

## **MINUTES OF MEETING DECEMBER 23, 2008**

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

On Tuesday, the 23<sup>rd</sup> day of December 2008, the Commissioners' Court convened the Voting Session at 9:17 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 11:58 AM.

The Commissioners Court, meeting as the Northwest Travis County Road District #3 (Golden Triangle), convened at 1:44 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 1:45 PM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation; the Travis County Health Facilities Development Corporation; the Capital Industrial Development Corporation; the Capital Health Facilities Development Corporation; the Travis County Development Authority; and the Travis County Cultural Education Facilities Finance Corporation, convened at 1:45 PM and adjourned at 1:46 PM.

The Commissioners Court reconvened the Voting Session at 1:47 PM.

The Commissioners Court retired to Executive Session at 2:41 PM.

The Commissioners Court reconvened the Voting Session at 3:30 PM.

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



**CONSENT ITEMS**

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve the following Consent Items: C1-C2 and Items 3, 4, 5, 9, 10, 11, 13, 14, 18, 19, 20, 21, 25 and 29. (9:34 AM)

<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

C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.

C2. APPROVE COMMISSIONERS COURT MINUTES FOR VOTING SESSION OF DECEMBER 9, 2008.

**PLANNING AND BUDGET DEPT. ITEMS**

2. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:37 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, Planning and Budget Office (PBO); and Luane Schull, Compensation Manager, Human Resources Management Department (HRMD).

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

<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

**ADMINISTRATIVE OPERATIONS ITEMS**

3. 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 \$623,235.92 FOR THE PERIOD OF DECEMBER 5 TO DECEMBER 11, 2008. (9:34 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 TAKE APPROPRIATE ACTION ON PROPOSED ROUTINE PERSONNEL AMENDMENTS. (9:34 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.

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE DECLARATION OF EASEMENTS AND RESTRICTIVE COVENANT REGARDING UNIFIED DEVELOPMENT AND MAINTENANCE OF DRAINAGE FACILITIES (THE "RESTRICTIVE COVENANT") FOR WESCO ACRES – SITE OF PRECINCT THREE OFFICE BUILDINGS. (9:34 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 AGREEMENTS AND POLICIES FOR THE ADMINISTRATION OF THE 457 DEFERRED COMPENSATION PROGRAM: (9:52 AM)

- A. ADOPTION AGREEMENT GREAT-WEST RETIREMENT SERVICES SECTION 457(B) ELIGIBLE DEFERRED COMPENSATION PLAN FOR GOVERNMENTAL EMPLOYERS;

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to approve Item 6.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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENTS AND POLICIES FOR THE ADMINISTRATION OF THE 457 DEFERRED COMPENSATION PROGRAM: (9:53 AM)

- B. 457(B) PLAN LOAN ADMINISTRATION POLICY FOR TRAVIS COUNTY;

**Members of the Court heard from:** Dan Mansour, Risk and Benefits Manager, HRMD; and Norman McRee, Financial Analyst, Lead, HRMD.

**Motion by Judge Biscoe and seconded by** Commissioner Gómez to approve Item 6.B

**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

**ITEM 6 CONTINUED**

6. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENTS AND POLICIES FOR THE ADMINISTRATION OF THE 457 DEFERRED COMPENSATION PROGRAM: (9:54 AM)

C. AGREEMENT FOR RECORDKEEPING AND COMMUNICATION SERVICES WITH GREAT-WEST LIFE AND ANNUITY INSURANCE COMPANY AND THE FOLLOWING AUTHORIZATIONS:

1. PLAN CENTER AUTHORIZATION FORM; AND
2. SIGNATURE AUTHORIZATION;

**Clerk's Note:** Items 6.C.1&2 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Norman McRee, Financial Analyst, Lead, HRMD; Alicia Perez, Executive Manager, Administrative Operations; and Barbara Wilson, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Items 6.C.1&2.

