

## **MINUTES OF MEETING NOVEMBER 18, 2008**

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

On Tuesday, the 18<sup>th</sup> day of November 2008, the Commissioners' Court convened the Voting Session at 9:16 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 record notes that Precinct One Commissioner Ron Davis was not present during this Voting Session.

The Commissioners Court retired to Executive Session at 11:19 AM.

The Commissioners Court reconvened the Voting Session at 12:03 PM.

The Commissioners Court recessed the Voting Session at 12:04 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 1:37 PM and adjourned at 1:39 PM

The Commissioners Court, meeting as the Travis County Health Facilities Development Corporation, convened at 1:39 PM and adjourned at 1:40 PM.

The Commissioners Court reconvened the Voting Session at 1:40 PM.

The Commissioners Court retired to Executive Session at 2:17 PM.

The Commissioners Court reconvened the Voting Session at 3:33 PM.

The Commissioners Court adjourned the Voting Session at 3:39 PM.



**CITIZENS COMMUNICATION**

**Members of the Court heard from:** Gus Peña, Travis County Resident; Ronnie Gjemre, Travis County Resident; Maurice Priest, Travis County Resident; Jennifer Gale, Travis County Resident; Willie Madison, Chief Deputy, Constable Precinct 1; Judge Richard Scott, Justice of the Peace Precinct 1; Sergeant Dedric Knox, Constable Precinct 1; Danny Thomas, Constable Elect Precinct One; Deputy Tonya Nixon, Constable Precinct 1; Luke Mercer, Constable Precinct One; and Karen Rennick, Founder, VoteRescue. (9:18 AM)

**Clerk’s Note:** During Citizens Communication the Court unanimously approved a Resolution honoring Luke Mercer, Constable Precinct One on his retirement.

**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve the following Consent Items: C1-C4 and Items 5, 6, 8, 10, 11, 12, 13.A&B, 15, 16, 17, 18, 19, 21, 22, 23, 24, 26, 31, 32.A-D, 33, and 34. (10:06 AM)

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 COMMISSIONERS COURT MINUTES FOR VOTING SESSIONS OF OCTOBER 28 AND NOVEMBER 4, 2008.
- C3. APPROVE SETTING A PUBLIC HEARING DATE ON DECEMBER 9, 2008 TO RECEIVE COMMENTS REGARDING PROPOSED STREET NAME CHANGES FROM SANDPIPER SPOT TRAIL TO “STANLEY ROBIN LANE” AND SANDPIPER PERCH LANE TO “NESTING MOCKINGBIRD TRAIL” IN PARK AT BLACKHAWK PHASE 6, SECTION 1 SUBDIVISION. (COMMISSIONER ECKHARDT)



**RESOLUTIONS AND PROCLAMATIONS**

3. APPROVE PROCLAMATION REGARDING AUSTIN ADOPTION DAY TO BE HELD NOVEMBER 20, 2008 AT GARDNER-BETTS JUVENILE JUSTICE CENTER. (COMMISSIONER GÓMEZ) (9:52 AM)

**Members of the Court heard from:** The Honorable Andrew Hathcock, Associate Judge; and Denise Hyde, Chair, Adoption Day Committee, Travis County Bar.

**Motion by** Commissioner Gómez **and seconded by** Judge Biscoe to approve the Proclamation in Item 3.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

4. APPROVE RESOLUTION RECOGNIZING NOVEMBER 15 THROUGH 21, 2008 AS “NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK” IN TRAVIS COUNTY. (JUDGE BISCOE) (9:59 AM)

**Members of the Court heard from:** Rick Rivera, Co-Vice Chairman, Ending Community Homelessness (ECHO).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the Resolution in Item 4.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**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 \$416,144.12 FOR THE PERIOD OF OCTOBER 31 TO NOVEMBER 6, 2008. (10:06 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. (10:06 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 REGARDING THE POTENTIAL CONTRACT WITH THE TEXAS ASSOCIATION OF COUNTIES FOR A COLLABORATION WITH TRAVIS COUNTY MEDIA SERVICES FOR THE PRODUCTION AND RE-PURPOSING OF COUNTY RELATED VIDEOS. (11:05 AM)

**Members of the Court heard from:** Steven Broberg, Director, Records Management and Communication Resources (RMCR); John Hille, Assistant County Attorney; and Jim Lewis, Communications Director, Texas Association of Counties (TAC).

