

## **MINUTES OF MEETING AUGUST 5, 2008**

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

On Tuesday, the 5<sup>th</sup> day of August 2008, the Commissioners' Court convened the Voting Session at 9:15 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 recessed the Voting Session at 12:03 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:42 PM and adjourned at 1:42 PM.

The Commissioners Court, meeting as the Travis County Development Authority; the Travis County Cultural Education Facilities Finance Corporation; the Capital Health Facilities Development Corporation; and the Capital Industrial Development Corporation, convened at 1:42 PM and adjourned at 1:43 PM.

The Commissioners Court reconvened the Voting Session at 1:43 PM.

The Commissioners Court retired to Executive Session at 2:36 PM.

The Commissioners Court reconvened the Voting Session at 3:38 PM.

The Commissioners Court adjourned the Voting Session at 3:40 PM.

**PUBLIC HEARINGS**

- 1. RECEIVE COMMENTS ON AMENDMENTS TO TITLE 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION REGARDING THE CRITICAL WATER QUALITY ZONE (BUFFER) ON THE COLORADO RIVER AND PUBLIC NOTIFICATION REQUIREMENTS. (ACTION ITEM #20) (9:16 AM)

**Clerk’s Note:** This Item is a public hearing to receive comments. Please refer to Agenda Item 20 for a summary of the action item.

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to open the public hearing.

**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

**Members of the Court heard from:** Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR).

**Motion by** Commissioner Davis **and seconded by** Commissioner Gómez to close the public hearing.

**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

**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Gus Peña, Travis County Resident; Zetta Garnett, Benefits Assistant, Human Resources Management Department (HRMD). (9:19 AM)

## CONSENT ITEMS

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve the following Consent Items: C1-C3 and Items 6, 7, 10, 11, 13, 14, 15, 16, 17, 18.A&B, 19.A&B, 22, 23.A&B, 24, 25.A&B, 28, 32, 33, and 34. (9:24 AM)

**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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
  
- C2. APPROVE SETTING A PUBLIC HEARING ON TUESDAY, SEPTEMBER 9, 2008 TO RECEIVE COMMENTS REGARDING PROPOSED FLOODPLAIN REGULATIONS FOR TRAVIS COUNTY.
  
- C3. REAPPOINT RICHARD HOPKINS TO THE AUSTIN TRAVIS COUNTY MENTAL RETARDATION CENTER BOARD EFFECTIVE IMMEDIATELY THROUGH SEPTEMBER 30, 2010. (COMMISSIONER DAVIS)
  
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF JULY 22, 2008. (1:44 PM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item C4.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
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

### SPECIAL ITEMS

2. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (9:27 AM)

**Members of the Court heard from:** Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 2, that is, basically, that we renew the order prohibiting outdoor burning.

**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 County Judge noted that if there are any questions they should be directed to the Fire Marshal's Office at 512-854-6472.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (9:30 AM)
  - A. ACCEPT COMMENTS RECEIVED DURING THE 30-DAY PUBLIC COMMENT PERIOD ON THE PROPOSED USAGE OF CDBG FUNDS;

**Clerk's Note:** Items 3.A-D 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 Gómez to approve Item 3.A.

**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

**ITEM 3 CONTINUED**

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (9:30 AM)

- B. FINAL DRAFT OF TRAVIS COUNTY PROGRAM YEAR 2008 ANNUAL ACTION PLAN;

**Clerk's Note:** Staff informed the Court that there had been minor editorial changes to the Program Year 2008 Action Plan.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty that we accept the changes, and approve the Program Year 2008 Action Plan.

**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

**ITEM 3 CONTINUED**

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (9:30 AM)
  - C. SUBSTANTIAL AMENDMENT TO THE PROGRAM YEAR 2006 ANNUAL ACTION PLAN; AND

**Clerk's Note:** Staff informed the Court that there had been minor editorial changes to the Program Year 2006 Action Plan.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 3.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

ITEM 3 CONTINUED

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (9:30 AM)

- D. SUBMISSION OF THE PROGRAM YEAR 2008 ANNUAL ACTION PLAN AND SUBSTANTIAL AMENDMENT OF PROGRAM YEAR 2006 ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAN ANTONIO FIELD OFFICE, REGION VI.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve all of the above in Item 3.D, including the County Judge to sign for the Commissioners Court.

**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

- 4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM AARP FOUNDATION WORKSEARCH TO APPROVE HOST AGENCY AGREEMENT. (9:34 AM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Mary Etta Gerhardt, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we approve their contract, and that we authorize the County Judge and Andrea Colunga Bussey, Division Director, Family Support Services, TCHHS&VS to sign their contract.

**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



5. RECEIVE BRIEFING AND GIVE DIRECTION ON THE FOLLOWING: (1:44 PM)
  - A. HEALTH AND HUMAN SERVICES AND VETERANS SERVICE DEPARTMENTS STRATEGY AND COMMUNITY PLANNING FOR FISCAL YEAR 2009; AND
  - B. REQUESTS FROM AREA HEALTH AND HUMAN SERVICES NON-PROFIT AGENCIES FOR INCREASED OR NEW FUNDING TO MEET PROJECTED INCREASED NEEDS FOR FISCAL YEAR 2009.

**Clerk's Note:** Items 5.A&B 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); Beth Atherton, Executive Director, Caritas; Lawrence Lyman, Social Services Program Administrator, Workforce Development, TCHHS&VS; Rodney Rhoades, Executive Manager, PBO; and Harvey Davis, Manager, Travis County Corporations.

Discussion only. No formal action taken.

**Clerk's Note:** The County Judge noted that an extra hour is to be added to the Budget Hearing set for Monday, August 11, 2008 at 4:00 PM to discuss the increased funding requested in Items 5.A&B.

## PLANNING AND BUDGET DEPT. ITEMS

6. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:24 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. CONSIDER AND TAKE APPROPRIATE ACTION ON GRANT CONTRACT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR TITLE IV-E LEGAL SERVICES CONTRACT IN THE DISTRICT ATTORNEY'S OFFICE. (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.

- 8. CONSIDER AND TAKE APPROPRIATE ACTION TO SET ELECTED OFFICIALS' SALARIES FOR FISCAL YEAR 2009. (10:50 AM)

**Clerk's Note:** Items 8 and 12.A-G are associated with one another and were called for concurrent discussion.

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve 3%.

**A Substitute Motion was made by** Commissioner Daugherty that elected officials take no Cost of Living Adjustment (COLA) this year.

**Withdrawal of the Second to the Standing Motion was made by** Commissioner Eckhardt.

**A Second to the Substitute Motion was made by** Commissioner Eckhardt.

**Clerk's Note:** The Court took a Vote on the Substitute Motion at this time.

**Motion failed:**

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

**A Restatement of the Original Motion was made by** Commissioner Gómez **and seconded by** Judge Biscoe to set Elected Officials at 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	no
Precinct 4, Commissioner Margaret J. Gómez	yes

9. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON PRELIMINARY FISCAL YEAR 2009 BUDGET. (10:13 AM)

**Members of the Court heard from:** Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO); and Jessica Rio, Assistant Budget Manager, PBO.

Discussion only. No formal action taken.

**Clerk's Note:** The County Judge noted that an extra hour is to be added to the Budget Hearing set for Friday, August 15, 2008 at 9:00 AM to discuss revenue-generating ideas from the Efficiency Committee.

### ADMINISTRATIVE OPERATIONS ITEMS

10. 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 \$644,769.31 FOR THE PERIOD OF JULY 18 TO JULY 24, 2008. (9:24 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 PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:24 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. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

**Clerk's Note:** Items 8 and 12.A-G are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Travis Gatlin, Budget Analyst, PBO; Luane Schull, Compensation Manager, HRMD; Linda Moore Smith, Director, HRMD; Greg Powell, Business Manager, Local 1624, American Federation of State, County and Municipal Employees (AFSCME); Joe Gieselman, Executive Manager, TNR; and Chris Broussard, Business System Consultant, PBO.

- 12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

- A. COST OF LIVING INCREASE;

**Clerk's Note:** The Court looked at three options for a COLA, with a flat dollar amount for employees earning less than \$30,000.00 to be a minimum of \$900.00:

- 1) 3% across the board;
- 2) 3.5% across the board;
- 3) A one-time lump sum of either 1% or 2% in addition to the COLA.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 12.A.1, 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

**ITEM 12 CONTINUED**

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

B. FISCAL YEAR 2008 MARKET SALARY SURVEY:

1. SLOTS BELOW MINIMUM OF THE NEW MARKET COMPETITIVE PAY GRADE;

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Daugherty that we go ahead and approve the green circle, \$660,076.00, and that we use the \$500,000.00 in the Compensation Reserve and direct it towards that.

**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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

B. FISCAL YEAR 2008 MARKET SALARY SURVEY:

2. APPROPRIATE MARKET ADJUSTMENT.

Discussion only. No formal action taken.

**Clerk's Note:** The County Judge noted that Item12.B.2 would be discussed at the Budget Hearing set for Thursday, August 7, 2008 at 1:30 PM.

