

MINUTES OF MEETING SEPTEMBER 23, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 23rd day of September 2008, the Commissioners' Court convened the Voting Session at 9:17 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 11:44 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle); convened at 1:41 PM and adjourned at 1:45 PM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:45 PM and adjourned at 1:50 PM.

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:52 PM and adjourned at 1:54 PM.

The Commissioners Court reconvened the Voting Session at 1:55 PM.

The Commissioners Court retired to Executive Session at 1:59 PM.

The Commissioners Court reconvened the Voting Session at 4:01PM.

The Commissioners Court adjourned the Voting Session at 4:06 PM.

SPECIAL ITEMS

- 5. CONSIDER AND TAKE APPROPRIATE ACTION ON ASSISTANCE FROM TRAVIS COUNTY AND RESIDENTS TO PERSONS AFFECTED BY HURRICANE IKE, INCLUDING: (10:00 AM)
 - A. UPDATE FROM EMERGENCY SERVICES AND HEALTH AND HUMAN SERVICES DEPARTMENTS AND LAW ENFORCEMENT OFFICERS AND CONSTABLES IN RESPONSE TO HURRICANE AND THE NEED FOR ASSISTANCE; AND
 - B. OTHER RELATED ISSUES.

Clerk’s Note: Items 5.A&B are associated with one another and were called for concurrent discussion.

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; and Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans’ Services (TCHHS&VS).

Discussion only. No formal action taken.

Items 5.A&B to be reposted on September 30, 2008.

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER PROHIBITING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY. (10:10 AM)

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

Motion by Judge Biscoe **and seconded by** Commissioner Davis that we approve Staff recommendation and impose the outdoor burn ban.

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 8 CONTINUED

Clerk's Note: The Court discussed the proposed FY '09 Budget in Item 9.

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

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

Clerk's Note: The Court gave thanks to Staff for all their hard work on the FY '09 Budget.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER APPROVING THE TRAVIS COUNTY BUDGET FOR FISCAL YEAR 2009. (10:13 AM)

Clerk's Note: Item 9 is the action item for the public hearing on Agenda Item 1.

Clerk's Note: Items 8.A-C and 9 are associated with one another and were called for concurrent discussion. Please refer to Items 8.A-C for a summary of the action taken by the Court.

10. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:57 AM)
 - A. GRANT APPLICATION TO THE U.S. FISH AND WILDLIFE SERVICE THROUGH TEXAS PARKS AND WILDLIFE DEPARTMENT FOR TRANSPORTATION AND NATURAL RESOURCES TO ACQUIRE LAND WITH ENDANGERED SPECIES HABITAT FOR THE BALCONES CANYONLANDS PRESERVE;
 - B. GRANT CONTRACT WITH THE STATE OF TEXAS OFFICE OF THE ATTORNEY GENERAL FOR JUVENILE PROBATION TO PROVIDE CHILD SUPPORT CASE DATA TO MEET FEDERAL STATE CASE REGISTRY REQUIREMENTS, PROCESS THE FEDERAL REDIRECTION OF CASES WITH CHANGED CASE STATUS AND PROVIDE LOCAL CUSTOMER SERVICE;
 - C. GRANT CONTRACT WITH THE SUPREME COURT OF TEXAS TASK FORCE ON FOSTER CARE FOR CIVIL COURTS TO PROVIDE LEGAL REPRESENTATION FOR PRIMARY PARENTS IN PENDING CHILD ABUSE AND NEGLECT CASES IN TRAVIS COUNTY;
 - D. GRANT CONTRACT WITH THE SUPREME COURT OF TEXAS TASK FORCE ON FOSTER CARE FOR CIVIL COURTS TO ESTABLISH A CHILD PUBLIC DEFENDER'S OFFICE TO PROVIDE LEGAL REPRESENTATION TO CHILDREN IN CHILD PROTECTIVE SERVICES; AND
 - E. PERMISSION TO CONTINUE THE FAMILY VIOLENCE PROTECTION TEAM GRANT FROM DEPARTMENT OF JUSTICE IN THE OFFICES OF THE DISTRICT ATTORNEY, COUNTY ATTORNEY, AND TRAVIS COUNTY SHERIFF.