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 7.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 8. AUTHORIZE COUNTY ATTORNEY TO PREPARE AND SUBMIT APPLICATION FOR APPROVAL OF TRAVIS COUNTY AS SELF-TRUSTEE OF TRAVIS COUNTY TEXAS 457(b) DEFERRED COMPENSATION PLAN. (10:06 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 REGARDING THE USE OF EXISTING COUNTY WAREHOUSE FURNITURE FOR USE AT TRAVIS COUNTY COMMUNITY JUSTICE CENTER (STATE JAIL). (JUDGE BISCOE) (11:16 AM)

**Members of the Court heard from:** Kimberly Pierce, Planning Manager, Criminal Justice Planning (CJP); and Cyd Grimes, Travis County Purchasing Agent.

**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	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

### PURCHASING OFFICE ITEMS

- 10. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. IL050005LC FOR THE PROVISION OF INTERNET CONNECTION SERVICES (THEnet) WITH UNIVERSITY OF TEXAS AT AUSTIN. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (10:06 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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. PS070094DG, LOOMIS PARTNERS, FOR ADDITIONAL PROFESSIONAL SURVEYING SERVICES FOR THE RUSK BUILDING AND TWELVE-MONTH EXTENSION. (FACILITIES MANAGEMENT) (10:06 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. APPROVE TERMINATION OF CONTRACT NO. 06T00090DR, WILSON CULVERTS INC., FOR CULVERT PIPES. (TRANSPORTATION AND NATURAL RESOURCES) (10:06 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. CONSIDER AND TAKE APPROPRIATE ACTIONS RELATED TO PROPERTY AND BOILER/MACHINERY INSURANCE: (10:06 AM)
  - A. APPROVE OR REJECT PURCHASE OF TERRORISM INSURANCE COVERAGE; AND
  - B. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 4) TO CONTRACT NO. 07T00007OJ, KEY & PISKURAN INSURANCE, FOR THE PROPERTY AND BOILER/MACHINERY INSURANCE TRAVIS COUNTY. (HUMAN RESOURCES MANAGEMENT DEPARTMENT)

**Clerk’s Note:** The County Judge noted that on Item 13.A the Court rejects the purchase of coverage for acts of terrorism.

**Clerk’s Note:** Items 13.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.

- 14. APPROVE ISSUANCE OF A PURCHASE ORDER TO CONTRACT NO. PS000307JJ, BUYOUT CONTRACT, JEFFREY S. WARD AND ASSOCIATES. (TRANSPORTATION AND NATURAL RESOURCES) (11:00 AM)

**Members of the Court heard from:** Joe Gieselman, Executive Manager, TNR; Melinda Mallia, Environmental Project Manager, TNR; Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 14.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes



15. APPROVE MODIFICATION NO. 2, AN ASSIGNMENT OF CONTRACT, TO CONTRACT NO. PS060067LP, TITLE SERVICES, STEWART TITLE AUSTIN, INC. (TRANSPORTATION AND NATURAL RESOURCES) (10:06 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 MODIFICATION NO. 2, AN ASSIGNMENT OF CONTRACT, TO CONTRACT NO. PS060068LP, TITLE SERVICES, LANDAMERICA COMMONWEALTH TITLE COMPANY. (TRANSPORTATION AND NATURAL RESOURCES) (10:06 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. 1 TO CONTRACT NO. 07AE0163RV FOR ARCHITECTURE AND ENGINEERING SERVICES FOR SMOKE DETECTION AND CONTROL LOGIC TO SMOKE EVACUATION SYSTEM AT THE TRAVIS COUNTY JAIL, TO PROFESSIONAL SYSTEMS ENGINEERING, LLC. (SHERIFF'S OFFICE) (10:06 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. APPROVE PRE-QUALIFIED LIST OF PROFESSIONAL ARCHITECTURAL AND ENGINEERING FIRMS AND ASSOCIATED PROCEDURES FOR UTILIZATION FOR SMALL PROJECTS IN TRAVIS COUNTY, RFQ NO. Q080290LP. (TRANSPORTATION AND NATURAL RESOURCES) (10:06 AM)

