

MINUTES OF MEETING JUNE 24, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 24th day of June 2008, the Commissioners' Court convened the Voting Session at 9:18 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 record notes that Precinct Two Commissioner Sarah Eckhardt and Precinct Four Commissioner Margaret Gómez were not present during this Voting Session.

The Commissioners Court retired to Executive Session at 10:57 AM.

The Commissioners Court reconvened the Voting Session at 11:29 AM.

The Commissioners Court adjourned the Voting Session at 11:29 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 11:29M and adjourned at 11:30 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; convened at 11:30 AM and adjourned at 11:32 AM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation; the Capital Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation, convened at 11:32 AM and adjourned at 11:33 AM.

RESOLUTIONS AND PROCLAMATIONS

- 5. APPROVE PROCLAMATION DESIGNATING JUNE 24, 2008 AS "TRAVIS COUNTY HISTORY DAY." (9:46 AM)

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; The Honorable David Phillips, Judge, County Court at Law Number One; Margie Alford, Travis County Historical Commission; Amalia Rodriguez-Mendoza, Travis County District Clerk; and Ann Greenberg, Secretary, Austin Bar Association.

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the Proclamation in Item 5.

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	absent

HEALTH AND HUMAN SERVICES DEPT. ITEMS

- 6. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (9:57 AM)
 - A. DRAFT SUBSTANTIAL AMENDMENT TO THE PROGRAM YEAR '06 ACTION PLAN FOR POSTING TO RECEIVE PUBLIC COMMENT FROM JUNE 25, 2008 THROUGH JULY 26, 2008; AND
 - B. DRAFT PROGRAM YEAR '08 ACTION PLAN FOR POSTING TO RECEIVE PUBLIC COMMENT FROM JUNE 25, 2008 THROUGH JULY 26, 2008.

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

Members of the Court heard from: Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve both documents in Items 6.A&B.

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	absent

PLANNING AND BUDGET DEPT. ITEMS

- 7. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:39 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.

8. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:39 AM)
 - A. GRANT APPLICATION TO THE US DEPARTMENT OF JUSTICE – COPS OFFICE TO PROVIDE FUNDING FOR THE IMPLEMENTATION OF THE SHERIFF’S OFFICE TO EXPAND PHASE II OF THE TRAVIS COUNTY REGIONAL FIRING RANGE;
 - B. GRANT CONTRACT 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 THROUGH THE LOW INCOME HOME ENERGY ASSISTANCE WEATHERIZATION PROGRAM;
 - C. GRANT CONTRACT 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; AND
 - D. PROVIDE STATUS REPORT ON THE JUVENILE ACCOUNTABILITY BLOCK GRANT LOCAL FUNDS JUVENILE ASSESSMENT CENTER GRANT BY THE JUVENILE PROBATION DEPARTMENT TO MOVE VACANCY SAVINGS TO INTERNALLY FUND ADDITIONAL SERVICES.

Clerk’s Note: Items 8.A-D 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 \$689,863.14 FOR THE PERIOD OF JUNE 6 TO JUNE 12, 2008. (9:39 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. (9:39 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 REGARDING GROUP BENEFITS HEALTH PLAN FY '09 RATES AND ISSUES: (10:40 AM)

- A. MAINTAINING FY '08 RATES AND SUBSIDY AMOUNTS FOR THE FY '09 PLAN YEAR FOR ALL PLANS;
- B. CONTINUING LIFE, AD&D AND DISABILITY COVERAGES AT THE CURRENT RATES FOR FY '09; AND
- C1. INCREASING THE EMERGENCY ROOM CO-PAY FROM \$50 TO \$100 ON ALL THREE PLANS;
- C2. COVERING COLONOSCOPIES AT 100% ON ALL THREE PLANS; AND
- C3. COVERING DIABETIC SUPPLIES AT 100% ON ALL THREE PLANS.

Clerk’s Note: Items 11.A-C3 are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Alicia Perez, Executive Manager, Administrative Operations; Dan Mansour, Risk and Benefits ManagerHRMD; and Norman McRee, Financial Analyst, Lead, HRMD.

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 11.A.

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	absent

PURCHASING OFFICE ITEMS

12. APPROVE MODIFICATION NO. 5 TO CONTRACT NO. PS000068DR, PHOENIX HOUSES OF TEXAS, INC., FOR RESIDENTIAL SUBSTANCE ABUSE TREATMENT SERVICES. (JUVENILE PROBATION) (9:39 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.

13. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 5) TO INTERLOCAL CONTRACT NO. IL040149ML, LIMESTONE COUNTY, FOR INMATE HOUSING SERVICES. (SHERIFF'S OFFICE) (9:39 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 TWELVE-MONTH EXTENSION (MODIFICATION NO. 1) TO INTERLOCAL AGREEMENT NO. IL070240ML, FALLS COUNTY, FOR INMATE HOUSING SERVICES. (SHERIFF'S OFFICE) (9:39 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 MODIFICATION NO. 3 TO CONTRACT NO. PS070116RE WITH AMERICAN YOUTHWORKS FOR TRAIL AND PARK IMPROVEMENTS. (TRANSPORTATION AND NATURAL RESOURCES) (9:39 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT PUBLIC UTILITY EASEMENTS LOCATED ALONG EITHER SIDE OF THE COMMON LOT LINE OF LOTS 262 AND 263 OF APACHE SHORES, FIRST INSTALLMENT SUBDIVISION, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:39 AM)

Clerk's Note: Item 16 is the action item for the public hearing on Agenda Item 1.

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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING REQUESTS TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED OF A 0.78 ACRE UNNAMED RIGHT OF WAY DEDICATED BY DOCUMENT NUMBER 2007152762 ACROSS LOT 1 OF THE DESSAU POINT SUBDIVISION, IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (9:39 AM)

Clerk's Note: Item 17 is the action item for the public hearing on Agenda Item 2.

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.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A PLAT FOR RECORDING IN PRECINCT TWO: RESUBDIVISION OF DESSAU POINT LOT 1 SUBDIVISION (4 TOTAL LOTS), IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (9:39 AM)

Clerk's Note: Item 18 is the action item for the public hearing on Agenda Item 3.

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. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR VARIANCE TO CHAPTER 82, STANDARDS FOR CONSTRUCTION OF STREETS AND DRAINAGE IN SUBDIVISIONS, TO ALLOW THE ACCEPTANCE OF DEDICATION OF A PORTION OF STREET AND DRAINAGE FACILITIES IN CARDINAL HILLS ESTATES UNIT 1, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:39 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING REGARDING THE RESERVE AT LAKE TRAVIS PRELIMINARY PLAN, A SUBDIVISION IN PRECINCT THREE: (10:00 AM)
 - A. REQUEST FOR VARIANCE FROM CHAPTER 82, SECTION 82.202(E)(2), DUAL ACCESS (REQUIRES A NEW SUBDIVISION MUST HAVE AT LEAST TWO ACCESS STREETS CONNECTING TO A DIFFERENT EXTERNAL STREET);
 - B. REQUEST FOR VARIANCE FROM CHAPTER 82, SECTION 82.209(C)(3)(D), BUFFER ZONES FOR WATERWAYS (REQUIRES A 75 FOOT BUFFER FROM THE 681 FOOT MEAN SEA LEVEL CONTOUR LINE);
 - C. REQUEST FOR VARIANCE FROM CHAPTER 82, SECTION 82.209(C)(D), BUFFER ZONES FOR ENVIRONMENTALLY VALUABLE FEATURES (ESTABLISHES A 50-FOOT BUFFER ZONE BEHIND CANYON RIM ROCK AND BLUFF CREST LINES);
 - D. REQUEST FOR VARIANCE FROM CHAPTER 82, SECTION 82.209(D)(1), CUT AND FILL (REQUIRES ALL CUT AND FILL LAND BALANCING TO BE LIMITED TO A MAXIMUM OF 8 FEET); AND
 - E. REQUEST FOR APPROVAL OF PRELIMINARY PLAN FOR RESERVE AT LAKE TRAVIS SUBDIVISION, IN PRECINCT THREE (129 TOTAL LOTS). (COMMISSIONER DAUGHERTY)

Clerk’s Note: Items 20.A-E are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Anna Bowlin, Program Manager, Planning and Engineering, TNR; Jon White, Environmental Quality Program Manager, TNR; Stacey Scheffel, Flood Plain Manager, TNR; and Clint Jones, Hal Jones Development LLC.

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Items 20.A-E.

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	absent

Clerk’s Note: The Court thanked Staff for all their hard work on this Preliminary Plan.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING OF MARTIN-COLE SUBDIVISION (5 TOTAL LOTS), IN PRECINCT ONE. (9:39 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.

OTHER ITEMS

22. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:39 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 REQUEST TO CONFIRM THE APPOINTMENT OF TWO LICENSED PEACE OFFICERS AS PER TEXAS LOCAL GOVERNMENT CODE, SECTION 86.011. (CONSTABLE PRECINCT TWO) (9:39 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.

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.

- 24. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN SANDRA LUNA, INDIVIDUALLY, AND A/N/F KASANDRA LUNA V. CITY OF AUSTIN, TRAVIS COUNTY AND MICHAEL HARLEY ALT. ¹ (9:18 AM)

Clerk's Note: Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 24 postponed until July 1, 2008.

- 25. **ADDED ITEM:** RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION IN RELATION TO NEGOTIATIONS FOR EXTERNAL AUDIT SERVICES. ¹ (10:57 AM) (11:29 AM)

Clerk's Note: Judge Biscoe announced that Item 25 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 continue to negotiate for audit services, including a binding arbitration provision.

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	absent

MINUTES OF MEETING – JUNE 24, 2008

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 24th day of June 2008, the Commissioners’ Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 11:29 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 Road District Board of Directors record notes that Precinct Two Commissioner Sarah Eckhardt and Precinct Four Commissioner Margaret Gómez were 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 11:30 AM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (11:29 AM)

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to pay the claims in Item 1.

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	absent