Clerk's Note: Items 10.A-E approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:57 AM)
- A. REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS FOR SHADY HOLLOW GARDENS CONDOMINIUMS;
 - B. A CASH SECURITY AGREEMENT IN THE AMOUNT OF \$80,179.00 FOR TURN LANE IMPROVEMENTS TO FRATE BARKER ROAD; AND
 - C. A CONDOMINIUM PHASING AGREEMENT FOR SHADY HOLLOW GARDENS CONDOMINIUMS. (COMMISSIONER DAUGHERTY)

Clerk's Note: Items 14.A-C 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 A REQUEST TO ACCEPT 4063 FEET OF CROSSWIND DRIVE FROM BEE CREEK ROAD TO ITS NORTHERNMOST INTERSECTION WITH TRADEWIND DRIVE AND ALL 3742 FEET OF TRADEWIND DRIVE, IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (9:57 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 ON A LICENSE AGREEMENT WITH JOHN O. LIMON FOR EXCLUSIVE USE OF WEBBERVILLE PARK FOR THE ANNUAL LIMON REUNION ON OCTOBER 11 AND 12, 2008. (9:57 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:57 AM)
- A. A REQUEST TO GRANT AN EXEMPTION FROM PLATTING REQUIREMENTS FOR THE COTTAGES AT THE RESERVE AT LAKE TRAVIS; AND
 - B. A CONDOMINIUM CONSTRUCTION AGREEMENT FOR THE COTTAGES AT THE RESERVE AT LAKE TRAVIS CONDOMINIUM PROJECT. (COMMISSIONER DAUGHERTY)

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.

HEALTH AND HUMAN SERVICES DEPT. ITEMS

18. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN FOR THE PROVISION OF PUBLIC HEALTH AND ANIMAL SERVICES. (11:10 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; Mary Etta Gerhardt, Assistant County Attorney; and Roger Jefferies, Executive Manager, Justice and Public Safety (JPS).

Motion by Judge Biscoe **and seconded by** Commissioner Davis to approve the extension today, have the Court sign it, and send a letter to the Austin City Manager as well as the City Council indicating our position; that we really ought to try to negotiate administrative overhead costs, what they are, whether they are appropriate; and that we have the money in Allocated Reserve. If we reach agreement on that, and we owe more than in the contract today, we amend the contract, provide the additional amount and pay it.

- 21. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO SPONSOR AND PARTICIPATE IN THE 5TH ANNUAL TRAVIS COUNTY WELLNESS FAIR, BROWN SANTA 5K RUN/WALK AND KIDS 5K AND DECKER CHALLENGE HALF MARATHON. (9:57 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 ON TRAVEL REQUEST FOR DR. LYNN STEWART TO ATTEND CONFERENCE “PRIMARY CARE ORTHOPEDIC AND SPORTS MEDICINE UPDATE 2008”, PURSUANT TO RULE #12A (INTERNATIONAL BUSINESS TRAVEL TO HAWAII) ON OCTOBER 5 THROUGH 13, 2008. (1:55 PM)

Members of the Court heard from: Dr. Lynn Stewart, MD, Health and Wellness Clinic; Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD); and Travis Gatlin, Budget Analyst, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty to approve Item 22.

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

JUSTICE AND PUBLIC SAFETY ITEMS

- 23. APPROVE AMENDMENT NO. 2 TO INTERLOCAL AGREEMENT IL080014ML, CITY OF AUSTIN, FOR CENTRAL BOOKING AND RELATED JAIL SERVICES. (10:55 AM)

Members of the Court heard from: Roger Jefferies, Executive Manager, JPS; and Darren Long, Major, TCSO.

Discussion only. No formal action taken.

Item 23 to be reposted on September 30, 2008.

