



Travis County Commissioners Court Agenda Request

Meeting Date: January 24, 2012

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 Session of January 10, 2012.

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, January 10, 2012 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 January 10, 2012, 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 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) (Action Item #13)

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

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: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez
ABSENT: Sarah Eckhardt

2. Receive comments regarding a plat for recording - Raceway single family subdivision Section Two final plat (a small lot subdivision) (resubdivision of Lots 16, 17, 24 and 25 Northridge Acres Number Two subdivision - 69 lots - Travesia Way - City of Austin ETJ) in Precinct Two. (Commissioner Eckhardt)

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

Members of the Court heard from:
Anna Bowlin, Engineering Services Director, TNR

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

Citizens Communication

Members of the Court heard from:
Daniel Bradford, Assistant County Attorney, and Member, Parking Committee
Sydnia Crosbie, Lead Financial Analyst, TNR, and Chair, Parking Committee
Gus Peña, Travis County Resident
Ronnie Gjemre, Travis County Resident
Dr. John K. Kim, Travis County Resident
Andrea Shields, Manager, Travis County Corporations
Karen Thigpen, Assistant Administrator, Travis County Corporations
Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)

Clerk's Note: The County Judge informed the Court that the 2011 Combined Charities initiative has raised \$209,126.22 as of Tuesday, January 11, 2012.

Special Items

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

RESULT: **DISCUSSED**

Clerk's Note: The County Judge announced that by taking no action, the prohibition against outdoor burning remains lifted.

Planning and Budget Dept. Items

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

Members of the Court heard from:
Katie Gipson, Budget Analyst, Planning and Budget Office (PBO)

MOTION: Approve Item 4.
RESULT: **APPROVED [3 TO 2]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
NAYS: Karen L. Huber, Margaret J. Gómez

5. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. New application to the Capital Area Council of Governments (CAPCOG) to receive Governor's Division of Emergency Management State Homeland Security Program resources for self-contained breathing apparatus bottles for Emergency Management's Hazardous Materials Team;
 - b. New application to CAPCOG to receive Governor's Division of Emergency Management State Homeland Security Program resources for licenses for air monitoring and detection equipment for Emergency Management's Hazardous Materials Team;
 - c. New application to CAPCOG to receive Governor's Division of Emergency Management State Homeland Security Program resources for a maintenance agreement for air monitoring and detection equipment for Emergency Management's Hazardous Materials Team;
 - d. New application to CAPCOG to receive Governor's Division of Emergency Management State Homeland Security Program resources for replacement equipment for Emergency Management's Hazardous Materials Team;
 - e. New application to CAPCOG to receive Governor's Division of Emergency Management State Homeland Security Program resources for chemical protective clothing for Emergency Management's Hazardous Materials Team;
 - f. New application to CAPCOG to receive Governor's Division of Emergency Management State Homeland Security Program resources for a radiological isotope identifier for Emergency Management's Hazardous Materials Team;
 - g. New application to CAPCOG to receive Governor's Division of Emergency Management State Homeland Security Program resources for dosimeters (radiological detection equipment) for Emergency Management's Hazardous Materials Team; and
 - h. Annual contract with the Texas Department of Housing and Community Affairs to receive U.S. Department of Energy funds for the Weatherization Assistance Program in the Health & Human Services Department.

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

6. Consider and take appropriate action on proposed amendments to Chapter 57 (Travis County Smoking Policy) of the Travis County Code. (This item may be taken into Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney)

Judge Biscoe announced that Item 6 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)
Ana Almaguel, Planner, TCHHS&VS
LaTonya Pegues, Planner, TCHHS&VS
Mary Etta Gerhardt, Assistant County Attorney

Dr. Harinder Dhir, Medical Director, Wellness Clinic
Josie Peña, Wellness Clinic

Judge Biscoe announced that Item 6 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: POSTPONED **Reset for: 1/17/2012**

7. Consider and take appropriation action on request to authorize the Health and Human Services Department to submit a letter of interest to the Texas Health and Human Services Commission for the community demonstration for system of care expansion – Achieving Successful Systems Enriching Texas.

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on request from the Ending Community Homelessness Coalition to occupy office space at the Palm Square Building.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS
Anne Howard, Executive Director, Ending Community Homelessness (ECHO) Coalition
Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD)
Roger El Khoury, Director, Facilities Management
Mary Etta Gerhardt, Assistant County Attorney

MOTION: Approve the request in Item 8 and repost the Item for Tuesday, January 17, 2012, to consider logistics.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Administrative Operations Items

9. 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 \$497,081.54 for the period of December 23 to December 29, 2011.

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on proposed routine personnel amendments.

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

11. Consider and take appropriate action on next steps for the Office on Violence Against Women, Safe Havens - Supervised Visitation and Safe Exchange Grant:
 - a. Utilize the 1101 Nueces St. building for the Planetsafe Supervised Visitation and Safe Exchange Center by projected date of May 2012;
 - b. Relocate the Counseling and Education Services Nueces staff temporarily to 1010 Lavaca, 2nd floor in February 2012; and

- c. Discuss funding options for move and renovations.

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Greta Gardner, Social Services Director, Counseling and Education Services (CES)
Carol Colburn, Director, CES
Julia Span, Executive Director, SafePlace
Roger El Khoury, Director, Facilities Management
The Honorable J. Andrew Hathcock, Associate Civil District Court Judge
Sherri Fleming, County Executive, TCHHS&VS
Leroy Nellis, Interim County Executive, PBO
Mary Etta Gerhardt, Assistant County Attorney
Susan Spataro, Travis County Auditor

MOTION: Approve Items 11.a–c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Purchasing Office Items

- 12. Approve Modification No. 9 to Contract No. 10K00250LP, STR Constructors, for Milton Reimers Ranch Park.

RESULT: ADDED TO CONSENT

Transportation, Natural Resources and Facilities Dept. Items

- 13. Consider and take appropriate action on 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)

RESULT: ADDED TO CONSENT

- 14. Consider and take appropriate action on an Alternative Fiscal Agreement for Raceway single family subdivision Section Two final plat (a small lot subdivision) in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

- 15. Consider and take appropriate action on a license agreement for the American Cancer Society to hold a Relay for Life event at Northeast Metro Park in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

- 16. Consider and take appropriate action on the following in Precinct Three:
 - a. A plat for recording - Sweetwater Section One, Village G1 (long form plat - 76 lots - 20.9 acres - Pedernales Summit Parkway);
 - b. A plat for recording - Sweetwater Section One, Village G2 (long form plat - 65 lots - 19.3 Acres - Pedernales Summit Parkway); and

- c. Construction Agreements for Sweetwater Section One, Village G1 and Sweetwater Section One, Village G2 final plats. (Commissioner Huber)

Members of the Court heard from:

Anna Bowlin, Engineering Services Director, TNR

MOTION: Approve Items 16.a–c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSENT: Ron Davis

17. Consider and take appropriate action on recommendations to appoint four voting members and four alternates to the Technical Advisory Committee of the Capital Area Metropolitan Planning Organization.

Members of the Court heard from:

Steve Manilla, County Executive, TNR

MOTION: Approve the four appointees and the four alternates recommended by Staff, with the provision that if there is disagreement among the Commissioners serving on the Capital Metropolitan Planning Organization (CAMPO) on an issue then that issue will be brought before the Commissioners Court for consideration and appropriate action.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Other Items

18. Consider and take appropriate action on request to approve Amendment No. Nine to the Memorandum of Understanding relating to security for the Combined Transportation, Emergency & Communications Center (CTECC), extending the scope of work for the Travis County Sheriff's Office through Fiscal Year 2012.

RESULT: **ADDED TO CONSENT**

19. Consider and take appropriate action regarding board and committee assignments and appointments for and by Commissioners Court members.

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Danny Hobby, County Executive, Travis County Emergency Services
Sherri Fleming, County Executive, TCHHS&VS
Deece Eckstein, Intergovernmental Relations Officer, IGR
John Hille, Assistant County Attorney

Clerk's Note: The Court discussed the following changes:

- *The replacement of Judge Biscoe by Commissioner Huber on the Capitol Area Council of Governments (CAPCOG)*
- *The replacement of Commissioner Huber by Commissioner Gómez on the Capital Area Regional Transportation Planning Organization (CARTPO)*
- *Adding the Organizational Planning Team appointments of Judge Biscoe and*

- Commissioner Huber to the list of appointments*
- *Assigning of a County Executive to oversee the smaller Court appointments*
- *Continuous appointments to have a term certain*
- *Updating of County employee appointments to reflect the position attached to the assignment, not the person*

MOTION: Approve the proposed changes.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The County Judge directed Staff to make the relevant changes to list and bring it back to Court Tuesday, January 17, 2012 for final approval. The Court also discussed adding the Information Technology Services (ITS) Commissioner appointments of Commissioner Eckhardt and Commissioner Huber to the list of appointments.

20. Consider and take appropriate action on revisions to Chapter One of the Travis County Code, Commissioners Court Rules of Procedure.

RESULT: POSTPONED **Reset for: 1/17/2012**

21. Consider and take appropriate action to reappoint Charles Cannon to serve as Commissioner to Emergency Services District No. 4 Board, effective immediately through December 31, 2013. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action to reappoint Jerry Stein to serve as Commissioner to Emergency Services District No. 6 Board, effective immediately through December 31, 2013. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action to appoint Joy Smith to serve as Commissioner to Emergency Services District No. 2 Board, effective immediately through December 31, 2013. (Commissioner Eckhardt)

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

24. Consider and take appropriate action on economic development agreement with Austin Executive Airport.⁵

Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann 551.087, Economic Development Negotiations.

RESULT: POSTPONED

Reset for: 1/17/2012

25. Consider and take appropriate action on request by RRE Austin Solar, LLC to amend the Chapter 381 agreement contract investment period from December 31, 2011 to June 30, 2013.⁵

Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann 551.087, Economic Development Negotiations.

MOTION: Approve Item 25.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

26. Receive briefing and take appropriate action on draft agreement with Star of Texas Fair and Rodeo.¹

Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Deliver to the Star of Texas Fair and Rodeo representative the County's five requested changes along with notification of the many changes requested by the Star of Texas Fair and Rodeo that Travis County has accepted, and ask the County Attorney to post this item on the agenda as appropriate.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

27. 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-CA-522-SS.¹

RESULT: POSTPONED

Reset for: 1/17/2012

28. **At 1:45 P.M.** Interview final candidates for the position of County Executive, Planning and Budget Office:

- a. John Woodruff; and
- b. Leslie Browder.³

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Members of the Court heard from:
Leroy Nellis, Interim County Executive, PBO

RESULT: DISCUSSED

Reset for: 1/17/2012

Consent Items

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident
Dr. John K. Kim, Travis County Resident

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 5.a–h, 7, 9, 10, 12, 13, 14, 15, 18, 21, 22, 23, and A3.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
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 December 20 and 27, 2011.
- C4. Approve setting a public hearing on Tuesday, January 31, 2012 to receive public comments and take appropriate action regarding the proposed development agreement with TXI and the City of Austin regarding greenprint land along Gilleland Creek and the Colorado River in Precinct One.

Added Items

A1. Consider and take appropriate action on legislative activities related to interim charges, including:

- a. Senate Intergovernmental Relations Committee meeting on Thursday, January 12, 2012;

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, IGR
Danny Hobby, County Executive, Travis County Emergency Services
John Hille, Assistant County Attorney

MOTION: Send Senator Royce West and the members of the committee a copy of the prepared testimony for the Senate Transportation and Homeland Security Committee to inform them of Travis County's interest in the subject matter.

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

- b. Senate Transportation And Homeland Security Committee meeting on Tuesday, January 17, 2012; and

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, IGR
Danny Hobby, County Executive, Travis County Emergency Services
John Hille, Assistant County Attorney

MOTION: Direct appropriate County Staff and a representative from Emergency Services District #6 (ESD #6) to attend the meeting on behalf of the Commissioners Court.

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

- c. Invitation to comment on interim charge on wild fires.

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, IGR
Danny Hobby, County Executive, Travis County Emergency Services
John Hille, Assistant County Attorney

MOTION: Put the comments to be submitted in final form and have the County Judge sign on behalf of the Commissioners Court.

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

- A2. Receive status update on progress to date with Ernst & Young on the feasibility analysis of a public-private partnership for a new civil and family courthouse house.

Members of the Court heard from:
Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Belinda Powell, Capital Planning Coordinator, PBO

RESULT: DISCUSSED

- A3. Consider and take appropriate action on request to approve revised weekly investment report for December 20, 2011.

RESULT: ADDED TO CONSENT

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge