



Item C3

Travis County Commissioners Court Agenda Request

Meeting Date: September 25, 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 Sessions of August 21 and 28, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

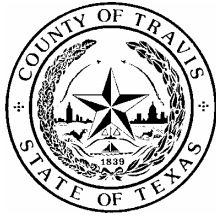
STAFF RECOMMENDATIONS:

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, August 21, 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 August 21, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputies Gillian Porter and Robert Resnick.

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

Special note:

Travis County Commissioners Court is now located at 700 Lavaca St.

However, please review future agendas carefully for meeting location for budget and tax rate items.

Public Hearings

1. Receive comments on Fiscal Year 2013 Travis County District Clerk's Records Management Plan. (Action Item #24)

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

Members of the Court heard from:
Michelle Brinkman, Chief Deputy, District Clerk's Office

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

2. Receive comments regarding the annual written plans for the 0108 (028) Records Management Preservation Fund and 0129 (057) County Clerk's Records Archival Fund. (Action Item #25)

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

Members of the Court heard from:
Dana DeBeauvoir, County Clerk

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

3. Receive comments regarding fee increase proposals for the use of the MyPermitNow web-based permitting application by the Transportation and Natural Resources Department and Travis County Fire Marshal's Office. (Action Item #11)

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

Members of the Court heard from:
Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
Anna Bowlin, Division Director, Engineering Services, TNR
Stacey Scheffel, Program Manager, On-site Sewage Facilities, TNR
Hershel Lee, Travis County Fire Marshal
Dr. John K. Kim, Travis County Resident
Ronnie Gjemre, Travis County Resident

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

Citizens Communication

Members of the Court heard from:
Ms. Philip A. Dick, Travis County Resident
Anthony Walker, Travis County Resident
Dr. John K. Kim, Travis County Resident
Ronnie Gjemre, Travis County Resident

Resolutions and Proclamations

4. Consider and take appropriate action on Proclamation recognizing Susan Spataro, County Auditor, upon her retirement after 24 years of dedicated service.

Members of the Court heard from:

Susan Spataro, Travis County Auditor
April Bacon, Chief Assistant II, Travis County Auditor's Office
Leroy Nellis, Transition Budget Director, Planning and Budget Office (PBO)
Brett Spicer, Senior Deputy, Law Enforcement, Travis County Sheriff's Office (TCSO) and
President, Travis County Law Enforcement Association (TCLEA)
Bruce Elfant, Constable Precinct Five
Dolores Ortega-Carter, Travis County Treasurer
Dan Mansour, Risk Manager, Human Resources and Management Department (HRMD)
Ronnie Gjemre, Travis County Resident
Shyra Darr, Former Travis County Employee
Keith Zimmerman, Travis County Resident
Danny Hobby, County Executive, Emergency Services

MOTION: Approve the Proclamation in Item 4.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

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

RESULT: **DISCUSSED**

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

Purchasing Office Items

6. Declare certain items surplus property and sell at public auction, pursuant to Section 263.151.

RESULT: **ADDED TO CONSENT**

7. Approve Services Agreement for software product demonstration to the producer, COPsync, Inc., and authorize the Purchasing Agent to sign the agreement.

RESULT: **ADDED TO CONSENT**

8. Approve order exempting the purchase of Zumro Air Shelters from Progressive Emergency Products from the competitive procurement process pursuant to Section 262.024(a)(2) of the County Purchasing Act.

RESULT: ADDED TO CONSENT

9. Approve order exempting the purchase of tree removal and pruning services at Webberville Park from Davey Tree Expert Co. from the competitive procurement process, pursuant to Section 262.024(a)(2) of the County Purchasing Act.

RESULT: ADDED TO CONSENT

10. Approve Contract Award for imaging and document management system, Contract No. 4400001068, to the highest qualified respondent, Image Soft, Inc.