ITEM 12 CONTINUED

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

C. LIVABLE WAGE INCREASE FROM \$10 TO \$11 PER HOUR;

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve that increase.

**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

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

D. BILINGUAL SUPPLEMENTAL PAY;

**Clerk’s Note:** The Court discussed a Pilot Program introducing pay for bilingual skills as follows:

- 1) The County would pay the \$65.00 fee for two full time employees (FTE) per department to take a Spanish Oral proficiency Skills Test;
- 2) Departments would internally fund a \$75.00 stipend per approved FTE;
- 3) Eligibility criteria would require that employees would regularly communicate with the public in the performance of their daily duties in Spanish; and,
- 4) Departments may internally fund the test fee and supplemental pay for additional employees who meet the eligibility criteria.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 12.D.

**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

ITEM 12 CONTINUED

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

E. SEASONAL/RELIEF TEMPORARY TITLES AND HOURLY PAY RATES;

**Clerk's Note:** The Court discussed the following recommendations:

- 1) An increase of \$1.00 per hour for Park Techs I and II;
- 2) Consolidate the School Crossing Guards levels and pay an increased hourly rate of \$13.00;
- 3) Increases in hourly pay rates for Election Workers; and,
- 4) Increases in hourly pay rates for all Sign Language Interpreters.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 12.E with the changes.

**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

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the election workers.

**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

**ITEM 12 CONTINUED**

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

F. NON-TRAVIS COUNTY SHERIFF'S OFFICE PEACE OFFICER PAY SCALE:

1. WHETHER TO ESTABLISH INTERNAL EQUITY RELATIONSHIP BETWEEN TCSO AND NON-TCSO PEACE OFFICERS JOB CLASSIFICATIONS;
2. ADD PAY FOR PARK RANGERS WHO POSSESS ACTIVE EMERGENCY MEDICAL TECHNICIAN - BASIC CERTIFICATION.

Items 12.F.1&2 postponed until August 12, 2008.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON RECOMMENDED FISCAL YEAR 2009 COMPENSATION ITEMS: (10:50 AM)

G. OTHER COMPENSATION RELATED ITEMS.

Discussion only. No formal action taken.

**Clerk's Note:** The Court noted that Performance based Pay (PBP) would be discussed at the Budget Hearing under Compensation set for Thursday, August 7, 2008 at 2:00 PM.

**JUSTICE AND PUBLIC SAFETY ITEMS**

13. CONSIDER AND TAKE APPROPRIATE ACTION ON ANNUAL INTERLOCAL AGREEMENT WITH CAPITAL AREA COUNCIL OF GOVERNMENTS FOR FUNDING FOR ON-GOING PUBLIC SAFETY ANSWERING POINT MAINTENANCE, EQUIPMENT UPGRADE AND TRAINING. (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.



**PURCHASING OFFICE ITEMS**

14. APPROVE MODIFICATION NO. 1 TO JOB NO. 2, CONTRACT NO. 07K00304JW, PAVEMENT RESTORATION, INC., ASPHALT REJUVENATION PROGRAM. (TRANSPORTATION AND NATURAL RESOURCES) (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 MODIFICATION NO.1 TO CONTRACT NO. 07T00374NB, AUSTIN RECLAIM MATERIAL D/B/A AUSTIN AGGREGATES, FOR ASSORTED CONSTRUCTION SANDS. (TRANSPORTATION AND NATURAL RESOURCES) (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. 7) TO CONTRACT NO. PS020281LB, JOHN S. FORD, FOR PSYCHIATRIC SERVICES. (SHERIFF'S OFFICE) (9:24 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. 4 TO CONTRACT NO. 06AE0187LP, LAND DESIGN PARTNERS, FOR SOUTHWEST METRO PARK - DESIGN SERVICES. (TRANSPORTATION AND NATURAL RESOURCES) (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.

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROFESSIONAL VISITATION SERVICES: (9:24 AM)
  - A. ORDER EXEMPTING THE PURCHASE OF PROFESSIONAL VISITATION SERVICES FROM THE COMPETITIVE PROCUREMENT PROCESS PURSUANT TO THE TEX. LOC. GOVT. CODE ANN. SEC. 262.024 (A)(4); AND
  - B. AUTHORIZE PURCHASING AGENT TO ISSUE A REQUEST FOR SERVICES FOR PROFESSIONAL VISITATION SERVICES. (JUVENILE PROBATION AND DOMESTIC RELATIONS OFFICE)