PURCHASING OFFICE ITEMS

24. APPROVE CONTRACT AWARD FOR PORTABLE MEDICAL X-RAY IMAGING EQUIPMENT, IFB NO. B080273NB, TO THE LOW RESPONSIVE BIDDER, PROMEDTEK INC., D/B/A RIEDEL IMAGING. (MEDICAL EXAMINER) (9:57 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. APPROVE MODIFICATION NO. 4, AN ASSIGNMENT OF CONTRACT NO. 06T00095NB FROM LONE STAR PRODUCTS TO HANES COMPANIES INC. D/B/A HANES GEO COMPONENTS. (TRANSPORTATION AND NATURAL RESOURCES) (9:57 AM)

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

26. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. 08K00275LP, ASPHALT PAVING COMPANY, FOR HMAC OVERLAY PROJECT, PRECINCT'S 3 AND 4. (TRANSPORTATION AND NATURAL RESOURCES) (9:57 AM)

Clerk's Note: Item 26 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

27. APPROVE CONTRACT AWARD FOR FORKLIFT-ELECTRIC NARROW AISLE LIFT TRUCK, IFB NO. B080289NB, TO THE SOLE BIDDER EQUIPMENT DEPOT, INC. (TRANSPORTATION AND NATURAL RESOURCES) (9:57 AM)

Clerk's Note: Item 27 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

28. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 08T00074RG, SOUTHWEST KEY MAINTENANCE, LLC., FOR GROUNDS MAINTENANCE. (TRANSPORTATION AND NATURAL RESOURCES) (9:57 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. APPROVE SOLE SOURCE EXEMPTION AND MODIFICATION NO. 2 TO CONTRACT NO. CM060258LC, SET SOLUTIONS, INC., FOR THE PURCHASE/MAINTENANCE OF LOGLOGIC APPLIANCES. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:57 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.

30. APPROVE CONTRACT AWARDS FOR JANITORIAL SERVICES, VARIOUS LOCATIONS, IFB NO. B080279LD, TO THE QUALIFIED LOW BIDDERS:
- A. K B CONTRACT CLEANERS, GROUPS B, E AND F; AND
 - B. INTERNATIONAL BUILDING SERVICES, GROUPS C, D AND G. (FACILITIES MANAGEMENT, TRANSPORTATION AND NATURAL RESOURCES) (9:57AM)

Clerk's Note: Items 30.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

31. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO INTERLOCAL AGREEMENT NO. IL060054RE, AUSTIN INDEPENDENT SCHOOL DISTRICT, FOR ADULT BASIC EDUCATION SERVICES. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:57 AM)

Clerk's Note: Item 31 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

32. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 6) TO CONTRACT NO. PS060183RE, COUNCIL ON AT-RISK YOUTH, FOR YOUTH VIOLENCE PREVENTION PROGRAM. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:57 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. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 6) TO INTERLOCAL AGREEMENT NO. IL030034RE, TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NO. 4, FOR FIREFIGHTER TRAINING ACADEMY. (HEALTH AND HUMAN SERVICES AND VETERANS SERVICE) (9:57 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. APPROVE ISSUANCE OF FOLLOWING JOB ORDERS, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC. (9:57 AM)

A. JOB ORDER NO. 24; AND

Clerk's Note: Item 34.A approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

34. APPROVE ISSUANCE OF FOLLOWING JOB ORDERS, MINOR CONSTRUCTION AND RENOVATION SERVICES, CONTRACT NO. 07K00307RV, ARCHITECTURAL HABITAT OF AUSTIN, INC.: (9:59 AM)

B. JOB ORDER NO. 25. (FACILITIES MANAGEMENT)

Item 34.B postponed until September 30, 2008.

35. APPROVE CONTRACT AWARD FOR ANNUAL INDEPENDENT EXTERNAL AUDIT SERVICES, RFQ NO. Q080199ML, TO THE SOLE RESPONDENT, DELOITTE & TOUCHE. (AUDITOR'S OFFICE) (9:57 AM)

Clerk's Note: Item 35 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

OTHER ITEMS

36. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:57 AM)

Clerk’s Note: Item 36 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

37. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR FUNDING IN THE AMOUNT OF \$26,233 TO LEVERAGE \$212,000 OF FEDERAL FUNDS FOR THE BLACKLAND COMMUNITY DEVELOPMENT CORPORATION. (11:29 AM)

Members of the Court heard from: Harvey Davis, Manager, Travis County Corporations; Travis Gatlin, Budget Analyst, PBO; Mary Etta Gerhardt, Assistant County Attorney; and Leroy Nellis, Budget Manager, PBO.