**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.

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

- 19. 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 BETWEEN LOTS 1184 AND 1185, APACHE SHORES, SECTION 2, A SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:09 AM)

**Clerk’s Note:** Item 19 is the action item for the public hearing on Agenda Item 1.

**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 A REQUEST FOR VARIANCE TO TRAVIS COUNTY’S SOLID WASTE SITING ORDINANCE, CHAPTER 64, SUBCHAPTER G, FOR A PROPOSED TEN-FOOT VERTICAL EXPANSION AND WATER QUALITY IMPROVEMENTS TO THE IESI LANDFILL SITE AT 9600 FM 812. (11:03 AM)

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Item 20.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 21. RECEIVE NOTIFICATION OF SATISFACTORY CONSTRUCTION OF THE PRIVATE STREETS FOR BELVEDERE PHASE IV SUBDIVISION. (COMMISSIONER DAUGHERTY) (10:06 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 A REQUEST FOR A VARIANCE FROM TITLE 30-3-191, SIDEWALK INSTALLATION IN SUBDIVISIONS (REQUIRES NEW SUBDIVISIONS TO CONSTRUCT SIDEWALKS) FOR THE REPLAT OF LOT 3 BISHOP'S BEND SUBDIVISION IN PRECINCT THREE. (COMMISSIONER DAUGHERTY) (10:06 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 A FINAL PLAT FOR RECORDING IN PRECINCT FOUR: BUTTROSS FARMS SUBDIVISION (9 TOTAL LOTS). (COMMISSIONER GÓMEZ) (10:08 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.

24. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR HORNSBY GLEN SUBDIVISION, PHASE ONE IN PRECINCT ONE. (10:06 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:  
(10:09 AM)

- A. REQUEST TO AUTHORIZE THE FILING OF INSTRUMENTS TO REJECT THE DEDICATION AND QUITCLAIM DEED TWO PORTIONS OF RIGHT OF WAY, ONE BEING A PORTION OF UNNAMED RIGHT OF WAY WITH THE OTHER BEING A PORTION OF DORADO PASS, BOTH BEING WITHIN THE RESUBDIVISION OF TRACTS 5, 6, 8 AND 9 OF LAKEHURST SUBDIVISION; AND
- B. VACATE TWO TWENTY-FOOT UNSPECIFIED EASEMENTS, BOTH BEING WITHIN THE RESUBDIVISION OF TRACTS 5, 6, 8 AND 9 LAKEHURST SUBDIVISION. (COMMISSIONER DAUGHERTY)

**Clerk’s Note:** Items 25.A&B 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; Mike Rickter, Travis County Resident; Pix Howell, Concept Development Planning, representing Toll Brothers; and Christopher Gilmore, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the request to vacate these two easements; direct Staff to make the plan regarding street and drainage, and other infrastructure for the project, available to Mr. Rickter and other residents immediately after receipt by the County; and that the plan be brought to the Commissioners Court for review and appropriate action prior to final approval.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
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 by approving the Motion the Court approves both Items 25.A&B.

26. CONSIDER AND TAKE APPROPRIATE ACTION ON A CASH SECURITY AGREEMENT WITH BUFFINGTON LAND, LTD. FOR SIDEWALK FISCAL FOR THE VILLAGES OF HIDDEN LAKE PHASE 2B, A SUBDIVISION IN PRECINCT TWO. (COMMISSIONER ECKHARDT) (10:06 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.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

27. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO RELEASE A REQUEST FOR SERVICES FOR WORKFORCE DEVELOPMENT SERVICES. (1:40 PM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); Lawrence Lyman, Social Services Program Administrator, Workforce Development, TCHHS&VS; and Cyd Grimes, Travis County Purchasing Agent.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Staff recommendations as described in the submitted documentation.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

28. CONSIDER AND TAKE APPROPRIATE ACTION ON OPTIONS FOR INVESTMENT OF \$450,000 OF NEW SOCIAL SERVICES FUNDING AVAILABLE FOR FISCAL YEAR 2009. (1:56 PM)

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we proceed with this, chat with community stakeholders and residents, receive their input, evaluate it, and next time we see you there will be a specific product that you are recommending.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 29. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ASSISTANCE FROM FOUNDATION COMMUNITIES FOR THE OPERATION OF TAX PREPARATION ASSISTANCE PROGRAM DURING THE 2009 TAX SEASON TO PROVIDE FREE INCOME TAX FILING ASSISTANCE TO ELIGIBLE RESIDENTS, INCLUDING: (2:00 PM)
  - A. LICENSE AGREEMENT FOR THE PROVISION OF SPACE AT THE TRAVIS COUNTY SOUTH RURAL COMMUNITY CENTER IN DEL VALLE FOR THE PROGRAM;
  - B. IN-KIND SUPPORT IN THE FORM OF PRINTING BROCHURES, FLIERS, FORMS AND OTHER PROMOTIONAL MATERIALS; AND
  - C. IN-KIND SUPPORT IN THE FORM OF DEAF INTERPRETERS SERVICES.

**Clerk's Note:** Items 29.A-C are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Items 29.A-C.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

- 30. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE PROGRAM YEAR 2007 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (2:05 PM)
  - A. SUMMARY OF THE ANNUAL PERFORMANCE REPORT;
  - B. NOTIFICATION OF THE EXTENSION OF THE COMMENT PERIOD UNTIL DECEMBER 12, 2008;
  - C. DRAFT OF THE PROGRAM YEAR 2007 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR PUBLIC COMMENT; AND
  - D. OTHER RELATED ISSUES.

**Clerk’s Note:** Items 30.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); and Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve the summary annual report; approve making this draft available for public comment beginning tomorrow; and approval of Item 30.B is part of the Motion.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

Item 30.D not needed.

**PLANNING AND BUDGET DEPT. ITEMS**

- 31. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (10:06 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. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:  
(10:06 AM)
- A. GRANT APPLICATION WITH THE AUTOMOTIVE BURGLARY AND THEFT PREVENTION AUTHORITY TO SUPPLEMENT THE 12<sup>TH</sup> YEAR OF SHERIFF'S COMBINED AUTO THEFT TASK FORCE (SCATTF) GRANT IN THE SHERIFF'S OFFICE;
  - B. GRANT CONTRACT TO THE U.S DEPARTMENT OF JUSTICE- BUREAU OF JUSTICE ASSISTANCE FOR THE 2<sup>ND</sup> PHASE OF OFFICE OF COMMUNITY ORIENTED POLICING TECHNOLOGY PROGRAM IN THE SHERIFF'S OFFICE;
  - C. GRANT CONTRACT TO THE U.S. DEPARTMENT OF JUSTICE- BUREAU OF JUSTICE ASSISTANCE FOR THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) IN THE SHERIFF'S OFFICE. GRANT PROVIDES REIMBURSEMENT FOR PRIOR YEAR EXPENDITURES; AND
  - D. THE ADDITION OF THREE GRANT-FUNDED FTE AS NOTED ON THE LOW INCOME VEHICLE REPAIR, RETROFIT, AND REPLACEMENT ASSISTANCE PROGRAM (LIRAP) STATUS REPORT FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.

**Clerk's Note:** Items 36.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

### OTHER ITEMS

33. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (10:06 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 ON INTERLOCAL AGREEMENTS BETWEEN TRAVIS COUNTY AND THE CITY OF MANOR, CITY OF JONESTOWN, CITY OF MUSTANG RIDGE, CITY OF ROLLINGWOOD AND THE CITY OF SUNSET VALLEY FOR EMERGENCY LAW ENFORCEMENT DISPATCH SERVICES. (10:06 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 FISCAL YEAR 2009 SECURITY COMMITTEE MEMBERSHIP. (JUDGE BISCOE) (2:17 PM)

**Clerk's Note:** The Court noted that Hershel Lee, Assistant Fire Marshall, Fire Marshall's Office will replace Brad Beauchamp, Travis County Fire Marshal on the Security Committee.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 35.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
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. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE ALONG AIRPORT BOULEVARD.  
<sup>1 AND 2</sup> (9:16 AM)

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

Item 36 postponed until November 25, 2008.

37. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION REGARDING THE MARAVILLA DEVELOPMENT (PRIMERA HOMES) IN CARDINAL HILLS ESTATES UNIT 15 AND THE STATUS OF THE FISCAL SURETY BOND FROM THE HARTFORD. <sup>1</sup>  
(9:16 AM)

**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.

Item 37 postponed until November 25, 2008.

38. CONSIDER AND TAKE APPROPRIATE ACTION ON PURCHASE CONTRACT WITH PARKE PROPERTIES I, L.P., PARKE PROPERTIES II, L.P. AND GDF REALTY INVESTMENTS, LTD. FOR THE ACQUISITION OF LAND IN CONNECTION WITH THE BALCONES CANYONLANDS CONSERVATION PLAN. <sup>2</sup> (11:19 AM) (12:03 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 38 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 Judge Biscoe and seconded by Commissioner Daugherty** that we agree to purchase this property for the appraised value of \$7.5M; that we authorize the County Judge to execute the appropriate paperwork to expedite final resolution of this.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

39. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR JUVENILE PROBATION EMPLOYEE, SLOT NO. 429. <sup>1 AND 3</sup> (11:19 AM) (2:17 PM) (3:33 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney and Gov’t. Code Ann. 551.074, Personnel Matters.

**Motion by Judge Biscoe and seconded by Commissioner Daugherty** that we grant an additional 14 days of leave with pay for this employee.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk’s Note:** The Court noted that the additional 14 days would carry the employee up to and including November 18, 2008.





44. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. <sup>1 AND 2</sup> (9:16 AM)

**Clerk's Note:** Judge Biscoe announced that Item 44 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.

Item 44 postponed until November 25, 2008.

45. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING REMEDIES TO CONSIDER FOR PRODUCTS RECEIVED FROM INTEGRIAN, INC. <sup>1</sup> (2:17 PM) (3:36 PM)

**Clerk's Note:** Judge Biscoe announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Cyd Grimes, Travis County Purchasing Agent; and David Childress, Sales Manager of Texas, Integrian Inc.

**Motion by** Judge Biscoe **and seconded by** Commissioner Daugherty that the 65 machines will be replaced by Integrian Inc.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk's Note:** The Court noted that David Childress, Sales Manager of Texas, Integrian Inc. agreed that Integrian Inc will replace the 65 machines.

- 46. CONSIDER AND TAKE APPROPRIATE ACTION ON OPTIONS FOR ACQUISITION OF APPROXIMATELY 500 ACRES OF LAND NEAR U.S. HIGHWAY 183 AND LOOP 360 IN PRECINCT THREE FOR INCLUSION IN THE BALCONES CANYONLANDS PRESERVE. <sup>1 AND 2</sup> (11:19 AM) (3:38 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 46 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** Judge Biscoe **and seconded by** Commissioner Daugherty that we ask Transportation and Natural Resources to incorporate changes recommended by the County Attorney’s Office, and also authorize that that be executed by the County Judge on behalf of the Commissioners Court after the changes have been made.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	absent
Precinct 2, Commissioner Sarah Eckhardt	absent
Precinct 3, Commissioner Gerald Daugherty	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**ADDED ITEM**

- 47. 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. <sup>1</sup> (11:19 AM) (12:03 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

Discussion only. No formal action taken.

Item 47 to be reposted on November 25, 3008.

