



Travis County Commissioners Court Agenda Request

Meeting Date: December 20, 2011

Prepared By/Phone Number: Gillian Porter, Commissioners Court Specialist, 512-854-4722

Elected/Appointed Official/Dept. Head: Dana DeBeauvoir, Travis County Clerk

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: Approve the Commissioners Court Minutes for the Voting Sessions of November 22 & 29, 2011.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

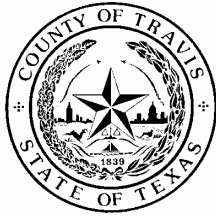
STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



**Minutes for the
Travis County Commissioners Court
Tuesday, November 22, 2011 and
Reconvened Wednesday, November 23, 2011
Voting Session**

Minutes Prepared by the Travis County Clerk
512-854-4722 • www.co.travis.tx.us • PO Box 149325, Austin, TX 78714-9325

Call to Order

Meeting called to order on November 22, 2011, in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

Public Hearings

1. Receive comments regarding Travis County electing to levy an ad valorem tax on goods-in-transit and denying an exemption from this taxation on these goods-in-transit both as provided in Texas Tax Code, Section 11.253, effective for the Tax Year 2012 and subsequent years. (Action Item #24)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:
Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO)

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Citizens Communication

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident
Clay DeFoe, Travis County Resident
Christal Bustillos, Analyst, Human Resources Management Department (HRMD)
Jessica Rio, Assistant Budget Manager, PBO
Aerin Toussaint, Budget Analyst I, PBO
Morris Priest, Travis County Resident

Special Item

2. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

Members of the Court heard from:

Hershel Lee, Travis County Fire Marshal
Jim Connolly, Assistant County Attorney

MOTION: Follow Staff recommendations and lift the prohibition on outdoor burning in the unincorporated areas of Travis County, and repost this item on Tuesday, November 29, 2011 for appropriate action.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Planning and Budget Dept. Items

3. Consider and take appropriate action on budget amendments, transfers and discussion items.

Members of the Court heard from:

Jessica Rio, Assistant Budget Manager, PBO

MOTION: Approve Item 3.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

4. Approve Reimbursement Resolution for purchase of land, vehicles, equipment, building renovations, construction of public works and other authorized purposes.

Members of the Court heard from:

Jessica Rio, Assistant Budget Manager, PBO
Susan Spataro, Travis County Auditor

MOTION: Approve Item 4.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

5. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. 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;
 - b. Amendment to the agreement with the Texas Department of Housing and Community Affairs for an approved adjustment between budget categories for the Comprehensive Energy Assistance Program in Health and Human Services and Veterans Service Department; and

- c. Amendment to the agreement with the Texas Department of Public Safety to decrease the award for the Urban Area Security Initiative Program in Emergency Services based on a shorter grant period than originally requested and anticipated expenditures for remainder of the grant term.

RESULT: ADDED TO CONSENT

- 6. Revised: Consider and take appropriate action on the Broaddus & Associates Central Campus Facilities Master Plan, Phase Two, and final presentation and direct Broaddus & Associates to prepare final documents.

Members of the Court heard from:

Belinda Powell, Capital Planning Coordinator, PBO
Leslie Stricklan, Project Manager, Facilities Management
Steven Coulston, Vice President, Planning, Broaddus and Associates
Rob Fisch, Ricci Greene Associates

MOTION: Formally receive the Travis County Central Campus Study, plus the comments made by the Commissioners Court to be consolidated into a final report to be delivered January, 2012. After receiving the report the Court will decide if further open court discussion is necessary.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 7. Consider and take appropriate action on request to approve securities broker/dealer applicants for conducting investment business with Travis County.

Members of the Court heard from:

Debbie Lauder milk, Investment Manager, Cash/Investment Management

MOTION: Approve Item 7.

RESULT: **APPROVED [4 TO 0]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Karen L. Huber, Commissioner

AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez

ABSTAIN: Ron Davis

Administrative Operations Items

- 8. 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 \$1,031,570.27 for the period of November 4 to November 10, 2011.