Motion by Commissioner Davis **and seconded by** Commissioner Gómez that the source of funding come from the Allocated Reserve in the amount of \$26,233.00.

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

Clerk’s Note: The Court noted that the approval of Item 37 is subject to confirmation from the County Attorney’s Office.

Item 37 to be reposted on September 30, 2008.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION APPROVING TAX EXEMPT BONDS TO BE ISSUED BY CRAWFORD EDUCATIONAL FACILITIES CORPORATION FOR HYDE PARK BAPTIST SCHOOL, INC. (9:57 AM)

Clerk’s Note: Item 38 is the action item for the public hearing on Agenda Item 3.

Clerk’s Note: Item 38 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

39. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ANNUAL WRITTEN PLANS FOR THE 028 RECORDS MANAGEMENT PRESERVATION FUND AND 057 COUNTY CLERK'S RECORDS ARCHIVAL FUND. (9:57 AM)

Clerk's Note: Item 39 is the action item for the public hearing on Agenda Item 4.

Clerk's Note: Item 39 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

40. CONSIDER AND TAKE APPROPRIATE ACTION ON A MEMORANDUM OF UNDERSTANDING FOR THE JUVENILE JUSTICE ALTERNATIVE EDUCATION COOPERATIVE OF TRAVIS COUNTY WITH THE AUSTIN INDEPENDENT SCHOOL DISTRICT, DEL VALLE INDEPENDENT SCHOOL DISTRICT, EANES INDEPENDENT SCHOOL DISTRICT, LAKE TRAVIS INDEPENDENT SCHOOL DISTRICT, LAGO VISTA INDEPENDENT SCHOOL DISTRICT, LEANDER INDEPENDENT SCHOOL DISTRICT, MANOR INDEPENDENT SCHOOL DISTRICT, PFLUGERVILLE INDEPENDENT SCHOOL DISTRICT AND ROUND ROCK INDEPENDENT SCHOOL DISTRICT. (9:57 AM)

Clerk's Note: Item 40 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

41. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 1. (9:57 AM)

Clerk's Note: Item 41 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

42. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 2. (9:57 AM)

Clerk's Note: Item 42 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 43. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND SUNFIELD MUNICIPAL UTILITY DISTRICT NO. 3. (9:57 AM)

Clerk's Note: Item 43 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 44. CONSIDER AND TAKE APPROPRIATE ACTION ON AN AGREEMENT FOR ASSESSMENT AND COLLECTION SERVICES BETWEEN TRAVIS COUNTY AND WILLIAMSON COUNTY WATER, SEWER, IRRIGATION AND DRAINAGE DISTRICT NO. 3. (9:57 AM)

Clerk's Note: Item 44 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 45. CONSIDER AND TAKE APPROPRIATE ACTION ON PARTNERSHIP WITH DEL VALLE INDEPENDENT SCHOOL DISTRICT TO PURSUE A GRANT FROM THE TEXAS EDUCATION AGENCY FOR A COLLABORATIVE DROPOUT REDUCTION PILOT PROGRAM AND AUTHORIZE THE COUNTY JUDGE TO SIGN A LETTER OF INTENT ON TRAVIS COUNTY'S PARTICIPATION. (COMMISSIONER GÓMEZ) (11:36 AM)

Members of the Court heard from: Travis Gatlin, Budget Analyst, PBO.

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 45.

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.

- 48. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A LEASE AGREEMENT BETWEEN THE CITY OF JONESTOWN AND TRAVIS COUNTY FOR SPACE LOCATED AT 18649 HIGHWAY 1431. ¹ (1:59 AM) (4:01 PM)

Clerk's Note: Judge Biscoe announced that Item 48 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Motion by Commissioner Daugherty **and seconded by** Commissioner Gómez that we sign a new three-year contract, with a two-year option, for the price of \$13.10/sq.ft, and let it be shown that Jonestown will, with the start of this new contract, do the janitorial.

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

- 49. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING ISSUES BETWEEN TRAVIS COUNTY TAX ASSESSOR-COLLECTOR NELDA WELLS SPEARS AND THE STATE OF TEXAS COMPTROLLER OF PUBLIC ACCOUNTS REGARDING MOTOR VEHICLE SALES AND USE TAXES PAID TO THE STATE ON RETURNED NSF CHECKS FOR THE PERIOD OF JANUARY 1, 1997 THROUGH DECEMBER 31, 2005 AS REFLECTED IN THE COMPTROLLER'S DECISION IN CASE NO. 47,474. ¹ (1:59 PM) (4:02 PM)

Clerk's Note: Judge Biscoe announced that Item 49 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

No action required on Item 49.

50. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING SETTLEMENT OFFER IN VALDEZ/NAUTILUS CASE (OPHELIA MALICIA CLAIM). ¹ (1:59 PM) (4:02 PM)

Clerk's Note: Judge Biscoe announced that Item 50 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 50 postponed until October 7, 2008.

51. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE OF LAND FROM THE COMANCHE TRAIL CONSERVATION FUND AND JOSEPH F. LUCAS IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. ^{1 AND 2} (1:59 PM) (4:02 PM)

Clerk's Note: Judge Biscoe announced that Item 51 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 51 to be reposted on September 30, 2008.

52. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CONTRACT FOR THIRD PARTY ADMINISTRATION OF TRAVIS COUNTY SECTION 457 DEFERRED COMPENSATION PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS. ¹ (1:59 PM) (4:03 PM)

Clerk's Note: Judge Biscoe announced that Item 52 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 52 to be reposted on September 30, 2008.

53. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON VARIOUS ISSUES RELATED TO MOLD AND AIR QUALITY IN THE TRAVIS COUNTY JAIL. ¹ (1:59 PM) (4:03 PM)

Clerk's Note: Judge Biscoe announced that Item 53 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 the Austin Police Department (APD) arrest review area in the Travis County Jail be moved from where it is right now to the Criminal Justice Center (CJC) first floor vacant space previously occupied by the Tax Office Collection; and also that we direct Facilities Management to use the Facility Fund to cover any costs for this renovation work and authorize that the work be done regardless of the cost; and that when it gets to the \$19,500.00 figure, they come to the Commissioners Court for us to identify a supplemental source of funding if necessary; that we prioritize completion of this work as soon as possible.

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 direct the Risk Management office to look at other mold and air quality issues in this general area, and conduct the necessary assessments and perform the necessary renovation work to reduce or eliminate adverse health effects, and whatever else is required for an appropriate fix.

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 the source of funding for the previous motion would be the Risk Management Fund.

MINUTES OF MEETING – SEPTEMBER 23, 2008

NORTHWEST TRAVIS COUNTY ROAD DISTRICT NO. 3

On Tuesday, the 23rd day of August 2008, the Commissioners' Court, meeting as the Northwest Travis County Road District No. 3 (Golden Triangle) Board of Directors, convened the Voting Session at 1:41 PM 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 adjourned the Voting Session of the Northwest Travis County Road District No. 3 (Golden Triangle) at 1:45 PM.

1. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST ROAD DISTRICT FUNDS. (1:41 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Davis 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	yes

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO ADOPT ORDER APPROVING THE ROAD DISTRICT BUDGET FOR FISCAL YEAR 2009. (1:49 PM)

Members of the Court heard from: Leroy Nellis, Budget Manager, PBO.

Motion by Judge Biscoe **and seconded by** Commissioner Daugherty that we approve the proposed budget.

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

ADJOURNMENT

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to adjourn the Voting Session of the Travis County Bee Cave Road District No. 1. (1:50 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 ROAD DISTRICT BOARD

Date of Approval

Samuel T. Biscoe, Travis County Judge