Members of the Court heard from:

Dana DeBeauvoir, Travis County Clerk
Bonnie Floyd, Assistant Purchasing Agent
Bob Trautman, Division Director, Information Technology, Travis County Clerk's Office

MOTION: Approve Item 10.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

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

ABSENT: Sarah Eckhardt

Transportation and Natural Resources Dept. Items

11. Consider and take appropriate action on fee increase proposals for the use of the MyPermitNow web-based permitting application by:
 - a. The Transportation and Natural Resources Department; and
 - b. The Fire Marshal's Office.

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action on the following:

- a. Briefing on regional transportation partnership funding mechanisms; and

Judge Biscoe announced that Item 12.a would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
Steve Metcalf, Whisper Valley Development
Jenny Harris, representing Ed Wolf, landowner
Anna Bowlin, Division Director, Engineering Services, TNR
Tom West, Park Springs Neighborhood Association
Maura Phelan, Park Springs Neighborhood Association
Tom Nuckols, Assistant County Attorney

RESULT: DISCUSSED

- b. The Lazy Nine Municipal Utility District No 1A's application for approval of road powers.

Members of the Court heard from:

Anna Bowlin, Division Director, Engineering Services, TNR

MOTION: Approve Item 12.b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The County Judge noted that without objection the Court, on approving Item 12.b, reflects the approval of the request from both Lazy Nine MUD 1A and Lazy Nine MUD 1B for road powers.

- 13. Consider and take appropriate action on a Cash Security Agreement with Gehan Homes Ltd. for sidewalk fiscal for Steiner Ranch Phase 1 Section 10E Lots 1-2 Block B, in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

Planning and Budget Dept. Items

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

RESULT: NOT NEEDED

- 15. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. Ratification of an amended application to the Office of the Governor, Criminal Justice Division, to receive United States Department of Justice one-time resources for a command and support vessel for the Lake Travis Patrol Unit of the Travis County Sheriffs Office;
 - b. Annual contract with the Office of Attorney General to continue the Victim Coordinator and Liaison Grant Program in the District Attorney's Office;
 - c. Annual contract with the Texas Department of Transportation to continue the Underage Drinking Prevention Program in the County Attorney's Office; and
 - d. Permission to continue the Family Violence Accelerated Prosecution Program in the County Attorney's Office until a forthcoming agreement is fully executed.

RESULT: ADDED TO CONSENT

- 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 \$1,381,884.98 for the period of August 3 to August 9, 2012.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on draft newspaper advertisements, including:
- a. Public hearing at 314 West 11th Street, Granger Building, Austin, Texas on September 25, 2012 regarding the proposed Fiscal Year 2013 Travis County Budget;
 - b. Notice of public hearings on tax increase at 700 Lavaca Street, Austin, Texas on September 11 and 14, 2012; and
 - c. Notice of vote on tax rate at 314 West 11th Street, Granger Building, Austin, Texas on September 25, 2012.

Members of the Court heard from:
Leslie Browder, County Executive, PBO
Jessica Rio, Budget Director, PBO

MOTION: Approve Item 18.a–c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

19. In accordance with the Travis County Policies, Procedures and Regulations Manual, Sections 10.043 Holidays and 10.044 Personal Holidays, respectively, discuss and approve holidays effective October 1, 2012 through December 31, 2013.

Members of the Court heard from:
Leslie Browder, County Executive, PBO
Norman McRee, Financial Analyst, HRMD

MOTION: Approve Item 19.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

20. Receive and take appropriate action on results of a County employee survey regarding cafeteria services at the Ned Granger Building.