<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	absent
Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 6 CONTINUED**

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENTS AND POLICIES FOR THE ADMINISTRATION OF THE 457 DEFERRED COMPENSATION PROGRAM: (10:00 AM)

- D. SECTION 457 CUSTODIAL ACCOUNT AGREEMENT WITH WELLS FARGO BANK, NATIONAL ASSOCIATION;

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 6.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

- 6. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENTS AND POLICIES FOR THE ADMINISTRATION OF THE 457 DEFERRED COMPENSATION PROGRAM: (10:01 AM)

- E. PARTICIPATION AGREEMENT FOR PUTNAM FIDUCIARY TRUST COMPANY INVESTMENT FUNDS FOR PENSION AND PROFIT SHARING TRUSTS;

**Members of the Court heard from:** Al DiCristifaro, President, The Retirement Store; Barbara Wilson, Assistant County Attorney; Alicia Perez, Executive Manager, Administrative Operations; and Mike Abkowitz, Regional Director, Great West Retirement Services.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez to approve Item 6.E.

**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 6 CONTINUED**

6. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENTS AND POLICIES FOR THE ADMINISTRATION OF THE 457 DEFERRED COMPENSATION PROGRAM: (10:04 AM)

F. AGREEMENTS BETWEEN BARCLAYS GLOBAL INVESTORS, N.A. AND TRAVIS COUNTY, TEXAS 457(B) DEFERRED COMPENSATION PLAN; AND

1. INVESTMENT MANAGEMENT AND CUSTODY AGREEMENT; AND

2. GUIDELINE AND FEE AGREEMENT;

**Clerk's Note:** Items 6.F.1&2 are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Al DiCristifaro, President, The Retirement Store; Alicia Perez, Executive Manager, Administrative Operations; Norman McRee, Financial Analyst, Lead, HRMD; Mike Abkowitz, Regional Director, Great West Retirement Services; and Barbara Wilson, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Davis** to approve Items 6.F.1&2, including using other access tools mentioned such as the internet, and any other mechanisms to make sure employees get the information.

**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



**ITEM 6 CONTINUED**

6. CONSIDER AND TAKE APPROPRIATE ACTION ON AGREEMENTS AND POLICIES FOR THE ADMINISTRATION OF THE 457 DEFERRED COMPENSATION PROGRAM: (10:20 AM)

- G. PLAN SPONSOR AGREEMENT AND NEW ACCOUNT FORM WITH TD AMERITRADE SELF-DIRECTED BROKERAGE ACCOUNT INCLUDING CLIENT AGREEMENT.

**Members of the Court heard from:** Alicia Perez, Executive Manager, Administrative Operations; Barbara Wilson, Assistant County Attorney; and Al DiCristifaro, President, The Retirement Store.

Discussion only. No formal action taken.

Item 6;G to be reposted on December 30, 2008.

**JUSTICE AND PUBLIC SAFETY ITEMS**

7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING INTERLOCAL AGREEMENTS WITH TRAVIS COUNTY FOR AGENCY REIMBURSEMENTS UNDER RULE 251.3: (9:17 AM)

- A. EMERGENCY SERVICES DISTRICT NO. 1;
- B. EMERGENCY SERVICES DISTRICT NO. 2;
- C. EMERGENCY SERVICES DISTRICT NO. 3;
- D. EMERGENCY SERVICES DISTRICT NO. 4;
- E. EMERGENCY SERVICES DISTRICT NO. 5;
- F. EMERGENCY SERVICES DISTRICT NO. 6;
- G. EMERGENCY SERVICES DISTRICT NO. 8;
- H. EMERGENCY SERVICES DISTRICT NO. 9;
- I. EMERGENCY SERVICES DISTRICT NO. 10;
- J. EMERGENCY SERVICES DISTRICT NO. 11;
- K. EMERGENCY SERVICES DISTRICT NO. 12;
- L. EMERGENCY SERVICES DISTRICT NO. 14; AND
- M. CITY OF AUSTIN.

Items 7.A-M postponed until December 30, 2008.

**PURCHASING OFFICE ITEMS**

- 8. APPROVE MODIFICATION NO. 3, INTERLOCAL AGREEMENT NO. IL070209VR, ENVISION CENTRAL TEXAS, FOR REGIONAL PLANNING STUDY. (TRANSPORTATION AND NATURAL RESOURCES) (9:43 AM)

**Motion by** Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 8.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST TO APPROVE CONVERSION OF TWO WEAPONS TO TRAVIS COUNTY IN ACCORDANCE WITH ARTICLE 18.17 OF THE TEXAS CODE OF CRIMINAL PROCEDURE. (FIXED ASSETS) (9:34 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. APPROVE CONTRACT AWARD FOR HIGH PRESSURE DRY ICE BLASTER SYSTEM, IFB NO. B090035NB, TO THE SOLE BIDDER, HOTSY CARLSON EQUIPMENT COMPANY. (TRANSPORTATION AND NATURAL RESOURCES) (9:34 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 CONTRACTS WITH 42 CONTRACTORS FOR THE PROVISION OF SOCIAL SERVICES AND AUTHORIZE COUNTY PURCHASING AGENT TO SIGN ON THE COURT’S BEHALF. (SEE “ATTACHMENT A” FOR LISTING OF SUCH CONTRACTORS) (9:34 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 MODIFICATION NO. 31 TO CONTRACT NO. MA980095, TIBURON, INC., FOR AGREEMENT FOR EXTENDED SERVICES. (INFORMATION AND TELECOMMUNICATIONS SYSTEMS) (9:44 AM) (9:47 AM)

**Members of the Court heard from:** Judy Pittsford, Project Manager, Information and Telecommunications Systems (ITS).

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

**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

- 13. APPROVE MEMORANDUM OF AGREEMENT FOR THE HUNTERS FOR THE HUNGRY PROGRAM AND AUTHORIZE COUNTY PURCHASING AGENT TO SIGN ON THE COURT’S BEHALF. (9:34 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.

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

- 14. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 3.573 ACRE PORTION OF A RIGHT OF WAY ORIGINALLY DEDICATED FOR HEATHERWILDE BOULEVARD. (9:34 AM)

**Clerk’s Note:** Item 14 is the action item for the public hearing on Agenda Item 1.

**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. CONSIDER AND TAKE APPROPRIATE ACTION ON WAIVER OF RETROACTIVITY ALLOWING TRAVIS COUNTY TO ACQUIRE THE BARKLEY TRACT IN ADVANCE OF A GRANT APPLICATION SUBMISSION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT. (9:46 AM)

**Members of the Court heard from:** Melinda Mallia, Environmental Project Manager, TNR; and Carol Joseph, Assistant Director, TNR.

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

- 16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE TRANSFER OF 826.546 ACRE VOLENTE MITIGATION TRACT FROM GRASON VOLENTE INVESTMENTS, LTD. TO TRAVIS COUNTY AND ACCEPTANCE OF OPERATION AND MAINTENANCE RESPONSIBILITY TO BE MANAGED AS PART OF THE BALCONES CANYONLANDS PRESERVE. (2:34 PM)

**Members of the Court heard from:** John Hille, Assistant County Attorney.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Eckhardt to approve Item 16.

**Withdrawal of the previous Motion was made by** Commissioner Daugherty **and** Commissioner Eckhardt.

Discussion only. No formal action taken.

Item 16 to be reposted when ready.

## HEALTH AND HUMAN SERVICES DEPT. ITEMS

17. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED THE PROGRAM YEAR 2007 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROVIDED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD): (2:36 PM)
- A. RECEIVE NOTIFICATION THAT NO COMMENTS WERE RECEIVED DURING THE PUBLIC COMMENT PERIOD;
  - B. REPORT INCLUDING CHANGES MADE DURING THE PUBLIC COMMENT PERIOD; AND
  - C. SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, SAN ANTONIO FIELD OFFICE, REGION VI.

**Clerk's Note:** Items 17.A-C 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).

**Motion by Judge Biscoe and seconded by** Commissioner Eckhardt to approve the recommended changes in Item 17.B.

**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** Commissioner Daugherty **and seconded by** Commissioner Gómez to approve Item 17.C, plus submission to the Regional Office.

**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 17.A Discussion only. No formal action taken.

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FROM TRAVIS COUNTY HEALTH AND HUMAN SERVICES AND VETERANS SERVICE TO USE PARENTING IN RECOVERY GRANT MONEY TO SEND STAFF FROM PARTNER AGENCIES TO CONFERENCE IN WASHINGTON, D.C. (9:34 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.

### OTHER ITEMS

19. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:34 AM)

**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. RECEIVE REVENUE AND EXPENDITURE REPORTS FOR THE MONTH OF NOVEMBER, 2008. (9:34 AM)

**Clerk's Note:** Item 20 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

21. CONSIDER AND TAKE APPROPRIATE ACTION ON APPOINTMENT OF JEANNE STAMP TO SERVE ON THE BOARD OF THE TRAVIS COUNTY CHILDREN'S PROTECTIVE SERVICES. (COMMISSIONER GOMEZ)  
(9:34 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 LEGISLATIVE MATTERS, INCLUDING: (2:23 PM)
  - A. THE LEGISLATIVE TRACKING SYSTEM TRAVIS COUNTY WILL USE; AND
  - B. THE TRAVIS COUNTY LEGISLATIVE PROGRAM FOR THE 81<sup>ST</sup> TEXAS LEGISLATURE, WHICH BEGINS ON JANUARY 13, 2009.

**Clerk’s Note:** Items 22.A&B are associated with one another and were called for concurrent discussion.

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer.

**Motion by** Commissioner Eckhardt **and seconded by** Commissioner Gómez to approve Item 22.B, with the knowledge that it's a living and breathing document and will probably change significantly.

**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

Item 22.A was discussion only. No formal action taken.

- 23. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION SUPPORTING THE TEXAS RAIL RELOCATION AND IMPROVEMENT ASSOCIATION’S PURSUIT OF LEGISLATION DURING THE 81<sup>ST</sup> LEGISLATURE THAT WOULD PROVIDE FUNDING AND ASSISTANCE FOR THE RELOCATION OF FREIGHT RAIL LINE OUTSIDE OF URBAN CENTERS AND THE CREATION OF INTER-CITY COMMUTER RAIL LINES IN THE AUSTIN-SAN ANTONIO CORRIDOR. (COMMISSIONER ECKHARDT) (1:47 PM)

**Members of the Court heard from:** Ross Malloy, President, Austin-San Antonio Corridor Council.

Discussion only. No formal action taken.

- 24. CONSIDER AND TAKE APPROPRIATE ACTION ON A RESOLUTION SUPPORTING SCENIC TEXAS' PURSUIT OF LEGISLATION DURING THE 81<sup>ST</sup> LEGISLATURE FOR COUNTY AUTHORITY TO REGULATE BILLBOARDS WITHIN ITS JURISDICTION, BUT OUTSIDE THE CORPORATE LIMITS OF A MUNICIPALITY. (COMMISSIONER ECKHARDT) (2:13 PM)

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer.

**Motion by** Commissioner Daugherty **and seconded by** Commissioner Eckhardt to approve Item 24.

**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

- 25. CONSIDER AND TAKE APPROPRIATE ACTION ON AMENDMENT NO. FIVE TO THE MEMORANDUM OF UNDERSTANDING RELATING TO SECURITY FOR THE COMBINED TRANSPORTATION, EMERGENCY AND COMMUNICATIONS CENTER, EXTENDING THE SCOPE OF WORK FOR THE TRAVIS COUNTY SHERIFF'S OFFICE THROUGH FISCAL YEAR 2009. (9:34 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. CONSIDER AND TAKE APPROPRIATE ACTION ON BONDS FOR THE FOLLOWING ELECTED OFFICIALS: (2:39 PM)

- A. RON DAVIS, TRAVIS COUNTY COMMISSIONER PRECINCT ONE;
- B. DAVID A. ESCAMILLA, TRAVIS COUNTY ATTORNEY;
- C. ADAN BALLESTEROS, CONSTABLE PRECINCT TWO;
- D. RICHARD T. MCCAIN, CONSTABLE PRECINCT THREE;
- E. MARIA L. CANCHOLA, CONSTABLE PRECINCT FOUR;
- F. BRUCE ELFANT, CONSTABLE PRECINCT FIVE;
- G. NELDA WELLS SPEARS, TAX ASSESSOR-COLLECTOR; AND
- H. **ADDED ITEM:** DANNY THOMAS, CONSTABLE, PRECINCT ONE.

**Clerk's Note:** Items 26.A-H are associated with one another and were called for concurrent discussion.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Daugherty to approve Items 26.A-F and Item 26.H.

**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 26.G postponed until December 30, 2008.

27. CONSIDER AND TAKE APPROPRIATE ACTION ON BONDS FOR THE FOLLOWING: (2:41 PM)

- A. GEORGE MORALES III, CHIEF DEPUTY CONSTABLE PRECINCT TWO;
- B. STACY SUITS, CHIEF DEPUTY CONSTABLE PRECINCT THREE;
- C. ROBERT L. ELLER, CHIEF DEPUTY CONSTABLE PRECINCT FOUR;
- D. CARLOS B. LOPEZ, CHIEF DEPUTY CONSTABLE PRECINCT FIVE; AND
- E. **ADDED ITEM:** CRAIG HOWARD, CHIEF DEPUTY CONSTABLE, PRECINCT ONE.

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

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Items 27.A-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 29.E postponed until December 30, 2008.

28. RECEIVE UPDATE AND TAKE APPROPRIATE ACTION ON THE PROPOSED HOMESTEAD PRESERVATION REINVESTMENT ZONE, A TAX INCREMENT FINANCING (TIF) ZONE SUPPORTING AFFORDABLE HOUSING IN THE HOMESTEAD PRESERVATION DISTRICT. (10:27 AM)

**Members of the Court heard from:** Leroy Nellis, Budget Manager, PBO; Margaret Shaw, Director, Neighborhood Housing and Community Development, City of Austin; Reverend Ricky Moreland, Travis County Resident; Scottie Ivory, Chestnut Neighborhood Association; Gus Peña, Travis County Resident; Elmer Phoenix, Travis County Resident; Pastor Robert Walker Sr., Travis County Resident; A. W. Anthony Mays, Senior Pastor, Mount Sinai Missionary Baptist Church; and Herbert Johnson, Chairman, Deacons Board, St. Stephen’s Baptist Church.

Discussion only. No formal action taken.

29. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING DONATION OF LE 230 ULTRASONIC WEAPON CLEANING SYSTEM FROM J.C. HUNDLEY TO BE USED BY THE SHERIFF'S RANGE MASTER TO CLEAN, CONDITION AND LUBRICATE WEAPONS. (9:34 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. CONSIDER AND TAKE APPROPRIATE ACTION ON INTERLOCAL BETWEEN TRAVIS COUNTY, THE CITY OF AUSTIN AND THE AUSTIN INDEPENDENT SCHOOL DISTRICT TO ENHANCE THE EDUCATIONAL AND ECONOMIC OPPORTUNITIES OF TRAVIS COUNTY YOUTH. (9:18 AM)

Item 30 postponed until December 30, 2008.

### 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.

31. 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> (2:41 PM)

**Clerk's Note:** Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 31 postponed until December 30, 2008.

32. RECEIVE BRIEFING FROM COUNTY ATTORNEY REGARDING REMEDIES TO CONSIDER FOR PRODUCTS RECEIVED FROM INTEGRIAN, INC. AND TAKE APPROPRIATE ACTION. <sup>1</sup> (2:41 PM) (3:30 PM)

**Clerk's Note:** Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** John Hille, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we authorize Staff to keep negotiating with Integrian, Inc., regarding the sixty-five DP2 systems, to give them an opportunity to basically replace those systems we have with working systems, and ask Cyd Grimes, Travis County Purchasing Agent to continue, consistent with our discussions.

**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

33. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON REQUEST FROM AUSTIN KENNEL CLUB TO LICENSE THE TRAVIS COUNTY EXPOSITION CENTER. <sup>1</sup> (9:17 AM)

**Clerk's Note:** Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 33 pulled from the Agenda.

- 34. RECEIVE LEGAL BRIEFING ON TERMS AND CONDITIONS OF CONTRACTS WITH STAR OF TEXAS RODEO AND TAKE APPROPRIATE ACTION. <sup>1</sup>  
(2:41 PM) (3:32 PM)

**Clerk’s Note:** Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov’t. Code Ann. 551.071, Consultation with Attorney.

**Members of the Court heard from:** Tenley Aldredge, Assistant County Attorney.

**Motion by** Judge Biscoe **and seconded by** Commissioner Gómez that we ask the County Attorney’s Office to prepare appropriate amendments to our outstanding contract, which provides different provisions for only 2009, there will be two amendments, but that we indicate a total payment to the County in the amount of \$150,000.00, plus in-kind contributions of services that we need at the Expo Center, or payment of \$30,000.00 in cash to the County; that we will otherwise authorize Staff to keep working with representatives from the Star of Texas Rodeo to carry out whatever we need done, consistent with the discussions that we’ve been having with them over the last month. That at some point we be given final documents, hopefully signed, for final Court action.

**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

