

MINUTES OF MEETING NOVEMBER 4, 2008

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 4th day of November 2008, the Commissioners' Court convened the Voting Session at 9:15 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 9:58 AM.

The Commissioners Court reconvened the Voting Session at 10:42 AM.

The Commissioners Court adjourned the Voting Session at 10:44 AM.

CITIZENS COMMUNICATION

Members of the Court heard from: Ronnie Gjemre, Travis County Resident; Jimmy Castro, Travis County Resident; Jennifer Gale, Travis County Resident; and Don Smith, Chief, Travis County Fire Control, ESD #4. (9:15 AM)

Clerk's Note: Citizens Communication was revisited at 9:51 AM.

Members of the Court heard from: Don Smith, Chief, Travis County Fire Control, ESD #4; Tenley Aldredge, Assistant County Attorney; Sean Murphy, Firefighter Cadet Class 9; Luke Pittman, Firefighter Cadet Class 9; Aaron Flournoy, Firefighter Cadet Class 9; Wesley Porter, Firefighter Cadet Class 9; John Menchaca, Firefighter Cadet Class 9; Andrew Garcia, Firefighter Cadet Class 9; Miguel Hernandez, Firefighter Cadet Class 9; Nicholas Granados, Firefighter Cadet Class 9; Chris Vargas, Firefighter Cadet Class 9; Robert Kimble, Firefighter Cadet Class 9; Robert Acosta, Firefighter Cadet Class 9; Mark Gentry, Firefighter Cadet Class 9; Michael Swingler, Firefighter Cadet Class 9; Eric Brown, Firefighter Cadet Class 9; Harlen Bryant, Firefighter Cadet Class 9; Michael Hull, Firefighter Cadet Class 9; Joseph Fritzingler, Firefighter Cadet Class 9; Christopher Hudgins, Firefighter Cadet Class 9; and Joe Robinson, Firefighter, graduate Cadet Class 2. (9:51 AM)

CONSENT ITEMS

Motion by Commissioner Gómez **and seconded by** Commissioner Davis to approve the following Consent Items: C1-C2 and Items 1, 3, 4.A-C, 5, 6, 7, 8, 9, and 10. (9:26 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 DATE FOR DECEMBER 9, 2008 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: AMENDED PLAT OF LOTS 11, 12, 15 AND 18, BLOCK A, MARSHALL'S POINT, LOT 16, BLOCK A, AMENDED PLAT OF LOTS 16 AND 19, BLOCK A, MARSHALL'S POINT AND LOTS 13, 14 AND 17 AMENDED PLAT OF LOTS 4, 5, 6, 13, 14 AND 17, BLOCK A MARSHALL'S POINT SUBDIVISION (2 TOTAL LOTS). (COMMISSIONER DAUGHERTY)

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 1. CONSIDER AND TAKE APPROPRIATE ACTION ON A CASH SECURITY AGREEMENT WITH HIGHLAND HOMES, AUSTIN FOR SIDEWALK FISCAL FOR THE COMMONS AT ROWE LANE IIA, LOT 28, BLOCK O. (COMMISSIONER ECKHARDT) (9:26 AM)

Clerk's Note: Item 1 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

- 2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE REPEAL OF CHAPTER 72, "EMERGENCY ASSISTANCE POLICIES AND PROCEDURES," AND SUBSTITUTION OF THE NEW VERSION OF THAT CHAPTER 72. (9:28 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS).

Motion by Commissioner Daugherty **and seconded by** Commissioner Davis to approve Item 2.

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 thanked all the departments that helped in the development of the new policies.

PLANNING AND BUDGET DEPT. ITEMS

- 3. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:26 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 APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:26 AM)
 - A. GRANT CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR THE INTENSIVE IN-HOME FAMILY SERVICES PROGRAM IN THE JUVENILE PROBATION DEPARTMENT THAT WORKS WITH JUVENILES AND THEIR FAMILIES TO PREVENT FURTHER INVOLVEMENT IN THE JUSTICE SYSTEM;
 - B. GRANT CONTRACT WITH THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICES TO CONTINUE TO SERVE AS THE REGIONAL PARTNERSHIP PROJECT LEAD IN YEAR TWO OF THE FIVE-YEAR PARENTING IN RECOVERY PROJECT; AND
 - C. RATIFY OR REJECT COUNTY JUDGE'S APPROVAL OF GRANT CONTRACT WITH THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF VIOLENCE AGAINST WOMEN FOR THE SUPERVISED VISITATION AND SAFE EXCHANGE GRANT PROGRAM FOR COUNSELING AND EDUCATION SERVICES.

Clerk's Note: Items 4.A-C 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 County Judge noted that he had already signed the grant contract in Item 4.C, as waiting for the Court's approval would have caused the deadline to be missed.

ADMINISTRATIVE OPERATIONS ITEMS

5. 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 \$278,558.66 FOR THE PERIOD OF OCTOBER 17 TO OCTOBER 23, 2008. (9:26 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. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:26 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.

PURCHASING OFFICE ITEMS

7. APPROVE MODIFICATION NO. 2 TO CONTRACT NO. PS070350VR, SAMARITAN CENTER FOR THE MENTAL HEALTH YOUTH PROGRAM AND FAMILIES. (JUVENILE PROBATION) (9:26 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.

OTHER ITEMS

8. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:26 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.

9. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO PRINT 5000 FLYERS FOR 2008 BROWN SANTA PROGRAM AND APPROVE DISTRIBUTION WITH PAYROLL CHECKS ON NOVEMBER 14, 2008. (9:26 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 A JOINT ELECTION AGREEMENT FOR THE NOVEMBER 4, 2008 JOINT GENERAL AND SPECIAL ELECTIONS BETWEEN TRAVIS COUNTY AND THE CITY OF AUSTIN, AUSTIN INDEPENDENT SCHOOL DISTRICT; COUPLAND INDEPENDENT SCHOOL DISTRICT, ROUND ROCK INDEPENDENT SCHOOL DISTRICT, EAST TRAVIS GATEWAY LIBRARY DISTRICT; LAZY NINE MUNICIPAL UTILITY DISTRICT NUMBER 1B, LAZY NINE MUNICIPAL UTILITY DISTRICT NUMBER 1C, LAZY NINE MUNICIPAL UTILITY DISTRICT NUMBER 1D, VISTA MUNICIPAL UTILITY DISTRICT, TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 2, TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 6 AND TRAVIS COUNTY EMERGENCY SERVICES DISTRICT NUMBER 11. (9:26 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 ISSUES RELATED TO THE CONDUCT OF THE NOVEMBER 4, 2008 JOINT GENERAL AND SPECIAL ELECTIONS. (9:58 AM)

Item 11 not needed.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM PARSONS MOUNTED CAVALRY, A MOUNTED MILITARY ORGANIZATION OF THE CORPS OF CADETS AT TEXAS A&M UNIVERSITY, FOR WAIVER OR DISCOUNT OF FEE TO USE THE TRAVIS COUNTY EXPOSITION CENTER SHOW BARN TO BOARD HORSES FOR THANKSGIVING DAY PARADE. (9:32 AM)

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

- 1) A reduced fee of \$850.00 in place of the full fee of \$1,700.00;
- 2) The Parsons Mounted Cavalry will not use the stalls, and will clean the show barn to the Exposition Center Director's satisfaction;
- 3) The Parsons Mounted Cavalry will provide an insurance policy and a waiver of liability;
- 4) A license agreement reflecting the special terms and conditions recommended will be executed; and,
- 5) Michael Norton, Director, Travis County Exposition Center to be authorized to sign the license agreement.

Members of the Court heard from: Roger El Khoury, Director, Facilities Management; and Tenley Aldredge, Assistant County Attorney.

Motion by Commissioner Davis and seconded by Commissioner Gómez to go forward with the recommendation that the County Judge made. I want to make sure this goes through accordingly with the discounted amount; and also with the License Agreement between the Commissioners Court and the party, to allow this event to take place for the \$850.00 discount fee.

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.

13. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE PENDING LITIGATION IN TRAVIS COUNTY, TEXAS AND STATE OF TEXAS VS. COLDWATER DEVELOPMENT LTD. AND RODMAN EXCAVATION, INC., ET. AL. ¹ (9:15 AM)

Clerk's Note: Judge Biscoe announced that Item 13 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 13 postponed.

14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE SELECTION OF PERSON TO FILL INTERGOVERNMENTAL RELATIONS COORDINATOR POSITION. ³ (9:58 AM) (10:42 AM)

Clerk's Note: Judge Biscoe announced that Item 14 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

No action required on Item 14.

Item 14 to be reposted on November 7, 2008.

ADJOURNMENT

Motion by Commissioner Davis **and seconded by** Commissioner Gómez to adjourn the Voting Session. (10:44 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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

MINUTES APPROVED BY THE COMMISSIONERS' COURT

Date of Approval

Samuel T. Biscoe, Travis County Judge