Members of the Court heard from:
Leslie Browder, County Executive, PBO
Roger El Khoury, Director, Facilities Management

RESULT: DISCUSSED

21. Receive update and take appropriate action regarding the 700 Lavaca building cafeteria.

Members of the Court heard from:
Leslie Browder, County Executive, PBO
Doris Zagst, Building Manager, 700 Lavaca Street
Tenley Aldredge, Assistant County Attorney
Ed Davis, representing Luby's
Roger El Khoury, Director, Facilities Management

RESULT: DISCUSSED

Reset for: 9/4/2012

Justice and Public Safety Items

22. Consider and take appropriate action to terminate the Interlocal Agreement with the Lower Colorado River Authority and Mutual Aid Agreements with the Capital Area Council of Governments and other jurisdictions and use the State Mutual Aid Agreement to request and/or provide assistance.

Members of the Court heard from:

Danny Hobby, County Executive, Emergency Services
Pete Baldwin, Travis County Emergency Management Coordinator
Barbara Wilson, Assistant County Attorney

MOTION: Approve the Resolution terminating the agreements and authorize the County Judge to sign on behalf of the Commissioners Court, and that the Court be advised of any misunderstandings that occur.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: By approving the Resolution the Court directs Staff to distribute the signed Resolution to all affected parties.

23. Consider and take appropriate action on authorizing the Travis County Emergency Management Coordinator to sign the Fire Mitigation Assistance Grant Project Worksheets submitted by the Federal Emergency Management Agency for The Hodde Lane, Steiner Ranch and Pedernales Fires.

Members of the Court heard from:

Pete Baldwin, Travis County Emergency Management Coordinator

MOTION: Approve Item 23.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Other Items

24. Consider and take appropriate action on Fiscal Year 2013 District Clerk's Records Management Plan.

RESULT: **ADDED TO CONSENT**

25. Consider and take appropriate action to approve the annual written plans for the 0108 (028) Records Management Preservation Fund and 0129 (057) County Clerk's Records Archival Fund.

RESULT: **ADDED TO CONSENT**

26. Consider and take appropriate action regarding a status report from the County Auditor on issues regarding the office and the financial condition of the County, including updates and information on projects, committees, office activities and any other issues potentially affected by her transition from office.

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

Members of the Court heard from:

Susan Spataro, Travis County Auditor
Rick Miller, Project Manager, Labyrinth Solutions, Inc. (LSI)
Lee Nelson, Partner, LSI
Christina Adair, Chief Assistant II, Travis County Auditor's Office
Leroy Nellis, Transition Budget Director, PBO
The Honorable Lora Livingston, Judge, 261st District

RESULT: DISCUSSED

27. Receive briefing and take appropriate action on County Judge's duty to call the November 6, 2012 election as required by Section 3.004 of the Election Code.

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

28. Receive briefing from County Attorney and take appropriate action concerning whether to file suit against Steffon Banks to recover damages to a County-owned guardrail.¹

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Attorney's Office to file suit against Steffon Banks.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

29. Receive briefing from County Attorney and take appropriate action regarding whether to appeal FEMA's decision pertaining to Travis County's applications for financial assistance under the Fire Management Assistance Grants Nos. 2957, 2959 and 2960.¹

Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Attorney to file an appeal on the Commissioners

Court's behalf in these three claims.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

30. Consider and take appropriate action on a counter-offer received by Travis County from Rodney Dean Grobowsky and Jon David Grobowsky for sale of various parcels of property needed for right-of-way and associated easements, and required for transportation-related improvements planned as part of the Slaughter Lane (East) Roadway Improvement Project in Precinct Four. (Commissioner Gómez)²

Judge Biscoe announced that Item 30 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: Instruct Staff to counter with an offer of \$80,000.00.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

31. Consider and take appropriate action to acquire a conservation easement in eastern Travis County, as part of the 2011 Bond Program in Precinct One. (Commissioner Davis)^{1 and 2}

Judge Biscoe announced that Item 31 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: Approve the letter with general terms in Item 31.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

32. Receive briefing from County Attorney and take appropriate action regarding Susan Roehm claim.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: Take no action, which will leave the parties where they were before today.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

33. Receive briefing and take appropriate action regarding Circuit of the Americas and Formula One.¹

Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize Staff to sign the proposed agreements on Kellam Road.
RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez
NAYS: Sarah Eckhardt