**Clerk's Note:** Items 18.A&B 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 THE FOLLOWING: (9:24 AM)
  - A. CONSTRUCTION SERVICES FOR THE 2008 HMAC OVERLAY PROGRAM, PRECINCTS 1, 2, LCRA/TRAVIS COUNTY PARKS, EAST SERVICE CENTER AND THE CITY OF LAKEWAY, IFB NO. B080240LP, TO THE LOW BIDDER, WHEELER COATINGS, LP; AND
  - B. CONSTRUCTION SERVICES FOR THE 2008 HMAC OVERLAY PROGRAM, PRECINCTS 3 AND 4, IFB NO. B080240LP, TO THE LOW BIDDER, ASPHALT PAVING COMPANY. (TRANSPORTATION AND NATURAL RESOURCES)

**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.

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

- 20. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENTS TO TITLE 30, TRAVIS COUNTY CODE, JOINT TRAVIS COUNTY/CITY OF AUSTIN SUBDIVISION CODE FOR EXTRATERRITORIAL JURISDICTION REGARDING THE CRITICAL WATER QUALITY ZONE (BUFFER) ON THE COLORADO RIVER AND PUBLIC NOTIFICATION REQUIREMENTS. (9:18 AM)

**Clerk’s Note:** Item 20 is the action item for the public hearing on Agenda Item 1.

Item 20 postponed until August 12, 2008.

- 21. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO REVISE TRAVIS COUNTY CODE SECTION 10.0535, ON-SITE RESIDENCE FOR PARK STAFF AND THE RANGER RESIDENCE POLICY. (COMMISSIONER DAUGHERTY) (9:39 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Dan Chapman, Chief Park Ranger, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Daugherty to approve this particular Item 21, and make sure that we move in that direction as far as just the policy is concerned; and we'll look at the funding aspect during the budget cycle.

**A Clarification of the previous Motion was made by** Judge Biscoe that Commissioner Davis moved approval of the policy of establishing a residence in County Parks, specifically the ones listed in the backup, trying to add one a year beginning in FY '09.

**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 by approving Item 21 they are only approving the policy change, not the funding, which will be looked at during the FY '09 Budget Mark-up.

22. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO USE ALTERNATIVE FISCAL FOR AVALON, PHASE 9A, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (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 REGARDING THE VILLAS AT LAKECLIFF CONDOMINIUMS: (9:24 AM)
- A. A REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS; AND
  - B. A CONDOMINIUM PHASING AGREEMENT WITH VLC ACQUISITION GROUP, LLC. (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 23.A&B 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 ON REQUEST FOR ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR ANDERSON MILL WEST SECTION 19, RESUBDIVISION OF LOTS 1-25, BLOCK H, LOTS 1, 19-22, BLOCK I AND LOTS 1-11 AND 26, BLOCK K, AND A LICENSE AGREEMENT WITH VOLENTE HILLS AT PARK FOREST OWNERS ASSOCIATION, INC. (COMMISSIONER DAUGHERTY) (9:24 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (9:24 AM)
- A. A REQUEST FOR ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES IN CYPRESS CANYON, SECTIONS 4 AND 5; AND
  - B. A LICENSE AGREEMENT WITH THE HOMEOWNER'S ASSOCIATION FOR DEER CREEK RANCH, INC. FOR IMPROVEMENTS IN THE PUBLIC RIGHT OF WAY OF CYPRESS CANYON, SECTION 4. (COMMISSIONER DAUGHERTY)

**Clerk's Note:** Items 25.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 26. CONSIDER AND TAKE APPROPRIATE ACTION ON NOTICE OF CHAPTER 11 BANKRUPTCY BY SEMMATERIALS, LP AND RESULTING IMPACT ON COUNTY ROAD MAINTENANCE OPERATIONS. (10:00 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; and Don Ward, Manager, Road and Bridge Division, TNR.

Discussion only. No formal action taken.

Item 26 to be reposted August 26, 2008.

- 27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (10:09 AM)
  - A. REQUEST TO USE 2005 BOND UNALLOCATED PROJECT FUNDS, OR 1997 OR 2001 BOND FUND SAVINGS FROM COMPLETED PRECINCT ONE PROJECTS, TO ACQUIRE RIGHT OF WAY FOR THE REALIGNMENT OF FM 3177, IN PRECINCT ONE; AND
  - B. ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH FOR THE FM 3177 AND BRAKER LANE 1 PROJECT, IN PRECINCT ONE.

**Clerk’s Note:** Items 27.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Steve Manilla, Director, Public Works, TNR.

**Motion by** Commissioner Davis **and seconded by** Commissioner Eckhardt to approve 27.A&B, with the caveat that in this Advanced Funding Agreement the Texas Department of Transportation (TxDOT) is committed to complete the design and the construction at their cost. We are going to use voter approved 2005 Tier 1 Braker Lane Bond Funds to acquire the right-of-way for the realignment of FM 3177.

**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

**OTHER ITEMS**

28. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:24 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 ITEMS ASSOCIATED WITH THE 2008 TRAVIS COUNTY COMBINED CHARITIES CAMPAIGN. (COUNTY CLERK) (9:15 AM)

Item 29 postponed until August 12, 2008.

30. CONSIDER AND TAKE APPROPRIATE ACTION ON THE CREATION OF AN INTERGOVERNMENTAL RELATIONS POSITION WITH APPROPRIATE SUPPORT INCLUDING: (2:14 PM)
- A. HIRING OF AN ADMINISTRATIVE ASSISTANT TO SUPPORT THE INTERGOVERNMENTAL RELATIONS POSITION;
  - B. POSTING THE ADMINISTRATIVE ASSISTANT POSITION;
  - C. UPDATE FROM TNR AND PBO ON INTERIM FISCAL YEAR 2008 FUNDING AND SPACE FOR THESE TWO POSITIONS;
  - D. UPDATE FROM FACILITIES MANAGEMENT ON RECOMMENDATIONS FOR PERMANENT SPACE FOR THESE TWO POSITIONS IN FISCAL YEAR 2009; AND
  - E. RECRUITMENT STRATEGY AND HIRING TIMELINE FOR THE INTERGOVERNMENTAL RELATIONS POSITION. (COMMISSIONER ECKHARDT)

**Clerk's Note:** Items 30.A-E are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Katie Gipson, Budget Analyst, PBO; Linda Moore Smith, Director, HRMD; and Leslie Stricklan, Project Manager, Facilities Management.

**Motion by** Commissioner Daugherty that we would table Item 30, and look at this in-house person in the next legislative budget cycle.

**Clerk's Note:** The Motion died for lack of a Second.

**Clerk's Note:** The Court gave Staff directions to start the process by advertising both posts.

31. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER APPOINTING PRESIDING AND ALTERNATE PRESIDING ELECTION JUDGES FOR A TERM OF TWO YEARS BEGINNING AUGUST 1, 2008. (COUNTY CLERK)

Item 31 postponed until August 12, 2008.

- 32. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND LOST CREEK MUNICIPAL UTILITY DISTRICT. (9:24 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 AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 16. (9:24 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 REGARDING THE USE OF A RELEASE ENTITLED “RELEASE OF LIABILITY AND USE OF IMAGE AGREEMENT IN CONNECTION WITH DISSEMINATING RUNAWAY AND MISSING CHILDREN’S INFORMATION BY THE TRAVIS COUNTY SHERIFF’S OFFICE.” (SHERIFF’S OFFICE) (9:24 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 ON SETTING HEARING DATE ON AUGUST 26, 2008 AT 2:00 P.M. REGARDING APPEAL FROM MAY 23, 2008 TRAVIS COUNTY GRIEVANCE PANEL DECISION REGARDING TRAVIS COUNTY FACILITIES MANAGEMENT DEPARTMENT EMPLOYEE SLOT NO. 19, PURSUANT TO TRAVIS COUNTY CODE SECTION 9.257(K). (2:34 PM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve setting the hearing at that date and time.

**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



## 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.

36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION ON REQUEST TO HIRE OUTSIDE COUNSEL FOR OFFICER C. HOTARD, REGARDING MONTEZ V. TRAVIS COUNTY, ET AL. <sup>1</sup> (2:36 PM) (3:38 PM)

**Clerk's Note:** Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 36 was not discussed.

Item 36 to be reposted on August 12, 2008.

37. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING ISSUES RELATED TO CONTRACT BETWEEN TRAVIS COUNTY AND AUSTIN TRAVIS COUNTY LIVESTOCK SHOW AND CLAIMS RESULTING FROM THE 2008 STAR OF TEXAS FAIR AND RODEO. <sup>1</sup> (2:38 PM) (3:39 PM)

**Clerk's Note:** Judge Biscoe announced that Item 37 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 Gómez** that we authorize the County Judge to notify Mr. Lamb of the Association of this decision, and indicate that we plan to have something to him shortly after the August 19, 2008 meeting.

<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

Item 37 to be reposted on August 19, 2008.

**ADJOURNMENT**

**Motion by** Commissioner Davis **and seconded by** Commissioner Eckhardt to adjourn the Voting Session. (3:40 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**

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**Date of Approval**

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