



Travis County Commissioners Court Agenda Request

Meeting Date: January 31, 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 17, 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 17, 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 17, 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 employee comments regarding the proposed parking policy, including zoned parking.

Clerk's Note: The Court consented without objection to open the Public Hearing.

Members of the Court heard from:

Sydnia Crosbie, Lead Financial Analyst, Transportation and Natural Resources (TNR), and Chair, Parking Committee
Vicky Skinner, Administrative Director, District Attorney's Office
Daniel Bradford, Assistant County Attorney, and Member, Parking Committee
Diane Blankenship, Director, Human Resources Management Department (HRMD)
Cathy Jonse, Legal Secretary, Criminal Justice Planning (CJP)
The Honorable Lora Livingston, Judge, 261st District
Gary Cobb, Division Director, District Attorney's Office
LaRu Woody, Division Director, District Attorney's Office
Rhonda Salinas, Senior Legal Secretary, District Attorney's Office
Robin Osborn, Lieutenant, Corrections, Travis County Sheriff's Office (TCSO)
Beverly Evans, Lead Financial Analyst, District Attorney's Office
Ellen Halbert, Division Director, Victim Witness Services, District Attorney's Office
Deborah French McElfish, Social Services Manager, TCSO

Clerk's Note: The Court consented without objection to close the Public Hearing.

2. Receive comments regarding a plat for recording - Steiner Ranch Phase 2, Section 10, resubdivision of Lot 1, Block C (resubdivision final plat - 14 total lots [10 commercial lots, 2 open space lots, and 2 private joint use access lots] - 60.93 acres - Quinlan Park Road) in Precinct Two. (Commissioner Eckhardt) (Action Item #17)

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

3. Receive comments regarding a partial vacation of Lot 1 Carriage Crossing Section Two in Precinct Three. (Commissioner Huber) (Action Item #18)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, 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

4. Receive comments regarding a request to authorize the filing of an instrument to vacate a 0.658 acre drainage easement located over and across a portion of Lot 1, Block A of the Schmidt Addition subdivision -Precinct Three. (Commissioner Huber) (Action Item #19)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Sarah Eckhardt, 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:
Morris Priest, Travis County Resident
Clay Defoe, Travis County Resident
Ronnie Gjemre, Travis County Resident

Special Item

5. 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

MOTION: Impose a burn ban which will remain in effect through February 15, 2012.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Planning and Budget Dept. Items

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

RESULT: **ADDED TO CONSENT**

7. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. New application to Texas Parks and Wildlife Department to receive resources from the United States Fish and Wildlife Service to acquire lands for the Balcones Canyonlands Preserve managed by Travis County Transportation and Natural Resources Department (TNR); and
 - b. Agreement with Texas Commission on Environmental Quality to continue the Low-Income Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program managed by TNR.

RESULT: **ADDED TO CONSENT**

8. Discuss and take appropriate action on draft Economic Development Policy for Travis County.

Members of the Court heard from:

Katie Peterson-Gipson, Budget Analyst, Planning and Budget Office (PBO)

Dave Porter, Greater Austin Chamber of Commerce

Mary Etta Gerhardt, Assistant County Attorney

Leroy Nellis, Interim County Executive, PBO

Kevin Johns, Director, Economic Growth and Redevelopment, City Of Austin

Rodney Gonzales, Deputy Director, Economic Growth and Redevelopment, City of Austin

RESULT: **DISCUSSED**

Reset for: 2/7/2012

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 \$501,307.66 for the period of December 30 to January 5, 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. Receive briefing on activities of the Austin/Travis County Hate Crimes Task Force and take appropriate action.

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)

Karen Gross, Austin Anti-Defamation League

David Escamilla, Travis County Attorney

Ronnie Gjemre, Travis County Resident

RESULT: DISCUSSED

Reset for: 1/24/2012

Purchasing Office Items

12. Approve twelve-month extensions (Modification No. 1) to the following contracts for water damage remediation, mold damage remediation and decontamination services:
 - a. Contract No. 11K00092JE, Blackmon Mooring of Texas, Inc. (primary contractor); and
 - b. Contract No. 11K00144JE, Belfor USA Group, Inc. (secondary contractor)

RESULT: ADDED TO CONSENT

13. Approve Modification No. 4 to Contract No. PS110249ML, Renea Hicks, for legal services.

RESULT: ADDED TO CONSENT

14. Declare list of certain items as surplus and sell at public auction pursuant to Section 263.151 of the Texas Local Government Code.

RESULT: ADDED TO CONSENT

15. Approve order exempting the purchase of tasers and related equipment from GT Distributor from the competitive procurement process pursuant to Section 262.024(a)(7)(a) of the County Purchasing Act.

Judge Biscoe announced that Item 15 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent

Ronnie Hawkins, Senior Deputy, TCSO

John Hille, Assistant County Attorney

MOTION: Approve Item 15.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

16. Consider and take appropriate action regarding update from Purchasing Agent on Information Technology Assessment and Chief Information Officer Transition Services, RFS No. S110195-LC, including:
 - a. Project and evaluation process; and
 - b. Appointment of both a project facilitator and organizational planning team as oversight management team supporting the project facilitator.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)

RESULT: DISCUSSED

Reset for: 1/24/2012

Transportation, Natural Resources and Facilities Dept. Items

17. Consider and take appropriate action on a plat for recording - Steiner Ranch Phase 2, Section 10, resubdivision of Lot 1, Block C (resubdivision final plat - 14 total lots [10 commercial lots, 2 open space lots, and 2 private joint use access lots] - 60.93 acres - Quinlan Park Road) in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on a partial vacation of Lot 1 Carriage Crossing Section Two 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 a 0.658 acre drainage easement located over and across a portion of Lot 1, Block A of the Schmidt Addition subdivision - Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

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

- a. A pass-through toll finance agreement with TxDOT for FM 1626 between west of Brodie Lane and FM 2304 (aka Manchaca Road), in Precinct Three;
- b. A pass-through toll finance agreement with TxDOT for FM 969 between FM 3177 (aka Decker Lane) and Hunters Bend Road, in Precinct One; and
- c. Resolutions supporting Travis County's pass-through toll finance agreement with TxDOT for portions of FM 973 and FM 969 in Precinct One and a portion of FM 1626 in Precinct Three. (Commissioners Davis and Huber) (This item may be taken into Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Jessica Rio, Assistant Budget Manager, PBO
Bobby Ranthum, Project Engineer, Texas Department of Transportation (TxDOT)
Morris Priest, Travis County Resident
Ronnie Gjemre, Travis County Resident

Susan Spataro, Travis County Auditor
Pat Crews-Weight, Director of Design, Austin District, TxDOT

MOTION: Approve Items 20.a–c with any changes to the contract to be disclosed to the Court, and authorize the County Judge to sign the contract on behalf of the Commissioners Court.
RESULT: **APPROVED [4 TO 1]**
MOVER: Ron Davis, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
NAYS: Margaret J. Gómez

21. Consider and take appropriate action on request from the Capital Area Quarter Horse Association for reduced fees to use the Travis County Exposition Show Barn on January 21, 2012, June 23, 2012, August 11, 2012 and October 6, 2012. (Commissioner Davis)

Members of the Court heard from:
Roger El Khoury, Director, Facilities Management
Tenley Aldrege, Assistant County Attorney

MOTION: Approve the reduced fee request from the Capital Area Quarter Horse Association for Saturday, January 21, 2012.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Sarah Eckhardt

22. Consider and take appropriate action on an election for a pro rata assessment of adjacent property owners in conformity with Chapter 253 of the Transportation Code for the improvement of Rick Whinery Drive, Emmet Parkway and Quiet Pond Court in Wells Branch. (Commissioner Eckhardt)

Members of the Court heard from:
Steve Manilla, County Executive, TNR
Janet Maxey, Wells Branch Resident
Bob Baughs, Wells Branch Resident
Jessica Rio, Assistant Budget Manager, PBO
Tom Nuckols, Assistant County Attorney
Dana DeBeauvoir, Travis County Clerk

MOTION: Approve moving forward with the 25% participation on a referendum for the Wells Branch substandard roads.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Other Items

23. Consider and take appropriate action on request to approve a funds transfer from the Travis County Treasurer to the Office of the Travis County Tax Assessor/Collector (Tax Office) for the outstanding balance of uncollectible non-sufficient funds checks received for motor vehicle sales tax transaction that were not covered by the lawsuit settlement.

RESULT: **ADDED TO CONSENT**

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

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
Cyd Grimes, Travis County Purchasing Agent

MOTION: Send the Capital Area Council of Governments (CAPCOG) written notice that the Commissioners Court has appointed Commissioner Eckhardt to replace Judge Biscoe on the Executive Committee of CAPCOG.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

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

- *Adding the Information Technology Services (ITS) subcommittee appointments of Commissioner Eckhardt and Commissioner Huber to the list of appointments*
- *Adding the Hate Crimes Task Force Committee to the list of appointments with the two members to be decided*
- *Adding the Organizational Planning Team (OPT) subcommittee appointments of Judge Biscoe and Commissioner Huber to the list of appointments*
- *Adding the Courthouse Subcommittee appointments of Judge Biscoe and Commissioner Eckhardt to the list of appointments*
- *Reposting Item 24 on the Tuesday, January 24, 2012, Agenda for further discussion*

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

RESULT: **POSTPONED**

Reset for: 1/24/2012

26. Receive update and take appropriate action on Travis County appointment to the Central Texas Regional Mobility Authority (CTRMA) Board of Directors.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

RESULT: **DISCUSSED**

Reset for: 1/24/2012

Clerk's Note: The Court noted that the interviews will take place on Thursday, January 26, 2012.

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

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

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

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann 551.087, Economic Development Negotiations.

Members of the Court heard from:

Leroy Nellis, Interim County Executive, PBO

MOTION: Direct Staff to begin the process regarding a rebate agreement with Austin Executive Airport and the agreement will be brought back to the Commissioners Court for approval.

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

FRIENDLY

AMENDMENT: Proceed with developing an abatement policy, and at the appropriate time consider options under both.

MOVER: Samuel T. Biscoe, Judge

RESULT: FRIENDLY AMENDMENT ACCEPTED

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

RESULT: APPROVED [3 TO 2]

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

NAYS: Sarah Eckhardt, Karen L. Huber

29. Receive update and take appropriate action on issues related to the Housing Authority of Travis County, including:

a. Current status of programs and services; and

b. Offer to sell Travis County real property owned by Housing Authority of Travis County located at 502 E. Highland Mall Blvd.^{1 and 2}

Judge Biscoe announced that Item 29 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: Direct Staff to proceed in a manner consistent with our discussion, which means gathering further information to enable the Commissioners Court to make an informed decision as soon as possible and further negotiations with the Housing Authority.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

30. Consider and take appropriate action on issues related to employment terms of recently appointed Tax Assessor/Collector.³

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

Members of the Court heard from:
Diane Blankenship; Director, HRMD

RESULT: DISCUSSED

31. Discuss and take appropriate action to appoint County Executive, Planning and Budget Office. ³

Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

MOTION: Appoint Leslie Browder as the County Executive of PBO, which will be effective March 1, 2012.

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

FRIENDLY

AMENDMENT: Negotiate a salary within the next week.

MOVER: Samuel T. Biscoe, Judge

RESULT: FRIENDLY AMENDMENT ACCEPTED

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

RESULT: APPROVED [UNANIMOUS]

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 6, 7.a–b, 9, 10, 12.a–b, 13, 14, 17, 18, 19, and 23.

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 January 3, 2012.

C4. Approve the setting of a public hearing on January 24, 2012 to receive public comments on proposed amendments to Chapter 82, Travis County Code, establishing water availability rules for subdivisions.

Added Items

- A1. Consider and take appropriate action on request to allow cremation of Juaquin Ysla, Jr, deceased indigent person. (This item may be taken into Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney)

Judge Biscoe announced that Item A1 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, TCHHS&VS

MOTION: Authorize the County Judge to notify the requesting party of the County's lack of policy and inability to grant this request at this time. The County Judge noted that the Court will expedite consideration of a cremation policy.

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