## MINUTES OF MEETING APRIL 29, 2008

### TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 29<sup>th</sup> day of April 2008, the Commissioners' Court convened the Voting Session at 9:07 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 record notes that County Judge Samuel T. Biscoe was not present during this Voting Session.

The Commissioners Court recessed the Voting Session at 9:44 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 9:44 AM and adjourned at 9:45 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 9:45 AM and adjourned at 9:47 AM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation, convened at 9:47 AM and adjourned at 9:47 AM.

The Commissioners Court reconvened the Voting Session at 9:48 AM.

The Commissioners Court retired to Executive Session at 9:48 AM.

The Commissioners Court reconvened the Voting Session at 10:03 AM.

The Commissioners Court adjourned the Voting Session at 10:05 AM.

### ADDITIONAL MOTION AND VOTE

**Motion by** Commissioner Davis **and seconded by** Commissioner Eckhardt to authorize Commissioner Gómez to sign on the behalf of Judge Biscoe for any of the business that comes before the Court.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	absent
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:** Ms. Phillip A. Dick, Travis County Resident; Vickie Karp, Director, Public Relations, VoteRescue; Karen Renick, Founder, VoteRescue; Jenny Clark, VoteRescue; and Jennifer Gale, Travis County Resident. (9:08 AM)

### CONSENT ITEMS

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C2 and Items 3, 4, 5, 6, 7.A-C, 8.A&B, 9, 10.A&B, 11, 12, 13, 14, 15, 17.A&B, 18, 19.A&B, 20, 21, and A3. (9:27 AM)

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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 APRIL 15, 2008.

**RESOLUTIONS AND PROCLAMATIONS**

1. APPROVE PROCLAMATION RECOGNIZING CAPITAL IDEA FOR ITS 9<sup>TH</sup> ANNUAL CELEBRATION OF ACHIEVEMENTS AND ITS 2007 GRADUATES. (JUDGE BISCOE) (9:31 AM)

**Members of the Court heard from:** Maria Emerson, Board Member, Capital Idea; and Steven Jacobs, Executive Director, Capital Idea.

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

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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 MAY 1, 2008 AS “LAW DAY” IN TRAVIS COUNTY. (COMMISSIONER ECKHARDT) (9:35 AM)

**Members of the Court heard from:** Jo Ann Mercia, President, Austin Bar Association; and Ann Greenberg, Secretary, Austin Bar Association.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve the Proclamation in Item 2.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

### 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 \$750,583.95 FOR THE PERIOD OF APRIL 11 TO APRIL 17, 2008. (9:27 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. (9:27 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.

### PURCHASING OFFICE ITEMS

5. APPROVE MODIFICATION NO. 13 TO CONTRACT NO. MA960322, EASY ACCESS, INC., FOR TAX OFFICE COMPUTER SYSTEM. (TAX OFFICE/COUNTY CLERK) (9:27 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. APPROVE CONTRACT AWARD FOR TRANSPORTATION AND EXTRADITION SERVICES, RFS NO. S080129OJ, TO THE QUALIFIED PROPONENT, PRISONER TRANSPORTATION SERVICES. (SHERIFF'S OFFICE) (9:27 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. APPROVE CONTRACT AWARD FOR IFB NO. B080145DR, ASPHALTIC ROAD MATERIALS, DELIVERED OR FOB PLANT TO THE FOLLOWING BIDDERS:  
(9:27 AM)
  - A. HEART OF TEXAS: HOT MIX, TYPE A, C, AND D AND COLD LAID, TYPE D, FOB PLANT ONLY;
  - B. INDUSTRIAL ASPHALT, INC.: HOT MIX, TYPE A, C, D AND COLD LAID, TYPE D-DELIVERED ONLY; AND
  - C. VULCAN CONSTRUCTION MATERIALS: LIMESTONE ROCK ASPHALT TYPE CC-FOB PLANT AND DELIVERED. (TRANSPORTATION AND NATURAL RESOURCES)

**Clerk's Note:** Items 7.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8.
  - A. APPROVE CONTRACT AWARD FOR THE REMODEL OF THE THIRD FLOOR BLACKWELL-THURMAN CRIMINAL JUSTICE CENTER AT 509 W. 11TH STREET TO THE LOW BIDDER, ARCHITECTURAL HABITAT OF AUSTIN, INC.; AND
  - B. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 08K00135DG FOR ASSIGNMENT OF PAYMENTS FROM ARCHITECTURAL HABITAT TO SURETEC INFORMATION SYSTEMS, INC. (FACILITIES MANAGEMENT)  
(9:27 AM)

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

9. REJECT ALL BIDS RECEIVED FOR IFB NO. B080030NB, PORTABLE MEDICAL X-RAY IMAGING EQUIPMENT, AND REBID. (MEDICAL EXAMINER'S OFFICE) (9:27 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 REGARDING SEXUAL ASSAULT NURSE EXAMINER (SANE) SERVICES: (9:27 AM)
  - A. MODIFICATION NO. 4 TO CONTRACT NO. PS070028JT, AUSTIN TRAVIS COUNTY SANE, INC.; AND
  - B. AWARD OF CONTRACT NO. PS080187VR, SUSAN HARRIS. (SHERIFF'S OFFICE)

**Clerk's Note:** Items 10.A&B 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. 2 TO CONTRACT NO. 07K00331DG, THERMAL MECHANICAL CONTRACTORS INC., FOR THE HEMAN MARION SWEATT COURTHOUSE HVAC REPLACEMENT PHASE 4. (FACILITIES MANAGEMENT) (9:27 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. 3 TO CONTRACT NO. PS070232DG, MWM DESIGN GROUP, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES FOR 140 ACRE SURVEY AT FM 969. (FACILITIES MANAGEMENT) (9:27 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.

## TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

13. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR BARTON CREEK SECTION H, PHASE 4, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:27 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. NOTIFY COURT OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR BELVEDERE PHASE III, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:27 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REQUEST TO USE ALTERNATIVE FISCAL AND A CASH SECURITY AGREEMENT FOR THE COMMONS AT ROWE LANE PHASE 11A, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (9:27 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 AN INTERLOCAL AGREEMENT BETWEEN TEXAS PARKS AND WILDLIFE DEPARTMENT AND TRAVIS COUNTY. (COMMISSIONER DAVIS) (9:29 AM)

Item 16 postponed until May 6, 2008.

### HEALTH AND HUMAN SERVICES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE 2009-2011 URBAN COUNTY RENEWAL FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:  
(9:27 AM)

- A. WHETHER NON-PARTICIPATING NON-METROPOLITAN CITIES WILL BE REQUESTED TO JOIN;
- B. CRITERIA FOR POTENTIAL PARTICIPATION;

**Clerk's Note:** Items 17.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 17 CONTINUED**

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING RELATED TO THE 2009-2011 URBAN COUNTY RENEWAL FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:  
(9:29 AM)

C. CORRESPONDENCE INFORMING CITIES AND VILLAGES ABOUT TRAVIS COUNTY'S PARTICIPATION IN THE URBAN COUNTY ENTITLEMENT PROGRAM; AND

D. OTHER RELATED ISSUES.

Items 17.C&D postponed until May 6, 2008.

**PLANNING AND BUDGET DEPT. ITEMS**

18. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:27 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.

**Clerk's Note:** The Court noted that Item 18.D1 would be postponed.



19. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(9:27 AM)
  - A. GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE 2008 STATE CRIMINAL ALIEN ASSISTANCE PROGRAM IN THE SHERIFF'S OFFICE. GRANT PROVIDES REIMBURSEMENT FOR PRIOR YEAR EXPENDITURES FOR THE PERIOD FROM JULY 1, 2006 THROUGH JUNE 30, 2007; AND
  - B. GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE FOR JUVENILE PROBATION TO EXPAND THE MENTAL HEALTH COURT.

**Clerk's Note:** Items 19.A&B 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 grant in Item 19.B was for the amount of \$200,000.00 with a match from Travis County of \$50,434.00.

### OTHER ITEMS

20. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:27 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. RECEIVE AND DISCUSS THE MID-YEAR REVENUE REPORT FOR FY 2008. (COUNTY AUDITOR) (9:27 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.

**ADDED ITEMS**

- A1. RECEIVE LEGAL BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION TO ACCEPT, REJECT OR COUNTER SETTLEMENT DEMAND REGARDING NICOLE LEE. (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (9:48 AM) (10:03 AM)

**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** Commissioner Davis **and seconded by** Commissioner Gómez that we settle in the amount of \$2,500.00 to Nicole Lee, and that we request that a full release be signed by Nicole Lee; and we direct County Attorney Staff to proceed with all the necessary closure process to ensure that this action is taken care of.

**Motion failed:**

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

**Clerk's Note:** The Court noted that no action would be taken on this matter today because no action secured the approval of the majority of the Commissioners Court. Item A1 may be reposted on a future Agenda.

- A2. APPROVE PROCLAMATION DESIGNATING THE MONTH OF MAY 2008 AS "HISPANIC CULTURAL AWARENESS MONTH" IN TRAVIS COUNTY AND RECOGNIZING THE TWENTY SECOND ANNUAL "CINCO DE MAYO" CELEBRATION IN TRAVIS COUNTY AND THE 13<sup>TH</sup> ANNUAL COMBINED CITY/COUNTY CINCO DE MAYO CELEBRATION. (COMMISSIONER GÓMEZ) (9:39 AM)

**Members of the Court heard from:** Virginia Aleman, Human Resources Management Department (HRMD).

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve the Proclamation in Item A2.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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

A3. ACCEPT ORDER FROM COUNTY JUDGE DELEGATING THE FUNCTION OF THE TEXAS ALCOHOL BEVERAGE COMMISSION (TABC) LICENSE AND PERMIT APPROVALS TO COMMISSIONER MARGARET J. GÓMEZ FOR ALL TABC APPLICATIONS PRESENTED BEGINNING ON MONDAY, APRIL 28, 2008 UNTIL CLOSE OF BUSINESS ON FRIDAY, MAY 2, 2008. (JUDGE BISCOE) (9:27 AM)

**Clerk’s Note:** Item A3 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

**ADJOURNMENT**

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Davis to adjourn the Voting Session. (10:05 AM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	absent
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**

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**Date of Approval**

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

**MINUTES OF MEETING – APRIL 29, 2008**

**NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3**

On Tuesday, the 29<sup>th</sup> day of April 2008, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 9:44 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 Road District Board of Directors record notes that County Judge Samuel T. Biscoe was not present during the Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 9:45 AM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (9:44 AM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve the investments in Item 1.

**Motion carried:**

County Judge Samuel T. Biscoe	absent
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 N.W.T.C.R.D.#3 MINUTES FOR VOTING SESSIONS OF APRIL 8 and 15, 2008. (9:44 AM)

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve the minutes for April 8, 2008.

**Motion carried:**

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

