

MINUTES OF MEETING NOVEMBER 30, 2010

TRAVIS COUNTY COMMISSIONERS' COURT

On Tuesday, the 30th day of November 2010, 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 11:33 AM.

The Commissioners Court reconvened the Voting Session at 12:34 PM.

The Commissioners Court recessed the Voting Session at 12:34 PM.

The Commissioners Court reconvened the Voting Session at 2:12 PM.

The Commissioners Court retired to Executive Session at 2:12 PM.

The Commissioners Court reconvened the Voting Session at 3:46 PM.

The Commissioners Court recessed the Voting Session at 3:48 PM.

The Northwest Travis County Road District #3 (Golden Triangle) voting session was postponed until December 7, 2010.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 3:49 PM and adjourned at 3:50 PM.

The Travis County Cultural Education Facilities Finance Corporation and the Capital Industrial Development Corporation voting sessions were postponed until December 7, 2010.

The Commissioners Court reconvened the Voting Session at 3:51 PM.

The Commissioners Court retired to Executive Session at 3:51 PM.

The Commissioners Court reconvened the Voting Session at 5:56 PM.

The Commissioners Court adjourned the Voting Session at 5:57 PM.

CITIZENS COMMUNICATION

Members of the Court heard from: Gus Peña, Travis County Resident; Dr. John K. Kim, Travis County Resident; Morris Priest, Travis County Resident; and Ronnie Gjemre, Travis County Resident. (9:16 AM)

CONSENT ITEMS

Members of the Court heard from: Ronnie Gjemre, Travis County Resident.

Motion by Commissioner Davis **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C5 and Items 3, 4, 5, 6, 7, 8, 9, 11, 12.A&B, 16.A-D, 16.F&G, 20, and 21.A&B. (9:30 AM)

Motion carried:

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

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE THE COMMISSIONERS COURT MINUTES FOR THE VOTING SESSION OF NOVEMBER 9, 2010.
- C4. APPROVE COMMISSIONERS COURT MINUTES FOR THE VOTING SESSION OF NOVEMBER 16, 2010.
- C5. APPROVE SETTING A PUBLIC HEARING DATE FOR DECEMBER 14, 2010 TO RECEIVE COMMENTS REGARDING A PLAT FOR RECORDING IN PRECINCT TWO: RACEWAY SINGLE FAMILY SUBDIVISION SECTION ONE FINAL PLAT (A SMALL LOT SUBDIVISION) (RESUBDIVISION OF LOTS 24 AND 25 NORTHRIDGE ACRES NUMBER 2 SUBDIVISION – 70 LOTS – 14.039 ACRES – GRAND AVENUE PARKWAY – APPROPRIATE FISCAL HAS BEEN POSTED WITH THE CITY OF AUSTIN – WATER AND SEWAGE SERVICE TO BE PROVIDED BY THE CITY OF AUSTIN – CITY OF AUSTIN ETJ). (COMMISSIONER ECKHARDT)

PURCHASING OFFICE ITEMS

3. APPROVE TWELVE-MONTH EXTENSION (MODIFICATION NO. 10) TO CONTRACT NO. 03T000580J, ALLIANCE WORK PARTNERS, FOR THE EMPLOYEE ASSISTANCE PROGRAM FOR TRAVIS COUNTY EMPLOYEES. (9:30 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. APPROVE CONTRACT AWARD FOR PROFESSIONAL PSYCHOLOGIST SERVICES WITH JAN FORD MUSTIN, PH.D. (9:30 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. APPROVE MODIFICATION NO. 22 TO CONTRACT NO. MA960322, EASY ACCESS, INC., FOR TAX OFFICE COMPUTER SYSTEM. (9:30 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. 1 TO CONTRACT NO. CM080107LC, MITEL TECHNOLOGIES, INC., FOR AN INTERACTIVE VOICE RESPONSE SYSTEM. (9:30 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. APPROVE MODIFICATION NO. 4 TO CONTRACT NO. MA080155LC, FUTURE COM, LTD, FOR SECURITY PRODUCTS, SUPPORT AND SERVICES FOR THE INFORMATION AND TECHNOLOGY DEPARTMENT. (9:30 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.

8. APPROVE MODIFICATION NO. 3, AN ASSIGNMENT OF CONTRACT NO. PS060234ML, FROM NAVICUS, INC., TO PINKERTON CONSULTING & INVESTIGATION, INC. (9:30 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.

Clerk's Note: The County Judge noted that the effective date of the Assignment of Contract would be September 10, 2010.

9. APPROVE MODIFICATION NO. 9 TO WORK ORDER #2010-02 TO INTERLOCAL AGREEMENT NO. IL000106-JG, CITY OF AUSTIN, FOR ENERGY SERVICES. (9:30 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.

TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

- 10. A. CONSIDER AND TAKE APPROPRIATE ACTION ON WHETHER TO PROCEED WITH ARTERIAL "A", A MAJOR TRANSPORTATION PROJECT IN TRAVIS COUNTY (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN 551.071, CONSULTATION WITH ATTORNEY); AND
- B. APPROVE CONTRACT AWARD FOR PROFESSIONAL CONSULTING SERVICES, DESIGN SERVICES FOR ARTERIAL "A", RFQ NO. Q100198-JE TO THE HIGHEST QUALIFIED RESPONDENT, AECOM TECHNICAL SERVICES, INC. (9:52 AM)

Members of the Court heard from: Steve Manilla, Director, Public Works, Transportation and Natural Resources (TNR); John Williams, Board Member, Park Springs Neighborhood Association; Joyce Thoresen, Walnut Place Neighborhood Association; and John Hutchison, Past President, Walnut Place Neighborhood Association.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Items 10.A&B.

Motion carried:

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

- 11. CONSIDER AND TAKE APPROPRIATE ACTION ON LICENSE AGREEMENT WITH ATT-BRAIN AND SPINE CYCLING TO HOLD A BIKE RACE AT RICHARD MOYA PARK. (COMMISSIONER GÓMEZ) (9:30 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. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING IN PRECINCT TWO: (9:30 AM)
 - A. ACCEPTANCE OF DEDICATION OF THE PARK AT BLACKHAWK VI SECTION 1; AND
 - B. CASH SECURITY AGREEMENT FOR BOUNDARY STREET FISCAL FOR ROWE LANE. (COMMISSIONER ECKHARDT)

Clerk’s Note: Items 12.A&B 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 ACTION REGARDING THE FORMATION OF ONE OR MORE GROUNDWATER AVAILABILITY STAKEHOLDER COMMITTEES TO MAKE RECOMMENDATIONS REGARDING GROUNDWATER AVAILABILITY REQUIREMENTS IN CHAPTER 82, TRAVIS COUNTY CODE. (10:09 AM)

Clerk’s Note: The Court discussed the formation of a stakeholder committee comprised of 14 members. Each Commissioner would appoint two members with the remaining four members being appointed by the whole Commissioners Court. The Committee would split into two sub-committees to discuss specific issues for East and West Travis County.

Members of the Court heard from: Joe Gieselman, Executive Manager, TNR; Anna Bowlin, Program Manager, Planning and Engineering, TNR; and Morris Priest, Travis County Resident.

Motion by Commissioner Davis **and seconded by** Judge Biscoe to approve Item 13, with the minor changes recommended by the Court. Each member of the Court will appoint two members of the committee.

Motion carried: County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

14. CONSIDER AND TAKE APPROPRIATE ACTION ON COUNTY COMMENTS REGARDING THE CITY OF AUSTIN'S IMAGINE AUSTIN COMPREHENSIVE PLAN ALTERNATIVE GROWTH SCENARIOS AS THEY RELATE TO THE UNINCORPORATED AREA OF TRAVIS COUNTY AND THE CITY'S FIVE-MILE EXTRATERRITORIAL JURISDICTION. (COMMISSIONER ECKHARDT) (11:32 AM)

Item 14 postponed until December 7, 2010.

PLANNING AND BUDGET DEPT. ITEMS

15. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (9:15 AM)

Item 15 not needed.

16. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:30 AM)
- A. ANNUAL CONTRACT WITH THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES TO CONTINUE TO RECEIVE TITLE IV-E CHILD WELFARE SERVICES PROGRAM RESOURCES FOR FOSTER CARE EXPENDITURES IN THE HEALTH AND HUMAN SERVICES & VETERANS SERVICES DEPARTMENT;
 - B. ANNUAL CONTRACT WITH THE TEXAS DEPARTMENT ON AGING AND DISABILITY SERVICES THROUGH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE COMING OF AGE PROGRAM (FORMERLY THE RETIRED SENIOR VOLUNTEER PROGRAM) IN THE HEALTH AND HUMAN SERVICES & VETERANS SERVICES DEPARTMENT;
 - C. ANNUAL CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE COMING OF AGE PROGRAM (FORMERLY THE RETIRED SENIOR VOLUNTEER PROGRAM) IN THE HEALTH AND HUMAN SERVICES & VETERANS SERVICES DEPARTMENT;
 - D. ANNUAL CONTRACT WITH THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, TO CONTINUE THE STATE CRIMINAL ALIEN ASSISTANCE PROGRAM IN THE TRAVIS COUNTY SHERIFF'S OFFICE;

Clerk's Note: Item 16.A-D approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

- 16. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(10:47 AM)

- E. NEW CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY TO RECEIVE DEPARTMENT OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE PROGRAM, RESOURCES FOR THE CREATION OF A TRAVIS COUNTY CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR, EXPLOSIVE STRIKE TEAM COORDINATOR THAT WILL ENHANCE THE EXISTING PROGRAM WITHIN THE EMERGENCY SERVICES DEPARTMENT;

Members of the Court heard from: Pete Baldwin, Emergency Management Coordinator, Travis County Emergency Services; Gary Warren, Fire Chief, Emergency Services Districts #5 and #9 (ESD #5 and #9); Danny Hobby, Executive Manager, Travis County Emergency Services; Travis Gatlin, Budget Analyst, Planning and Budget Office (PBO); and Dr. John K. Kim, Travis County Resident.

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

Motion carried:

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

- 16. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROPOSALS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
(9:30 AM)

- F. NEW CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY TO RECEIVE DEPARTMENT OF HOMELAND SECURITY, STATE HOMELAND SECURITY PROGRAM, RESOURCES FOR HAZARDOUS MATERIAL DETECTION AND DECONTAMINATION EQUIPMENT AND RELATED MAINTENANCE FOR THE EMERGENCY SERVICES DEPARTMENT; AND

- G. NEW CONTRACT AND RELATED RESOLUTION FOR AN ADVANCED FUNDING AGREEMENT TO RECEIVE FEDERAL RESOURCES THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE MCKINNEY FALLS PARKWAY PEDESTRIAN WAY PROJECT MANAGED BY THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT.

Clerk’s Note: Items 16.F&G 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

- 17. CONSIDER AND TAKE APPROPRIATE ACTION ON PROPOSED AMENDMENTS AND RESTATEMENT OF THE ARTICLES OF ORGANIZATION OF THE AUSTIN-TRAVIS COUNTY MENTAL HEALTH AND MENTAL RETARDATION CENTER (AUSTIN TRAVIS COUNTY INTEGRAL CARE). (10:27 AM)

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; and John Hille, Assistant County Attorney.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 17.

Motion carried:

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

- 18. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE PROGRAM YEAR 2009 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROVIDED BY HUD: (10:40 AM)

- A. RECEIVE A SUMMARY OF THE ANNUAL PERFORMANCE REPORT; AND
- B. APPROVE THE DRAFT OF THE PROGRAM YEAR 2009 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT TO POST FOR PUBLIC COMMENT.

Members of the Court heard from: Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS).

Motion by Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Items 18.A&B.

Motion carried:

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes

Precinct 4, Commissioner Margaret J. Gómez absent

- 19. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FOR ASSISTANCE FROM FOUNDATION COMMUNITIES FOR THE OPERATION OF ITS TAX PREPARATION ASSISTANCE PROGRAM DURING THE 2011 TAX SEASON TO PROVIDE FREE INCOME TAX FILING ASSISTANCE TO ELIGIBLE RESIDENTS: (10:56 AM)
 - A. AGREEMENT FOR THE PROVISION OF SPACE AT TRAVIS COUNTY'S SOUTH RURAL COMMUNITY CENTER IN DEL VALLE AND EAST RURAL COMMUNITY CENTER IN MANOR FOR THE OPERATION OF TAX PREPARATION ASSISTANCE PROGRAM DURING THE 2011 TAX SEASON;
 - B. IN-KIND SUPPORT TO FOUNDATION COMMUNITIES' TAX PREPARATION ASSISTANCE PROGRAM IN THE FORM OF PRINTING BROCHURES, FLIERS, FORMS AND OTHER PROMOTIONAL MATERIALS FOR THE 2011 TAX SEASON; AND
 - C. IN-KIND SUPPORT TO FOUNDATION COMMUNITIES' TAX PREPARATION ASSISTANCE PROGRAM IN THE FORM OF DEAF INTERPRETERS SERVICES FOR THE 2011 TAX SEASON.

Members of the Court heard from: Sherri Fleming, Executive Manager, TCHHS&VS; and Linda Paulson, Tax Services Coordinator, Foundation Communities

Motion by Judge Biscoe and seconded by Commissioner Davis to approve Item 19.A.

Motion carried:

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

Motion by Commissioner Huber and seconded by Commissioner Eckhardt to approve Item 19.B.

Motion carried:

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

- 22. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
(9:15 AM)
 - A. MODIFICATIONS TO TRAVIS COUNTY CODE, CHAPTER 31, RISK MANAGEMENT DIVISION (RISK RESOLUTION); AND
 - B. SELF-INSURING JUDGES PROFESSIONAL LIABILITY INSURANCE UNDER TRAVIS COUNTY CODE, CHAPTER 31 RISK MANAGEMENT DIVISION SECTION 31.061 PROFESSIONAL LIABILITY COVERAGE FOR JUDICIAL SERVICE.

Items 22.A&B postponed until December 14, 2010.

OTHER ITEMS

- 23. RECEIVE BRIEFING FROM TRAVIS COUNTY SHERIFF’S OFFICE ON ISSUES REGARDING PSYCHIATRIC SERVICES AND AUTHORIZE A MARKET SALARY SURVEY OF THE PSYCHIATRIC NURSE PRACTITIONER POSITION. (11:01 AM)

Members of the Court heard from: Mark Sawa, Major, Administration and Support Bureau, Travis County Sheriff’s Office (TCSO); Todd Osburn, Compensation Manager, Human Resources Management Department (HRMD); Travis Gatlin, Budget Analyst, PBO; Mike Summers, Director, Inmate Treatment Services, TCSO; and Dr. John K. Kim, Travis County Resident.

Motion by Judge Biscoe **and seconded by** Commissioner Eckhardt to approve Item 23.

Motion carried:

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

26. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. ^{1 AND 2}
(11:33 AM) (2:12 PM) (3:47 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 and Gov't. Code Ann. 551.072, Real Property.

Motion by Judge Biscoe and seconded by Commissioner Gómez that we authorize the broker to take actions as to the letter of intent consistent with our discussion in Executive Session today, Tuesday, November 30, 2010.

Motion carried:

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

27. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION ON APPEAL FROM JUNE 18, 2010 TRAVIS COUNTY GRIEVANCE PANEL DECISION IN SERGIO FLORES V. PRECINCT THREE CONSTABLE RICHARD MCCAIN, PURSUANT TO TRAVIS COUNTY CODE SECTION 9.257 (K). ^{1 AND 3}
(11:33 AM) (3:47 PM)

Clerk's Note: Judge Biscoe announced that Item 27 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.

Discussion only. No formal action taken.

Item 27 to be reposted on December 7, 2010.

