

MINUTES OF MEETING OCTOBER 14, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 14th day of October 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 retired to Executive Session at 10:43 AM.

The Commissioners Court reconvened the Voting Session at 11:53 AM.

The Commissioners Court recessed the Voting Session at 11:53 AM.

The Commissioners Court, meeting as the Travis County Bee Cave Road District #1 (Galleria), convened at 1:40 PM and adjourned at 1:41 PM.

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

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:41 PM and adjourned at 1:41 PM.

The Commissioners Court, meeting as the Capital Industrial Development Corporation; and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:41 PM and adjourned at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 1:42 PM.

The Commissioners Court retired to Executive Session at 1:42 PM.

The Commissioners Court reconvened the Voting Session at 3:09 PM.

The Commissioners Court adjourned the Voting Session at 3:16 PM.

2. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:32 AM)

Clerk's Note: Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

3. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING CHANGES TO THE EXPOSITION CENTER RATE SCHEDULE. (COMMISSIONER DAVIS) (10:36 AM)

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Michael Norton, Director, Travis County Exposition Center.

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

4. CONSIDER AND TAKE APPROPRIATE ACTION ON LETTER AGREEMENT BETWEEN TRAVIS COUNTY AND PRO BONO NET TO ALLOW THE LAW LIBRARY TO USE THE LAWHHELP TRADEMARK. (9:32 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. 2 FOR TERMINATION OF CONTRACT NO. PS010064LB, THE BODE TECHNOLOGY GROUP, INC., FOR DNA CONSULTING ANALYSIS AND TESTIFYING SERVICES. (DISTRICT ATTORNEY) (9:32 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 MODIFICATION NO. 5 TO CONTRACT NO. 05T00291OJ, GENERAL SECURITY SERVICES CORPORATION, FOR ELECTRONIC MONITORING. (PRETRIAL SERVICES, JUVENILE PROBATION, COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT) (9:18 AM)

Item 6 postponed until October 21, 2008.

7. APPROVE CONTRACT NO. PS080291ML FOR RELIEF PHARMACY SERVICES WITH CONNIE P. RAEMSCH, REGISTERED PHARMACIST. (SHERIFF'S OFFICE) (9:32 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.

JUSTICE AND PUBLIC SAFETY ITEMS

8. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRAVIS COUNTY MEDICAL EXAMINER'S OFFICE FOR AGREEMENTS TO BE USED BETWEEN TRAVIS COUNTY AND THE FOLLOWING COUNTIES: (9:32 AM)
 - A. BROWN COUNTY;
 - B. GILLESPIE COUNTY;
 - C. GRIMES COUNTY;
 - D. LAVACA COUNTY;
 - E. LEE COUNTY;
 - F. MENARD COUNTY; AND
 - G. WHARTON COUNTY.

Clerk's Note: Items 8.A-G 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

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE PROPOSED TIMBER CREEK FLOODPLAIN BUY-OUT PLAN. (9:34 AM)

Clerk's Note: The Court discussed a Staff recommendation to start the Timber Creek floodplain buyouts using the \$3.9M 2005 Bond approved funds, before the Federal appropriation of funds is made available.

Members of the Court heard from: Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR).

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve Staff's recommendation for the use of this \$3.9M.

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

10. CONSIDER AND TAKE APPROPRIATE ACTION ON A FINAL PLAT FOR RECORDING IN PRECINCT THREE: MANSFIELD LEDGE SUBDIVISION (1 TOTAL LOT). (COMMISSIONER DAUGHERTY) (9:32 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 A FINAL PLAT FOR RECORDING IN PRECINCT THREE: SPICEWOOD BUSINESS CENTER SUBDIVISION (1 TOTAL LOT). (COMMISSIONER DAUGHERTY) (9:32 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.

15. CONSIDER AND TAKE APPROPRIATE ACTION TO ADJUST ALLOCATION AMONG EXPENDITURES APPROVED IN BUDGET FOR FISCAL YEAR 2008 FOR WHICH APPROVAL IS EXTENDED IN BUDGET FOR FISCAL YEAR 2009 TO MAKE ALLOCATED MAXIMUMS CONSISTENT WITH ANTICIPATED YEAR END ACTUAL BALANCES AND ACCRUALS. (10:43 AM) (1:42 PM) (3:15 PM)

Clerk's Note: Judge Biscoe announced that Item 15 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The Court discussed a proposed order that would amend the budget that was previously approved for the year ending September 30, 2009.

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

Motion by Judge Biscoe **and seconded by** Commissioner Gómez to approve the order in Item 15.

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

16. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:32 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:
(9:32 AM)

- A. ADDITION OF 2009 WELLS FARGO THIRTY-TWO FOOT CARGO TRAILER TO THE TRAVIS COUNTY SHERIFF'S OFFICE VEHICLE FLEET FOR EMERGENCY RESPONSE USE AND EQUIPMENT STORAGE; AND
- B. ADDITION OF 2008 POLARIS ATV TO THE TRAVIS COUNTY SHERIFF'S OFFICE VEHICLE FLEET FOR CORRECTIONS SECURITY AND RESPONSE USE.

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.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED SCOPE OF SERVICES FOR THE TRAVIS COUNTY CENTRAL CAMPUS STUDY NEEDS ANALYSIS AND MASTER PLAN AND RELATED ISSUES. (9:57 AM)

Members of the Court heard from: Christian Smith, Special Assistant to the Commissioners Court; Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO); and Diana Warner, First Assistant County Auditor, Travis County Auditor's Office.

Motion by Judge Biscoe and seconded by Commissioner Eckhardt to approve Item 18.

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

19. CONSIDER AND TAKE APPROPRIATE ACTION ON ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 4, 2008 JOINT GENERAL AND SPECIAL ELECTIONS. (9:49 AM)

Members of the Court heard from: Dana DeBeauvoir, Travis County Clerk.

Discussion only. No formal action taken.

23. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING UPDATE AND/OR SETTLEMENT OFFER IN VALDEZ/NAUTILUS CASE (OPHELIA MALICIA CLAIM). ¹ (10:43 PM) (3:11 PM)

Clerk's Note: Judge Biscoe announced that Item 23 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 23 to be reposted when ready.

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD. ^{1 AND 2} (10:43 AM) (3:12 PM)

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 and Gov't. Code Ann. 551.072, Real Property.

Discussion only. No formal action taken.

Item 24 to be reposted October 28, 2008.

25. 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 (10:43 AM) (1:42 PM) (3:12 PM)

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.

Clerk's Note: The Court reviewed a letter that legal staff had prepared to be sent to Nationwide Retirement Systems.

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

Motion by Judge Biscoe and seconded by Commissioner Gómez Move that we approve this letter, sign it, and authorize that it be sent to Mr. Riebel, President, Nationwide Retirement Systems ASAP, and we indicate the County Judge will speak to him on behalf of the Commissioners Court on Thursday, October 16, 2008 of this week, or as soon thereafter 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

Clerk's Note: The Court noted that the letter would be sent to Mr. Riebel by fax, FED-EX and certified mail.

26. RECEIVE STATUS REPORT 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. ¹ (10:43 AM) (3:15 PM)

Clerk's Note: Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 24 to be reposted October 21, 2008.

MINUTES OF MEETING – OCTOBER 14, 2008

TRAVIS COUNTY BEE CAVE ROAD DISTRICT NO. 1

On Tuesday, the 14th day of October, 2008, the Commissioners' Court, meeting as the Travis County Bee Cave Road District No. 1 (Galleria) Board of Directors, convened the Voting Session at 1:40 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 Commissioners Court record notes that Precinct Two Commissioner Sarah Eckhardt was not present during this Voting Session.

The Road District Board of Directors adjourned the Voting Session of the Travis County Bee Cave Road District No. 1 (Galleria) at 1:41 PM.

1. APPROVE TRAVIS COUNTY BEE CAVE ROAD DISTRICT #1 MINUTES FOR THE VOTING SESSION OF SEPTEMBER 23, 2008. (1:40 PM)

Motion by Commissioner Gómez **and seconded by** Commissioner Daugherty to approve 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