RESULT: ADDED TO CONSENT

- 9. Consider and take appropriate action on proposed routine personnel amendments.

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

- 10. Consider and take appropriate action on request from Counseling & Education Services to:

- a. Vacate 1101 Nueces and relocate to vacant space at 5501 Airport Blvd. Suite 203; and
- b. Allow Safeplace to implement the "Planet Safe" Supervised Visitation and Safe Exchange Center at 1101 Nueces St.

RESULT: PULLED

- 11. Consider and take appropriate action to amend Travis County Fire Code Chapter 71 to include definition of "Commercial Establishment."

RESULT: ADDED TO CONSENT

Purchasing Office Items

- 12. Approve Modification No. 13 to Contract No. PS010173-LC, Tiburon, Inc., for FACTS Court Management System Services.

RESULT: ADDED TO CONSENT

- 13. Approve Contract Award and Modification No. 1 for pest control services, IFB No. B120006-CW, to the low bidder, Andy Howard's Pest Control.

RESULT: ADDED TO CONSENT

- 14. Approve Contract Award for 2011 Hot-in-Place Recycled Asphaltic Concrete Program, IFB No. B110294-JE, to the sole bidder, Cutler Repaving, Inc.

RESULT: ADDED TO CONSENT

- 15. Approve contract award for vehicle maintenance services, IFB No. B120002-CW, to the low bidder, Heartland Automotive Services, Inc.

RESULT: ADDED TO CONSENT

- 16. Approve contract award for East Area Command Center (Collier Building) roof replacement, IFB No. B110308-JE, to the low responsive bidder, QA Construction Services, Inc.

Members of the Court heard from:
Marvin Brice, Assistant Purchasing Agent

MOTION: Approve Item 16.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Sarah Eckhardt
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 17. Approve twelve-month extension (Modification No. 11) to Contract No. 03T00058OJ, Alliance Work Partners, for the Employee Assistance Program for Travis County employees.

RESULT: ADDED TO CONSENT

Transportation, Natural Resources and Facilities Dept. Items

18. Consider and take appropriate action regarding proposed motion to approve license agreement for Violet Crown Sports Association to hold a bike race at Webberville Park. (Commissioner Davis)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on the following requests:

- a. A proposed interlocal agreement between Travis County and the City of Austin for a joint funding of the extension of Tuscany Way South from US 290 East to Springdale Road in Precinct One; and
- b. A proposed interlocal agreement between Travis County and the City of Austin for a joint funding of the extension of the first phase of Slaughter Lane from the eastern boundary of the Goodnight Ranch subdivision to Thaxton Road/McKinney Falls Parkway in Precinct Four. (Commissioners Davis and Gómez)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action on a request to approve additional funding of \$312,000 for the Project Partnership Agreement between the Department of the Army and Travis County for design and construction of the Colorado River, Travis County, Texas Streambank Protection Project in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane IIIA Lot 18 Block J in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action on proposed organizational changes for Transportation and Natural Resources and Facilities Management Departments and Strategic Planning Division.

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)

RESULT: DISCUSSED

Reset for: 12/6/2011

Health and Human Services Dept. Items

23. Consider and take appropriate action on request for assistance from Foundation Communities for the operation of its Tax Preparation Assistance Program during the 2012 tax season to provide free income tax filing assistance to eligible residents:
- 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 2012 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 2012 tax season; and

- c. In-kind support to Foundation Communities' Tax Preparation Assistance Program in the form of Deaf Interpreters Services for the 2012 tax season.

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)
Walter Morrow, Director, Foundation Communities
Mary Etta Gerhardt, Assistant County Attorney

MOTION: Approve Items 23.a-c.
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner

FRIENDLY

AMENDMENT: Authorize the County Judge to sign the license agreement on behalf of the Commissioners Court.

MOVER: Ron Davis, Commissioner

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

Clerk's Note: A Vote on the Standing Motion was taken.

RESULT: **APPROVED [UNANIMOUS]**
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Other Items

24. Consider and take appropriate action on an order regarding Travis County electing to levy an ad valorem tax on goods-in-transit and denying an exemption from this taxation on these goods-in-transit both as provided in Texas Tax Code, Section 11.253, effective for the Tax Year 2012 and subsequent years.

RESULT: **ADDED TO CONSENT**

25. Consider and take appropriate action on recommendations regarding the acceptance of Flintco Construction's guaranteed maximum price proposal for the Commissioners Courtroom and Offices Relocation Project.

Members of the Court heard from:

Dave Stauch, President, HS&A
Marvin Brice, Assistant Purchasing Agent

MOTION: Approve Item 25.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

26. Consider and take appropriate action on Amendment Number Eleven between Travis County, the Travis County Juvenile Board and the City of Austin to continue the Truancy Court Pilot Project from October 1, 2011 through March 31, 2012.

RESULT: **ADDED TO CONSENT**

27. Consider and take appropriate action on request to accept a donation of an estimated 25 yards of 3000 PSI concrete from Lauren Concrete to be used in constructing a slab required as part of a pre-fabricated canine facility at the Collier Center.

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action on request to accept a donation of \$10,000 from the Downtown Austin Alliance for the District Attorney's Office.

RESULT: ADDED TO CONSENT

29. Receive revenue and expenditure reports for the month of September 2011.

RESULT: ADDED TO CONSENT

30. Consider and take appropriate action on recommendation to consolidate the Courthouse Self-Help Center into the Granger Law Library. (Judge Biscoe and Commissioner Gómez)

Members of the Court heard from:

Steven Broberg, Director, Records Management and Communication Resources (RMCR)

MOTION: Approve Item 30.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

31. Consider and take appropriate action to reappoint Dr. Matt Snapp as County appointment on the Austin Travis County Integral Care Board. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

32. Consider and take appropriate action on letter to Senators Hutchison and Cornyn regarding federal trucking weight limit legislation.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
Steve Manilla, County Executive, TNR

RESULT: DISCUSSED

Reset for: 11/29/2011

33. Consider and take appropriate action on the Equitable Sharing Program Compliance Notice for federal forfeitures (U.S. Department of Justice filing).

RESULT: ADDED TO CONSENT

Executive Session Items

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.

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

Note 4: Gov't Code Ann 551.076, Security

Note 5: Gov't Code Ann 551.087, Economic Development Negotiations

34. Consider and take appropriate action on an offer from the City of Austin to purchase an approximately 7.46 acre Electric Line Easement on land within Northeast Metro Park in Precinct Two, for installation and operation of an Austin Energy overhead transmission line high across the park.^{1 and 2}

Judge Biscoe announced that Item 34 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.

RESULT: DISCUSSED

35. Receive briefing from County Attorney regarding status of lease agreement at 700 Lavaca with Austin Suites Management, Ltd. and take appropriate action.^{1 and 2}

RESULT: POSTPONED **Reset for: 11/29/2011**

36. Receive briefing, consider settlement offer and take appropriate action in Regina Jackson and Rudolf Williamson, individually, and on behalf of the estate of Rachel Jackson, deceased v. John A. Ford, M.D., and Travis County, Texas; Action No. A-10-CA-522-SS).¹

RESULT: POSTPONED **Reset for: 11/29/2011**

37. Consider and take appropriate action on acquisition of open space land in Precinct Three.^{1 and 2}

Judge Biscoe announced that Item 37 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.

Members of the Court heard from:

John Hille, Assistant County Attorney

MOTION: Accept an assignment from the Nature Conservancy of the right to purchase the 769-acre Reimers Ranch and authorize the County Judge to execute the assignment and all the documents necessary to close the transaction.

RESULT: APPROVED [UNANIMOUS]

MOVER: Karen L. Huber, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez

ABSENT: Sarah Eckhardt

38. Receive briefing, consider settlement offer and take appropriate action in Valdez v. City of Austin, Texas et al.; Action No. A-11-CA-615-LY).¹

RESULT: POSTPONED **Reset for: 11/29/2011**

39. Receive legal briefing and take appropriate action regarding Travis County involvement in legal action objecting to congressional redistricting by the Texas legislature.¹

Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

RESULT: DISCUSSED

Clerk's Note: The County Judge announced that the Court would recess the Voting Session

until Wednesday, November 23, 2011 at 10:00 AM for Item 39 as the new congressional redistricting maps have still not been received.

40. Receive briefing from County Attorney and take appropriate action in Eddie Hall v. Quincy Lamont Stiles.¹

Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The Commissioners Court congratulated the County Attorney's Office and thanked them for their hard work on this matter.

RESULT: DISCUSSED

Clerk's Note: The Commissioners Court congratulated the County Attorney's Office and thanked them for their hard work on this matter.

41. Conduct performance evaluation for Deece Eckstein and take appropriate action.³

Judge Biscoe announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

RESULT: DISCUSSED

Consent Items

MOTION: Approve the following Consent Items: C1-C5 and Agenda Items 5.a-c, 8, 9, 11, 12, 13, 14, 15, 17, 18, 19.a-b, 20, 21, 24, 26, 27, 28, 29, 31, and 33.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

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 Sessions of November 1 and 8, 2011.

C4. Approve setting a public hearing on Tuesday, December 20, 2011 to receive comments regarding a plat for recording: Steiner Ranch Phase 1, Section 10-D, resubdivision of Lots 303-315 and Lots 324-339 (resubdivision final plat - 34 total lots [33 single-family lots and 1 greenbelt lot] - 15.17 acres Shoreview Overlook Drive) in Precinct Two. (Commissioner Eckhardt)

C5. Approve setting a public hearing on Tuesday, January 10, 2012 to receive comments regarding a plat for recording: resubdivision of Lot 75 La Hacienda Estates (resubdivision final plat - two total lots - 5.25 acres - Doss Road) in Precinct Three. (Commissioner Huber)

C6. **Item cancelled – duplicate of C5.** Approve setting a public hearing on Tuesday, January 10, 2012 to receive comments regarding a plat for recording: Resubdivision of Lot 75 La Hacienda Estates (Resubdivision Final Plat - two total lots - 5.25 acres - Doss Road) in Precinct Three. (Commissioner Huber)

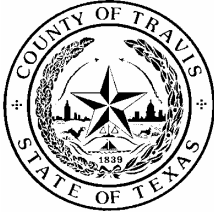
Clerk's Note: The County Judge noted that no action will be taken on Item C6 as it is a duplicate of Item C5.

MOTION: Recess the Voting Session until Wednesday, November 23, 2011 at 10:00 AM.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, November 29, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
512-854-4722 • www.co.travis.tx.us • PO Box 149325, Austin, TX 78714-9325

Call to Order

Meeting called to order on November 29, 2011, in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to vacate a 29,283 square foot section of the Cypress Ranch Boulevard right-of-way located in West Cypress Hills Phase One, Section One in Precinct Three. (Commissioner Huber) (Action Item #18)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:

Anna Bowlin, Engineering Services Director, Transportation and Natural Resources (TNR)

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

2. Receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 14 and 15 of Hidden Hills 1 in Precinct Three. (Commissioner Huber) (Action Item #19)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:

Anna Bowlin, Engineering Services Director, TNR

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Citizens Communication

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident
Clay Defoe, Travis County Resident
Morris Priest, Travis County Resident
Dr. John K. Kim, Travis County Resident
Nailah Sankofa, Travis County Resident
Sara Black, Travis County Resident

Special Item

3. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

Judge Biscoe announced that Item 3 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:
Hershel Lee, Travis County Fire Marshal
Jim Connolly, Assistant County Attorney
Danny Hobby, County Executive, Emergency Services

MOTION: Reinstate the prohibition on outdoor burning on a week-to-week basis and direct Staff to carve out exceptions to allow burning to be done more safely and remove the accumulated fuel.
MOVER: Karen L. Huber, Commissioner

Clerk's Note: The Motion dies for lack of a Second.

MOTION: Take no action today, meaning there is no prohibition on outdoor burning, and authorize County Staff to meet with the Fire Chiefs for ways to collaborate to provide greater protection and decide what action to take.

RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
NAYS: Karen L. Huber

Planning and Budget Dept. Items

4. Consider and take appropriate action on budget amendments, transfers and discussion items.

RESULT: **NOT NEEDED**

5. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:

- a. Annual contract with the Office of the Governor, Criminal Justice Division, to continue the Leadership Academy Dual Diagnosis Unit - Residential Substance Abuse Treatment Program that provides services to juveniles with co-occurring mental health and substance abuse issues in Juvenile Probation;
- b. Annual contract with the University of North Texas to continue the Seniors and Volunteers for Childhood Immunization Program in Health and Human Services and Veterans Service;
- c. Annual contract with the Corporation for National and Community Service with funds originating from the Texas Department on Aging and Disability Services for Health and Human Services and Veterans Service to receive operating resources to continue the Coming of Age Program;
- d. Amendment to the contract with the Corporation for National and Community Service to extend the grant term by an additional three months for personnel and operating resources for the Coming of Age Program in Health and Human Services and Veterans Service; and
- e. Request from the Travis County Sheriff's Office to reallocate 2010 State Alien Assistance Program project savings.

RESULT: ADDED TO CONSENT

Administrative Operations Items

- 6. 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 \$757,171.26 for the period of November 11 to November 17, 2011.

RESULT: ADDED TO CONSENT

- 7. Consider and take appropriate action on the following items for Human Resources Management Department:
 - a. Proposed routine personnel amendments; and
 - b. Non-routine request from pretrial services for a variance to Travis County Code §10.03002, General Overview for Determining Pay Policy.

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

- 8. Receive an update on Bureau of Justice Assistance Justice Reinvestment Initiative Grant application.

Members of the Court heard from:

- Roger Jefferies, County Executive, Justice and Public Safety (JPS)
- Cathy McClaugherty, Senior Planner, Criminal Justice Planning (CJP)

RESULT: DISCUSSED

Purchasing Office Items

9. Approve Termination of Contract No. 09T00174OJ, U.S. Extradition Services, for extradition and transportation services.

RESULT: ADDED TO CONSENT

10. Declare item as surplus and sell at public auction pursuant to Section 263.151 of the Texas Local Government Code.

RESULT: ADDED TO CONSENT

11. Approve contract award for painting services, IFB No. B120008-JT, to the following low bidders:

- a. GG's Construction, LLC (primary contractor); and
- b. JNA Painting and Contracting Company, Inc. (secondary contractor).

RESULT: ADDED TO CONSENT

12. Approve Modification No. 1 to Job Order No. 19, Contract No. 10K00268RV, Fore Construction, for minor construction services-Granger Building, 4th floor remodel.

RESULT: ADDED TO CONSENT

13. Approve Contract No. PS120011DW, Southwest Key Programs, Inc., for case management services.

RESULT: ADDED TO CONSENT

14. Approve Modification No. 6, an Assignment of Contract No. PS100010ML, from Accudiagnosics to Arcpoint Labs of Austin.

RESULT: ADDED TO CONSENT

15. Approve Resolution approving continued funding for victims' services contracts for 2012:

- a. Safeplace;
- b. Lifeworks;
- c. For the Love of Christi;
- d. Center for Child Protection;
- e. CASA;
- f. Austin Travis County Mental Health Mental Retardation – Austin Travis County Integral Care;
- g. Texas RioGrande Legal Aid;
- h. Austin Child Guidance Center;
- i. Austin Academy ;
- j. Volunteer Legal Services;
- k. Juvenile Probation: Pot of Gold; and

I. YWCA.

RESULT: ADDED TO CONSENT

16. Approve contract award for residential HVAC services, IFB No. B120034-NB, to the low bidders:

- a. McCullough Heating and Air Conditioning (primary contractor); and
- b. GG's Construction, LLC, (secondary contractor).

RESULT: ADDED TO CONSENT

17. Approve Modification No. 1 to Contract No. 11K00231RV, Flintco, LLC, construction manager/general contractor for the remodel of 700 Lavaca Building: 1st and 2nd floors.

RESULT: ADDED TO CONSENT

Transportation, Natural Resources and Facilities Dept. Items

18. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate a 29,283 square foot section of the Cypress Ranch Boulevard right-of-way located in West Cypress Hills Phase one, Section One in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 14 and 15 of Hidden Hills 1 in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action regarding proposed motion to approve license agreement for Seton Brain and Spine Cycling to hold a bike race at Richard Moya Park. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action on a request to enter into an alternative fiscal agreement for Lopez-McKenzie Subdivision, a resubdivision of the Thomas C. Taylor Subdivision - a subdivision in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action on a request to approve entering into an advance funding agreement with TxDOT for US 290W/SH 71 innovative intersection improvements in Precinct Three. (Commissioner Huber)

Members of the Court heard from:

Carol Joseph, Assistant Director, TNR

Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO)

MOTION: Approve Item 22.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Karen L. Huber, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

23. Consider and take appropriate action regarding the following requests in Precinct One:
- a. Approve provider/first responder agreement between city of Austin through its Emergency Medical Services Department and Travis County, an Austin-Travis County first responder organization in the Travis County Parks Division of the Transportation and Natural Resources Department; and
 - b. Authorize County administrator of first responder program (currently Charles Bergh/Parks Division Director) to sign the application to renew first responder organization registration at Texas Department of State Health Services. (Commissioner Davis)

Members of the Court heard from:
Charles Bergh, Division Director Parks, TNR
Barbara Wilson, Assistant County Attorney

MOTION: Approve Items 23.a–b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

24. Consider and take appropriate action regarding notifying parking operators of the County intent to exercise available options to extend parking for the renewal terms as provided in the lease agreements:
- a. Central Parking System of Texas, Inc. at the 812 San Antonio garage;
 - b. Central Parking System of Texas, Inc. at 1250 Guadalupe; and
 - c. Texas Oil and Gas Association at 1300 Guadalupe.

RESULT: **ADDED TO CONSENT**

25. Consider and take appropriate action on second amendment to Lease Agreement with Riggs, Aleshire and Ray, P.C., at 700 Lavaca Building.

RESULT: **ADDED TO CONSENT**

Health and Human Services Dept. Items

26. Consider and take appropriate action on items related to the Program Year 2010 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant provided by HUD:
- a. Receive a summary of the Annual Performance Report; and
 - b. Approve the draft of the Program Year 2010 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)
Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)

MOTION: Approve the draft of the Program Year 2010 Consolidated Annual Performance Evaluation Report and order that it be posted for public comment.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

Other Items

27. Consider and take appropriate action on the Fiscal Year 2011 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency pursuant to Texas Chapter 59.06 Code of Criminal Procedure.

RESULT: ADDED TO CONSENT

28. Approve order amending the annually determined contribution rate plan selections to maintain benefits of retirees under Texas County and District Retirement System

Members of the Court heard from:
Barbara Wilson, Assistant County Attorney

MOTION: Approve Item 28.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

29. Consider and take appropriate action on Travis County appointments to the Central Texas Regional Mobility Authority Board of Directors.

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
John Hille, Assistant County Attorney

MOTION: Post a similarly-worded item on the Tuesday, December 6, 2011 Agenda and look at the process we plan to employ and at the process we have used in the past, and touch base with the CTRMA regarding the reappointment of Charles Heimsath.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

30. Consider and take appropriate action on redistricting plans for the following Travis County Precincts:
- County Commissioners;
 - Justices of the Peace and Constables; and
 - Elections (voter tabulation districts).

Clerk's Note: The Court discussed interim redistricting plans which will involve changes to

Travis County Precincts.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Proceed as requested with authorization to spend up to the \$5,000.00 budgeted.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

31. Consider and take appropriate action on letter to members of the Senate Commerce, Science and Technology Committee regarding federal trucking weight limit legislation.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Send the letter in Item 31.
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner

FRIENDLY

AMENDMENT: Attach the report regarding the fiscal impact of heavier trucks on Travis County.

MOVER: Ron Davis, Commissioner
RESULT: **FRIENDLY AMENDMENT ACCEPTED**

Clerk's Note: A Vote on the Standing Motion was taken.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

32. Consider and take appropriate action on Lease Agreement at 700 Lavaca with Austin Suites Management, Ltd. (This item may be taken into Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property)

Judge Biscoe announced that Item 32 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.

Members of the Court heard from:

William Holms, Owner, Austin Suites Management, Ltd
Christy, Office Manager, Austin Suites Management, Ltd
John Hille, Assistant County Attorney

MOTION: Authorize the County Attorney to send an appropriate response to immediate issues that Mr. Holms raised, including a final note asking Mr. Holms if he requires responses to all issues in his memo, and send him a copy of the letter sent to him by the attorneys for the previous owners of 700 Lavaca dated July 6, 2010.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Executive Session Items

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.

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

Note 4: Gov't Code Ann 551.076, Security

Note 5: Gov't Code Ann 551.087, Economic Development Negotiations

33. Receive briefing from the County Attorney in Travis County, et al v. Quantum Investments (Jules Alan Caplan resale deed) and take appropriate action.¹

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

MOTION: Authorize the County Judge to sign the proposed tax resale deed on behalf of the Commissioners Court to Jules Alan Caplan, who has paid Travis County the sum of \$65,000.00, in cash.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe
SECONDER: Margaret J. Gómez
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

34. Receive briefing from the County Attorney in Travis County, et al v. Paulino Martinez and Carmen Martinez (Malcolm Gunnell resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign the proposed tax resale deed on behalf of the Commissioners Court to Malcolm Gunnell, who has paid Travis County the sum of \$26,116.78, in cash.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

35. Receive briefing and take appropriate action in Regina Jackson and Rudolf Williamson, individually, and on behalf of the estate of Rachel Jackson, deceased v. John A. Ford, M.D., and Travis County, Texas; Action No. A-10-CA522-SS).¹

Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Attorney to file a Rule 68 Offer of Judgment in the amount of \$75,000.00.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

36. Receive briefing and take appropriate action in Valdez v. City of Austin, Texas et al.; Action No. A-11-CA-615-LY).¹

RESULT: POSTPONED

37. Receive legal briefing and take appropriate action regarding Travis County involvement in legal action objecting to congressional redistricting by the Texas Legislature.¹

Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

38. Receive briefing from County Attorney and take appropriate action concerning the extension of administrative leave with pay for Juvenile Probation Employee, Slot 360.^{1 and 3}

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. 551.074, Personnel Matters.

MOTION: Approve an additional seven days leave with pay through Monday, December 5, 2011, for the employee in Slot 360.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

MOTION: Approve the following Consent Items: C1–C6 and Agenda Items 5.a–e, 6, 7.a–b, 9, 10, 11.a–b, 12, 13, 14, 15.a–l, 16.a–b, 17, 18, 19, 20, 21, 24.a–c, 25, and 27.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

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 15, 2011.

C4. Approve the Commissioners Court minutes for the Special Voting Session of November 17, 2011.

C5. Approve setting a public hearing on Tuesday, December 20, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide drainage easements located along the north and south lot lines of Lot 7, Block 48 of Austin Lake Hills, Section Three in Precinct Three. (Commissioner Huber)

C6. Approve setting a public hearing on Tuesday, December 20, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 39 and 40, Block H of Highland Creek Lakes, Section 1 in Precinct Three. (Commissioner Huber)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge