

## **MINUTES OF MEETING JUNE 2, 2009**

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

On Tuesday, the 2<sup>nd</sup> day of June 2009, the Commissioners' Court convened the Voting Session at 9:12 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 11:49 AM.

The Commissioners Court, meeting as the Travis County Housing Finance Corporation, convened at 11:50 AM and adjourned at 11:52 AM.

The Commissioners Court reconvened the Voting Session at 1:39 PM.

The Commissioners Court retired to Executive Session at 1:39 PM.

The Commissioners Court reconvened the Voting Session at 3:07 PM.

The Commissioners Court adjourned the Voting Session at 3:12 PM.









8. APPROVE CONTRACT AWARDS FOR COUNTYWIDE FURNITURE, IFB NO. B0901990J, TO: (9:19 AM)

- A. CORPORATE EXPRESS - HON, GLOBAL, AND NATIONAL;
- B. KIMBALL OFFICE - KIMBALL; AND
- C. CONVENIENCE OFFICE SUPPLY - MAYLINE

**Clerk's Note:** Items 8.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

9. APPROVE CONTRACT AWARD FOR MECHANICAL ELECTRICAL AND PLUMBING ENGINEERING SERVICES FOR PRECINCT ONE OFFICE BUILDING TO GOETTING AND ASSOCIATES. (9:19 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. DECLARE CERTAIN VEHICLES AS SURPLUS, PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE, AND ORDER DESTROYED, PURSUANT TO SECTION 4 (b) (1) OF THE LIRAP CONTRACT. (10:05 AM)

**Members of the Court heard from:** Adele Noel, Air Quality Project Manager, TNR.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 10.

**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

**TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS**

11. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PLAT FOR RECORDING IN PRECINCT THREE: REVISED PLAT OF LOTS 38 AND 40, BLOCK D, BELVEDERE, PHASE 1 SUBDIVISION (2 TOTAL LOTS). (COMMISSIONER HUBER) (9:19 AM)

**Clerk's Note:** Item 11 is the action item for the public hearing on Agenda Item 1.

**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 A CASH SECURITY AGREEMENT WITH HIGHLAND HOMES, AUSTIN FOR SIDEWALK FISCAL FOR COMMONS AT ROWE LANE 11A, LOT 18, BLOCK K AND LOT 4, BLOCK J. (COMMISSIONER ECKHARDT) (9:19 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 ACTION ON A PLAT FOR RECORDING IN PRECINCT THREE: THE RANCH AT LAKESIDE SECTION ONE (35 TOTAL LOTS). (COMMISSIONER HUBER) (9:19 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.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE ACCEPTANCE OF DEDICATION OF STREET AND DRAINAGE FACILITIES FOR RIVER DANCE PHASE 4 SUBDIVISION AND AN AMENDMENT TO A LICENSE AGREEMENT WITH STEINER RANCH MASTER ASSOCIATION, INC. FOR RIVER DANCE PHASE 3. (COMMISSIONER HUBER) (9:19 AM)

**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.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

- 15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (CDBG-R) AVAILABLE THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (11:45 AM)
  - A. REQUEST TO ACCEPT COMMENTS RECEIVED DURING THE SEVEN-DAY PUBLIC COMMENT PERIOD ON THE PROPOSED USAGE OF CDBG-R FUNDS;

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

**Motion by** Judge Biscoe **and seconded by** Commissioner Davis that we accept the comments.

**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



**ITEM 15 CONTINUED**

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (CDBG-R) AVAILABLE THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (11:47 AM)

B. SUBSTANTIAL AMENDMENT TO THE PROGRAM YEAR 2008 ANNUAL ACTION PLAN;

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Eckhardt to approve Item 15.B.

<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 Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**ITEM 15 CONTINUED**

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (CDBG-R) AVAILABLE THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (11:48 AM)

C. SUBMISSION OF THE PROGRAM YEAR 2008 SUBSTANTIAL AMENDMENT AND RELATED SPREADSHEETS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

**Motion by** Commissioner Gómez **and seconded by** Commissioner Davis to approve Item 15.C.

**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

**Clerk's Note:** By approving Item 15.C the Court authorizes the County Judge to sign the Substantial Amendment on behalf of the Commissioners Court.

15. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS RELATED TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (CDBG-R) AVAILABLE THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: (11:48 AM)

D. OTHER RELATED ITEMS.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, TCHHS.

Discussion only. No formal action taken.

**ADMINISTRATIVE OPERATIONS ITEMS**

16. 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 \$439,358.39 FOR THE PERIOD OF MAY 15 TO 21, 2009. (9:19 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: (9:19 AM)
- A. PROPOSED ROUTINE PERSONNEL AMENDMENTS;
  - B. REQUEST FROM MEDICAL EXAMINERS OFFICE FOR AN EXCEPTION TO TRAVIS COUNTY CODE CHAPTER 10.03002, GENERAL OVERVIEW FOR DETERMINING PAY POLICY; AND

**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.

17. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (10:10 AM)
- C. REQUEST FROM CONSTABLE PRECINCT THREE FOR AN EXCEPTION TO TRAVIS COUNTY CODE CHAPTER 10.0295(H)(4), PEACE OFFICER PAY SCALE (POPS).

**Members of the Court heard from:** Luane Schull, Compensation Manager, HRMD; Alicia Perez, Executive Manager, Administrative Operations; and Stacy Suits, Chief Deputy, Constable Precinct 3.

Discussion only. No formal action taken.

Item 17.C to be reposted on June 9, 2009.

18. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A PROPOSAL FOR A VETERANS AND PEACE OFFICERS MEMORIAL. (10:32 AM)

**Members of the Court heard from:** Roger El Khoury, Director, Facilities Management; Olie Pope, Director, Veterans' Services, TCHHS; David Jaso, Executive Member, The Veterans and Peace Officers Memorial Committee; Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO); and Alicia Perez, Executive Manager, Administrative Operations.

Discussion only. No formal action taken.

Item 18 to be reposted on June 23, 2009.

### OTHER ITEMS

19. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS. (9:19 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 STATUS REPORT AND TAKE APPROPRIATE ACTION ON LEGISLATION BEFORE THE 81<sup>ST</sup> TEXAS LEGISLATURE. (10:56 AM)

**Members of the Court heard from:** Deece Eckstein, Intergovernmental Relations Officer; Judge Susan Steeg, Justice of the Peace Precinct 3; and Bruce Elfant, Constable, Precinct 5.

Discussion only. No formal action taken.

Item 20 to be reposted when ready.

**AT 11:00 A.M.**

21. CONSIDER AND GIVE DIRECTION REGARDING RECOMMENDATIONS FROM THE TRAVIS COUNTY PARKING COMMITTEE. (JUDGE BISCOE) (11:20 AM)

**Members of the Court heard from:** Sydnia Crosbie, Lead Financial Analyst, TNR, and Co-Chair, Parking Committee; Martin Zamzow, TNR, and Member, Parking Committee; Melissa Velasquez, Executive Assistant, County Judge's Office, and Member, Parking Committee; Alicia Perez, Executive Manager, Administrative Operations; and The Honorable John K. Dietz, Judge, 250<sup>th</sup> District Court.

**Motion by Judge Biscoe and seconded by Commissioner Eckhardt** that we authorize two members of the Court to meet with a sub-committee of the parking Committee and come back to the full Court in about a month to let us know which recommendations we should implement immediately; which ones are a bit more long term; and which ones will have a budgetary impact, both significant and modest.

**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

**Clerk's Note:** The Court authorized Commissioners Huber and Eckhardt to represent the Commissioners Court on the Parking Sub-Committee, with Judge Biscoe as an alternate.

**Clerk's Note:** The Court discussed holding a Public Hearing for Travis County employees to voice their concerns regarding the Parking Committee's recommendations.

## 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.

22. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSAL FOR DOWNTOWN OFFICE BUILDING BY D2000, A TURN KEY DEVELOPMENT COMPANY. <sup>1 AND 2</sup> (1:39 PM) (3:08 PM)

**Clerk's Note:** Judge Biscoe announced that Item 22 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 22 to be reposted at an appropriate time in the future.

23. CONSIDER AND TAKE APPROPRIATE ACTION ON PREVAILING WAGE RATE COMPLAINT RECEIVED FROM SUBCONTRACTOR/EMPLOYEE PERFORMING WORK ON ADDITIONS AND ALTERATIONS TO THE TRAVIS COUNTY CORRECTIONAL COMPLEX PROJECT. <sup>1</sup> (9:12 AM)

**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.

Item 23 was postponed.



- 26. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING CONTRACT WITH G&M CONCESSIONS AT THE TRAVIS COUNTY EXPOSITION CENTER: (1:39 PM) (3:10 PM)
  - A. AMENDMENT TO CONTRACT WITH G&M CONCESSIONS TO CONVERT TWO ONE-YEAR OPTIONS TO RENEW TO A TWO-YEAR EXTENSION; AND
  - B. AUTHORIZE G&M CONCESSIONS TO PURCHASE AND INSTALL ATM MACHINES. <sup>1</sup>

**Clerk’s Note:** Judge Biscoe announced that Items 26.A&B 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 grant that request, and further, that we authorize G&M Concessions to purchase and install Automated Teller Machines (ATM) at the Expo Center as part of our Concession Agreement.

**Motion carried:**

County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	no
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	yes

**Clerk’s Note:** The Court authorized the County Judge to sign the contract amendment unless there is something new and different, then it will brought back to the Commissioners Court for approval.

**ADDED ITEMS**

- A1. APPOINT ANTHONY HALEY AS THE AUSTIN/TRAVIS COUNTY JOINT APPOINTEE TO THE TRAVIS COUNTY HEALTHCARE DISTRICT BOARD OF MANAGERS. (9:19 AM)

**Clerk’s Note:** Item A1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court’s Motion and Vote.





- A3. CONSIDER AND TAKE APPROPRIATE ACTION ON ORDER NOMINATING GOLFSMITH AS AN ENTERPRISE PROJECT BY EITHER RATIFYING ORDER WITH CHANGES OR WITHDRAWING NOMINATION. (10:23 AM)

**Clerk’s Note:** The Court discussed a change requested by Golfsmith International LP to the Order Nominating Golfsmith as an Enterprise Project: That information relating to employee data such as salary ranges, ethnic breakout, etc., be removed from Exhibit 6, as the data is included in the application. Travis County Attorney Staff have suggested adding a new Exhibit 6: “Golfsmith has presented information to Travis County upon which Travis County has substantially relied, related to employee numbers, categories, salary ranges and ethnic representation, which is included in the application to the State of Texas, which this nomination supports and that information constitutes a portion of the basis for the determination by Travis County to make this nomination of Golfsmith as an Enterprise Project.”

**Members of the Court heard from:** Mary Etta Gerhardt, Assistant County Attorney.

**Motion by Judge Biscoe and seconded by Commissioner Gómez** to accept that change.

<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 Karen Huber	no
Precinct 4, Commissioner Margaret J. Gómez	yes