34. Consider and take appropriate action on Economic Development Agreement with Austin Executive Airport.⁵

RESULT: POSTPONED **Reset for: 8/28/2012**

35. Consultation with County Attorney and take appropriate action regarding Michael Cargill v. Jaime Adan Ballesteros et al.; Cause No. D-1-GN-12-002377, including whether to authorize County Attorney to hire outside counsel.¹

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

RESULT: DISCUSSED **Reset for: 8/28/2012**

36. Consider and take appropriate action on annual grant contract with the Texas Department of Housing And Community Affairs to continue the Comprehensive Energy Assistance Program managed by Health and Human Services.¹

Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Execute the contract and direct Staff to start working on the issues discussed.

RESULT: **APPROVED [4 TO 1]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber

NAYS: Margaret J. Gómez

Consent Items

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

MOTION: Approve the following Consent Items: C1-C3 (excluding July 17 and 24, 2012) and Agenda Items 6, 7, 8, 9, 11.a-b, 13, 15.a-d, 16, 17, 24, 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.

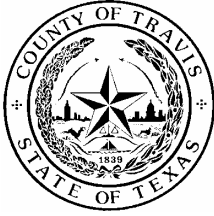
C3. Approve the Commissioners Court Minutes for the Voting Sessions of July 10, 17, 24 and 31, 2012.

MOTION: Approve the Commissioners Court Minutes for the July 17 and 24, 2012 Voting Sessions.
RESULT: **APPROVED [3 TO 0]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez
ABSTAIN: Sarah Eckhardt, Karen L. Huber

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, August 28, 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 August 28, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputies Gillian Porter and Robert Resnick.

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 on behalf of Health Facilities Development Corporation of Central Texas, Inc. regarding issuance of Health Facilities Development Corporation of Central Texas, Inc. Revenue Bonds (Lutheran Social Services of the South Obligated Group Project), Series 2012 related to the financing of certain administrative offices of Lutheran Social Services of the South. (Action Item #26)

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

Members of the Court heard from:
Cliff Blount, General Counsel, Naman, Howell, Smith & Lee, LLP
Andrea Shields, Manager, Travis County Corporations

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:
Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)
Dr. Phil Huang, Medical Director, Austin Travis County Health and Human Services (A-TCHHS)

Gus Peña, Travis County Resident
Ronnie Gjemre, 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

RESULT: DISCUSSED

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

Resolutions and Proclamations

3. Approve Proclamation declaring the month of September 2012 as "National Preparedness Month" in Travis County and encourage all residents of Travis County to remember the 2011 fires one-year anniversary, become fire wise and implement necessary changes to reduce the risk of loss from wildfires, hurricanes, floods and other destructive events that can impact the County. (Commissioner Huber)

Members of the Court heard from:
Pete Baldwin, Travis County Emergency Management Coordinator
Flo Solis, Chief, Emergency Services District #4 (ESD #4)
Ron Moellenberg, Chief, ESD #2
Jim Linardos, Chief, ESD #6
Mike Elliott, Chief, ESD #9
John Jackson, Member, Board of Commissioners, ESD #10
Hershel Lee, Travis County Fire Marshal

MOTION: Approve the Proclamation in Item 3.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

4. Approve Proclamation commending the Spicewood Long Term Recovery Committee for work on behalf of the Spicewood area residents in the year after the 2011 Labor Day fires. (Commissioner Huber)

Members of the Court heard from:
Karen Lacey, Secretary and Treasurer, Spicewood Long Term Recovery Committee
Danny Hobby, County Executive, Emergency Services
Ronnie Gjemre, Travis County Resident

MOTION: Approve the Proclamation in Item 4.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Transportation and Natural Resources Dept. Items

5. Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Ltd-Austin for sidewalk fiscal for West Cypress Hills Phase 1 Section 2 Lot 18 Block 1 in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

6. Consider and take appropriate action on a Cash Security Agreement with Russell Eppright Custom Homes for sidewalk fiscal for Lake Pointe Section 7 Lot 2 Block C in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action to approve the Balcones Canyonlands Conservation Plan public participation fee structure for Fiscal Year 2013. (Commissioner Huber)

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on a request for a partial plat vacation of the Ridgeview Phase I Final Plat in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

9. Consider and take appropriate action on items related to environmental clearance for Travis County's Community Development Block Grant Homebuyer Assistance Program with funding provided by the U.S. Department of Housing and Urban Development:
 - a. Certificate of Exemption for \$78,927 for program management, conducting environmental clearances for individual properties, marketing and other allowable project delivery activities; and
 - b. Delegate signature authority to the Travis County Health and Human Services and Veterans Service County Executive to environmentally clear each property so long as neither a full environmental assessment nor any mitigation measures are required.

RESULT: ADDED TO CONSENT

10. Receive update from Texas AgriLife Travis County on the Master Gardener Program.

Members of the Court heard from:

Sherrí Fleming, County Executive, TCHHS&VS
Dolores Sandman, Director, Texas AgriLife Extension Service
Daphne Richards, County Extension Agent-Horticulture, Texas AgriLife Extension Service
Jackie Johnson, President, Master Gardeners Association
Ronnie Gjemre, Travis County Resident

RESULT: DISCUSSED

11. Consider and take appropriate action to approve a request from Travis County Health and Human Services and Veterans Service for permission to use general fund for the Children's Continuum to send staff from partner agency to training.

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action on the following budget issues in the Health and Human Services and Veterans Service Department:
 - a. Transfer \$28,000 from the Fiscal Year 2012 budget to ITS for the purchase of laptop computers instead of desktop equipment; and
 - b. The need for departmental personnel for the pickup and delivery of food for pantry services to residents.

RESULT: ADDED TO CONSENT

Consider and take appropriate action on the following budget issues in the Health and Human Services and Veterans Service Department:

- a. Transfer \$28,000 from the Fiscal Year 2012 budget to ITS for the purchase of laptop computers instead of desktop equipment; and
- b. The need for departmental personnel for the pickup and delivery of food for pantry services to residents.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS

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

RESULT: DISCUSSED

Reset for: 9/4/2012

Planning and Budget Dept. Items

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

Members of the Court heard from:

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

MOTION: Approve Item 13.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Karen L. Huber, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

14. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. Application to the Texas Parks and Wildlife Department for Transportation and Natural Resources to construct a boat ramp at Pace Bend Park at Tournament Point;
 - b. Application to the Lady Bird Johnson Wildflower Center for the Transportation and Natural Resources Department to restore habitat for the Black Capped Vireo on conservation easement lands;

- c. Amendment to the existing Flood Mitigation Assistance Planning Grant with the Texas Water Development Board in the Transportation and Natural Resources Department;
- d. Permission to continue the Family Drug Treatment Court in the Civil Courts until an agreement is fully executed;
- e. Permission to continue the Travis County Veterans Court in the Criminal Courts until an agreement is fully executed;
- f. Permission to continue the Drug Diversion Court Program in Pretrial Services until an agreement is fully executed;
- g. Permission to continue the Juvenile Accountability Block Grant Local Assessment Center Program in Juvenile Probation until an agreement is fully executed; and
- h. Permission to continue the Residential Substance Abuse Treatment Program in Juvenile Probation until an agreement is fully executed.

RESULT: ADDED TO CONSENT

- 15. 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 \$705,900.25 for the period of August 10 to August 16, 2012.

RESULT: ADDED TO CONSENT

- 16. 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 District Clerk as approved by the Commissioners Court in Agenda Item #15 on September 8, 2009.

RESULT: ADDED TO CONSENT

- 17. Consider and take appropriate action on request to authorize the Strategic Planning Manager in the Planning & Budget Office and one Civil Judge to travel to Toronto to be guest speakers at the American Institute of Architects Academy of Architecture for Justice Conference in October 2012.

Members of the Court heard from:

Leslie Browder, County Executive, Planning and Budget Office (PBO)

MOTION: Approve Item 17.

RESULT: **APPROVED [3 TO 2]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

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

NAYS: Ron Davis, Margaret J. Gómez

- 18. Consider and take appropriate action on request to approve order amending Chapter 23 (Investment Policy and Procedures) of the Travis County Code.

Members of the Court heard from:

Debbie Laudermilk, Investment Manager, Cash/Investment Management

MOTION: Approve Item 18.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

19. Consider and take appropriate action on request to approve amendments to 2011 Depository Contract schedule of fees.

Members of the Court heard from:

Debbie Lauder milk, Investment Manager, Cash/Investment Management

MOTION: Approve Item 19.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

20. Consider and take appropriate action on proposed Fiscal Year 2013 indirect cost rates.

RESULT: **ADDED TO CONSENT**

21. Consider and take appropriate action on the following space allocations for the renovation of the Ned Granger Building, pursuant to the Central Campus Facilities Master Plan and the recent relocation of several County offices and departments from the Granger Building to the 700 Lavaca Building:

- a. Allocation of all office suites on the 2nd floor to the District Attorney;
- b. Allocation of Office Suite 100A on the 1st floor, and all office suites on the 3rd, 4th, and 5th floors to the County Attorney;
- c. Allocation of the former Commissioners Courtroom to become a large conference room;
- d. Allocation of Office Suite 110 and 140 to the Records Management and Communication Resources Law Library/Self Help Center; and
- e. Relocation of the cafeteria from the 3rd floor to the 1st floor and approve allocation of Suite 160 on the 1st floor for the cafeteria.

Members of the Court heard from:

Leslie Browder, County Executive, PBO

Leslie Stricklan, Project Manager, Facilities Management

Gabriel Stock, Senior Architectural Associate, Facilities Management

John Carr, Engineering Division Manager, Facilities Management

John Hille, Assistant County Attorney

Ronnie Gjemre, Travis County Resident

RESULT: **DISCUSSED**

Reset for: 9/11/2012

Purchasing Office Items

22. Approve Modification No. 13 to Interlocal Agreement No. 4400000374 (HTE Contract No. IL070037RE), Austin Travis County Mental Health and Mental Retardation Center D/B/A Austin Travis County Integral Care for system of care services.

RESULT: ADDED TO CONSENT

23. Approve Modification No. 6 to Contract No. 4400000014 (HTE Contract No. 05AE0138JJ), MWM Design Group, for Howard Lane I Design Project.

RESULT: ADDED TO CONSENT

24. Approve twelve-month extension (Modification No. 10) to Contract No. 4400000013 (HTE Contract No. 03T00288OJ), Appriss, Inc., for the Texas VINE Services Agreement.

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action regarding a Chief Information Officer (CIO) in the Information and Technology Services Department (ITS), RFS No. 06032012, Including:
- Whether to interview the top recommended candidate and when;
 - Whether to authorize the Purchasing Agent to engage in further contract negotiations with the Lucas Group for Interim CIO and IT Assessment Services;
 - Whether to authorize the Purchasing Agent to engage in contract negotiations with the Lucas Group to perform a gap analysis of the ITS Department; and/or
 - Whether to direct the County Executive of Planning and Budget to develop a process to recruit a Chief Information Officer.

Members of the Court heard from:
Cyd Grimes, Purchasing Agent
Leslie Browder, County Executive, PBO

MOTION: Approve Item 25.d, start the process to hire a Chief Information Officer (CIO) and undertake an assessment of the Information Technology Department once the new CIO is in place.

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

FRIENDLY

AMENDMENT: That PBO bring a process for hiring the CIO back to the Commissioners Court for approval.

MOVER: Karen L. Huber, Commissioner

RESULT: FRIENDLY AMENDMENT ACCEPTED

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

RESULT: APPROVED [4 TO 0]

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

ABSTAIN: Ron Davis

Other Items

26. Consider and take appropriate action to approve Resolution approving the issuance of Health Facilities Development Corporation of Central Texas, Inc. Revenue Bonds (Lutheran Social Services of the South Obligated Group Project), Series 2012.

RESULT: ADDED TO CONSENT

27. Consider and take appropriate action on request to change towing fees for Travis County Sheriff's Office.

Members of the Court heard from:

Phyllis Clair, Major, Law Enforcement, Travis County Sheriff's Office (TCSO)
Enrique Patino, Deputy, TCSO
Jackie Milhim, Big A Towing
Jim Connolly, Assistant County Attorney
Billy Davenport, Austin Towing Association
Steve Harper, Harpers Towing
Danny Hobby, County Executive, Emergency Services
Ronnie Gjemre, Travis County Resident

MOTION: Approve the recommended fee increases effective January 1, 2013.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

28. Consider and take appropriate action regarding the agreement for assessment and collection services between Travis County and Lazy Nine Municipal Utility District No. 1B.

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

29. Consultation with County Attorney and take appropriate action regarding a pending enforcement action involving a developer and violations of development regulations in the Mountain View subdivision.¹

Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

Reset for: 9/11/2012

30. Consider and take appropriate action on a counter-offer received by Travis County from Quarry Lot 8, Ltd. for sale of various parcels of property needed for right-of-way and associated

easements, and required for transportation-related improvements planned as part of the Slaughter Lane (East) Roadway Improvement Project in Precinct Four. (Commissioner Gómez)²

Judge Biscoe announced that Item 30 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 Reset for: 9/11/2012

31. Consider and take appropriate action on a counter-offer received by Travis County from Dannelly Tract, Ltd. for sale of various parcels of property needed for right-of-way and associated easements, and required for transportation-related improvements planned as part of the Slaughter Lane (East) Roadway Improvement Project in Precinct Four. (Commissioner Gómez)²

Judge Biscoe announced that Item 31 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 Reset for: 9/11/2012

32. Consider and take appropriate action on request for financial incentives for Project Panther.⁵

Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann 551.087, Economic Development Negotiations.

RESULT: DISCUSSED Reset for: 9/4/2012

33. Consultation with County Attorney and take appropriate action regarding Circuit of the Americas and Formula One.¹

Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED Reset for: 9/4/2012

34. Consultation with County Attorney and take appropriate action regarding Michael Cargill v. Jaime Adan Ballesteros et al.; Cause No. D-1-GN-12-002377, including whether to authorize County Attorney to hire outside counsel.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: Appoint John F. McCormick to represent Constable Ballesteros, Precinct Two as outside legal counsel on this matter.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

35. Consultation with County Attorney and take appropriate action regarding:
- Requirements in contracts with Labyrinth Solutions, Inc. (LSI Consulting) and SAP for implementation of Better Enterprise Financial Information for Travis County (BEFIT); and

- b. Roles and responsibilities of County Auditor and Commissioners Court on accounting and audit services and County programs. 1

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

RESULT: DISCUSSED

Reset for: 9/4/2012

Consent Items

Members of the Court heard from:

Hershel Lee, Travis County Fire Marshal

Ronnie Gjemre, Travis County Resident

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 5, 6, 7, 8, 9.a–b, 11, 12.a, 14.a–h, 15, 16.a–b, 20, 22, 23, 24, 26, and 28.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, 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 August 7, 2012.

C4. Approve setting a public hearing on Tuesday, September 18, 2012 to receive comments regarding a request to authorize the filing of an instrument to vacate the two five foot wide public utility easements located along the common lot line Lots 1083 and 1084 of Apache Shores Section 2 in Precinct Three. (Commissioner Huber)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge