

Item C3



Travis County Commissioners Court Agenda Request

Meeting Date: December 11, 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 October 9, 16, 23 & 30, and November 6, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

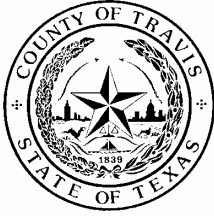
STAFF RECOMMENDATIONS:

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, October 9, 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 October 9, 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, Chasity Sandoval, 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

Citizens Communication

Members of the Court heard from:

Tanya Acevedo, Division Manager, Information Technology Services (ITS)
Gus Peña, Travis County Resident
Tina Morton, Tax Assessor Collector
Tiffany Seward, Director, Communications and Training, Tax Assessor Collector's Office
Dr. John K. Kim, Travis County Resident
Ronnie Gjemre, Travis County Resident

Special Items

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

RESULT: NOT NEEDED

Resolutions and Proclamations

2. Consider and take appropriate action on a Resolution celebrating October 7 through 13, 2012 as "4-H Week" in Travis County.

Members of the Court heard from:

Dolores Sandmann, Travis County Extension Director, Texas A&M AgriLife Extension Service
Collin Warwick, 4-H Student
Colby Warwick, 4-H Student
Sofia Ramirez, 4-H Student

MOTION: Approved Proclamation in Item 2.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Purchasing Office Items

3. Approve Contract award for Heman Marion Sweatt Travis County Courthouse landscape, irrigation and lighting improvements, IFB No. 1208-001-PS, to the low bidder, Fore Construction, Inc.

RESULT: ADDED TO CONSENT

4. Approve order exempting the purchase of Toro and Club car parts and service from Professional Turf Products from the competitive procurement process pursuant to Section 262.024 (A)(7)(D) and Section 262.024 (A)(11) of the County Purchasing Act.

RESULT: ADDED TO CONSENT

5. Approve Contract award for the 700 Lavaca elevator #7 upgrade, IFB No. 1208-006-JT, to the low bidder, Tejas Elevator Company.

RESULT: ADDED TO CONSENT

6. Approve Modification No. 6 to Contract No. 4400000005 (H.T.E. Contract No. 02C00218LC), FileOnQ, Inc. for integrated document management software system.

RESULT: ADDED TO CONSENT

7. Approve Contract award for an identity management solution, Contract No. 4400001147, to the highest qualified respondent, SHI Government Solutions, Inc.

RESULT: PULLED

8. Approve Modification No. 8 to Contract No. 4400000762 (H.T.E. Contract No. PS090255LC), Labyrinth Solutions, Inc. (LSI) for BEFIT implementation services.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

9. Consider and take appropriate action on a request from the City of Austin to share costs to hire a consultant for preparation of a Regional Community Wildfire Protection Plan in coordination with the Joint Wildfire Task Force. (Commissioners Eckhardt and Huber)

Members of the Court heard from:

Danny Hobby, County Executive, Emergency Services
Melinda Mallia, Environmental Project Manager, Transportation and Natural Resources
(TNR)
Harry Evans, Chief of Staff, Austin Fire Department

Wiley Conrad, Manager, Wildlands Program, City of Austin
Ronnie Gjemre, Travis County Resident
Steve Manilla, County Executive, TNR

MOTION: Approve the funding request and direct staff to move forward.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

10. Consider and take appropriate action on the following requests for McCormick Mountain Phase 1 in Precinct Three:

- a. A plat for recording - McCormick Mountain Phase 1 Final Plat (Short Form Final Plat - 18 single family lots - 12.32 acres - Watumba Road - City of Austin 2 mile ETJ); and
- b. A Construction Agreement. (Commissioner Huber)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on the following requests for McCormick Mountain Phase 2 in Precinct Three:

- a. A variance per Austin-Travis County subdivision regulation, Section 30-2-159, Private Streets;
- b. A Plat for recording - McCormick Mountain Phase 2 Final Plat (Long Form Final Plat - 9 single family lots, one private street lot - 20.18 acres -Weletka Drive - City of Austin 2 mile ETJ); and
- c. A Construction Agreement. (Commissioner Huber)

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action on the following requests for McCormick Mountain Phase 3 in Precinct Three:

- a. A Plat for recording - McCormick Mountain Phase 3 Final Plat (Short Form Final Plat - 24 single family lots -13.01 acres - McCormick Mountain Drive -City of Austin 2 mile ETJ); and
- b. A Construction Agreement. (Commissioner Huber)

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action regarding a request from Too Cool Racing, LLC, for a License Agreement to host a scavenger dash/race at Pace Bend Park. (Commissioner Huber)

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action concerning the request by U.S. Fish and Wildlife Service for public comments on a proposal to protect four salamander species in Travis County as endangered under the Endangered Species Act and the designation of critical habitat for these species.

Members of the Court heard from:
Rose Farmer, Natural Resources Program Manager, TNR
Renee Fields, Natural Resource Specialist, TNR

Jon White, Natural Resource Environmental Quality Division Director, TNR
Ronnie Gjemre, Travis County Resident

MOTION: Prepare comments for court consideration.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Planning and Budget Dept. Items

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

RESULT: NOT NEEDED

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 in the amount of \$1,067,835.63 for the period of September 21 to September 27, 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 License Agreement with the Texas Book Festival, Inc., to use County parking facilities on Saturday, October 27 and Sunday, October 28, 2012.

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on License Agreement to use the "Old County Jail" in the Heman Marion Sweatt Courthouse to shoot a student film during the period of October 19 through 21, 2012.

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action on the summary plan descriptions for Travis County healthcare plans for Fiscal Years 2010 through 2013.

RESULT: APPROVED WITHOUT OBJECTION

21. Consider and take appropriate action on agreement with HID Global for financial incentives. (This item may be taken into Executive Session pursuant to Texas Gov't. Code Ann. 551.071, Consultation with Attorney, and 551.087, Economic Development Negotiations)

Members of the Court heard from:

Leslie Browder, County Executive, Planning and Budget Office (PBO)
Ronnie Gjemre, Travis County Resident
Mary Etta Gerhardt, Assistant County Attorney

MOTION: Approve the contract and authorize the County Judge to sign on behalf of the Commissioners Court.
RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner

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

Other Items

22. Receive report from Financial Advisor regarding:
- a. Limited Tax Refunding Bonds, Series 2012; and
 - b. Limited Tax Refunding Bonds, Taxable Series 2012.

Members of the Court heard from:
Ladd Pattillo, Travis County Financial Advisor
Leroy Nellis, Interim Budget Director, PBO

RESULT: DISCUSSED

23. Consider and take appropriate action on request from the U.S. Board on Geographic Names to complete recommendation form regarding the name change of Town Lake to Lady Bird Lake.

MOTION: Provide input in support of the remaining to Lady Bird Lake.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court referred the matter to Deece Eckstein, Intergovernmental Relations Office (IGR).

24. Consider and take appropriate action on reappointment of Angelica Salinas Evans to the Travis County Children's Protective Services Board, effective November 1, 2012 through October 31, 2015. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action on request from Travis County Sheriff's Office for K-9 deputies to take two assigned County vehicles to Sandy, Utah for training.

RESULT: ADDED TO CONSENT

26. Receive Fiscal Year 2013 forfeited property account budget from the Travis County District Attorney's Office in accordance with the provisions of Article 59.06(D) of the Texas Code of Criminal Procedure.

RESULT: ADDED TO CONSENT

27. Consider and take appropriate action on the following recognitions:
- a. The 2011 "Leap of the Heroes" Wounded Warrior Project; and
 - b. The 2012 "Leap of the Heroes" Wounded Warrior Project Outreach Project on November 9, 2012. (Commissioner Davis)

Members of the Court heard from:
Mark Sawa, Major, Administration and Support, Travis County Sheriff's Office (TCSO)
Juan Arredondo, Wounded Warrior Project and Veteran, US Army

RESULT: DISCUSSED

28. Accept resignation of Craig Alter from the Strategic Housing Finance Corporation's Board of Directors.

RESULT: ADDED TO CONSENT

29. Consider and take appropriate action on a process to fill the following vacancies:
- a. Travis County Housing Authority Board of Commissioners; and

RESULT: NOT NEEDED

- b. Strategic Housing Finance Corporation's Board of Directors.

RESULT: DISCUSSED

Clerk's Note: The court will consider what names to come back with and whether or not to amend the policy.

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

30. Receive briefing from the County Attorney in Travis County, et al v. Terra Properties (Max A. Van Arsdol resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Execute the proposed tax resale deed to Max A. Van Arsdol, who has paid Travis County the sum of \$6,600.00 in cash.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

31. Receive briefing from the County Attorney in Travis County, et al v. Paul M. Miller (John Baez resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Execute the proposed tax resale deed to John Baez, who has paid Travis County the sum of \$8,657.00 in cash.

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

32. Receive briefing from the County Attorney in Travis County, et al v. Marshall's Point Homeowners' Association, Inc. (Marshall's Point Homeowners' Association, Inc. 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: Approve the sale of two tracts of land to Marshall's Point Homeowners' Association, Inc., which has paid Travis County the sum of \$2,500.00 in cash for each tract.

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

33. Receive briefing from the County Attorney in Travis County, et al v. Lyman H. Kalbo (Stephen Fabian resale deed) and take appropriate action. 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: Execute the proposed tax resale deed to Stephen Fabian, who has paid Travis County the sum of \$15,755.00 in cash.

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

34. 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 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:
John Hille, Assistant County Attorney

MOTION: Accept the counter offer in the amount of \$106,050.00.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

35. Receive briefing from the County attorney and take appropriate action regarding Lot 8, Knollwood Subdivision at 6413 Forest Hills Drive and the Recording of Declarations of Terra Linda Westlake Condominiums without County approvals. 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: Adopt a Resolution requesting that the Travis County Attorney pursue enforcement of the requirements of the reference codes and regulations, with the authorizations to initiate a civil suit for injunctive relief for any such violations and threatened violations.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

36. Receive briefing from the County Attorney and take appropriate action regarding Melanie Boyte vs. Travis County, Texas, Greg Hamilton, Cynthia Schantz, Julie Martinets and Jane Doe II; A-12-CV-00181-LY.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: Counter the settlement offer made and offer \$5,000.00
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

37. Consider and take appropriate action on request for financial incentives related to Project Cardinal.⁵

RESULT: **NOT NEEDED**

38. Consider and take appropriate action regarding Circuit of the Americas and Formula One.¹

RESULT: **POSTPONED**

39. Consider and take appropriate action on an agreement with TXI Operations, LP, for the acquisition in lieu of condemnation of open space parkland along Gilleland Creek and the Colorado River in eastern Travis County, including adoption of related amendments to the Travis County Code and conditions for modifications to TXI's development permits (Permits No. 98-2439, 08-2430 and 08-2431) to allow development including a haul road or conveyor on TXI's Hornsby Bend East, Hornsby Bend West, and Webberville sites.^{1 and 2}

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:

Joe Giselman, Manager, TNR
Tom Nuckols, Assistant County Attorney
Richard MacDonald, Travis County Resident
Suzanne McAndry, Travis County Resident
Tom Weber, Environmental Program Manager, TNR
Steve Manilla, County Executive, TNR
Joseph Deeb, Representative for the Village of Webberville

MOTION: To approve the proposed amendment with TXI Operations in lieu of condemnation of open space parkland including proposed amendments to the Travis County Code and conditions and with authorization for County Judge to sign the proposed order.

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

40. Consider and take appropriate action regarding lease agreement with Riggs, Aleshire, and Ray, P.C. at 700 Lavaca Building.²

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

Members of the Court heard from:

John Hille, County District Attorney Division Director, County Attorney

MOTION: Approve the request for two leased parking spaces at the cost of \$140.00 per month each.

MOVER: Samuel T. Biscoe, County Judge
SECONDER: Margaret J. Gómez, Commissioner

SUBSTITUTE

MOTION: To create a priority pool on the 3rd floor for elected officials, County Executives, as well as any lessors who want to retain a priority parking space.

MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner

Clerk's Note: The Substitute Motion was not voted on at this time.

Clerk's Note: The Court voted on the Standing Motion.

RESULT: ADOPTED [3-2]
AYES: Samuel T. Biscoe, Ron Davis, Margaret Gómez
NAYS: Sarah Eckhardt, Karen L. Huber

Consent Items

MOTION: Approve the following Consent Items: C1-C3 and Agenda Items 3, 4, 5, 6, 8, 10, a-b, 11, a-b, 12, a-b, 13, 16, 17, 18, 19, 20, 24, 26, and 28.

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.

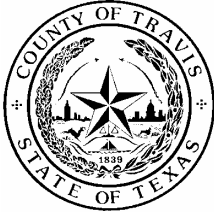
C2. Approve payment of claims and authorize County Treasurer to invest County funds.

C3. Approve the Commissioners Court Minutes for the Budget Markup Voting Sessions of August 28 and 29, 2012.

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, October 16, 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 October 16, 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, Chasity Sandoval 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 regarding a request to close Bullick Hollow Road nightly (9:00pm through 6:00am, Sunday through Thursday) between RM 620 and Oasis Bluff Drive from October 29, 2012 to May 31, 2013, in Precinct Two. (Commissioner Eckhardt) (Action Item #3)

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

Members of the Court heard from:
Steve Manilla, County Executive, Transportation & Natural Resources (TNR)
Jason Bibles, Assistant City Attorney, City of Austin

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

Citizens Communication

Members of the Court heard from:
Dr. John K. Kim, Travis County Resident
Ronnie Gjemre, Travis County Resident
Gavino Fernández, Jr., District 12 Director, League of United Latin American Citizens (LULAC)
Gus Peña, Travis County Resident
Adele Noel, Environmental Project Manager, TNR
Rob Lippincot, Travis County Resident

Special Items

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

RESULT: DISCUSSED

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

Transportation and Natural Resources Dept. Items

3. Consider and take appropriate action on a request to close Bullock Hollow Road nightly (9:00pm through 6:00am, Sunday through Thursday) between RM 620 and Oasis Bluff Drive from October 29, 2012 to May 31, 2013, in Precinct Two. (Commissioner Eckhardt)

MOTION: Close Bullock Hollow Road nightly, Sunday through Thursday.
RESULT: **APPROVED [4 TO 0]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

4. Consider and take appropriate action concerning the request by U.S. Fish and Wildlife Service for public comment on a proposal to protect four salamander species in Travis County as endangered under the Endangered Species Act and the designation of critical habitat for these species.

Members of the Court heard from:

Jon White, Natural Resource Environmental Quality Division Director, TNR
Steve Manilla, County Executive, TNR
Ronnie Gjemre, Travis County Resident

MOTION: Approve Staff's recommendation to submit the proposed comments.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

5. Consider and take appropriate action on a Plat for recording: Spanish Oaks Section Three C, amended Plat of Lot 35 Block A (Amended Plat -one lot -0.789 acres -Spanish Oaks Club Boulevard -City of Bee Cave ETJ) in Precinct three. (Commissioner Huber)

Members of the Court heard from:

Anna Bowlin, Engineering Services Division Director, TNR

MOTION: Approve amendment of plat.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Health and Human Services Dept. Items

6. Introduction of Julie Ansley, Travis County Extension Agent for Agriculture & Natural Resources, and Nathan Tucker, Travis County Extension Agent for Capital 4-H

Members of the Court heard from:

Dolores Sandmann, Travis County Executive Director, Texas A&M AgriLife Extension Service

RESULT: DISCUSSED

Planning and Budget Dept. Items

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

RESULT: ADDED TO CONSENT

8. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- a. New contract with 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 Sheriff's Office;

RESULT: ADDED TO CONSENT

- b. Annual contract with the Office of the Governor, Criminal Justice Division, to continue the state funded portion of the DWI Court Program in the Community Supervision and Corrections Department; and

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

Alan Miller, Budget Analyst, Planning and Budget Office (PBO)

MOTION: Continue the state funded portion of the DWI court program.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- c. Annual contract with the Texas Department of Public Safety, Texas Division of Emergency Management, to receive federal resources to continue the Emergency Management Performance Grant in The Emergency Services Department.

RESULT: ADDED TO CONSENT

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 \$833,295.36 for the period of September 28 to October 4, 2012.

RESULT: ADDED TO CONSENT

10. 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 Human Resources Management Department for a variance to Travis County Code Section 10.03002, General Overview for Determining Pay Policy.

RESULT: ADDED TO CONSENT

- 11. Consider and take appropriate action regarding the recruitment process for the County Executive for Technology Services, including:
 - a. Job description;
 - b. Position announcement;
 - c. Proposed advertising budget for the recruitment; and
 - d. Timeline for recruitment.

Members of the Court heard from:

Leslie Browder, County Executive, PBO
Diane Poirot, Management Director, Human Resources

MOTION: Approve the recruitment process for the County Executive for Technology Services.

RESULT: APPROVED [4 TO 0]

MOVER: Karen L. Huber, Commissioner

SECONDER: Sarah Eckhardt, Commissioner

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

ABSTAIN: Ron Davis

- 12. Consider and take appropriate action on second renewal term of the Lease between Buttross Properties and Travis County for space located at 8011-A Cameron road in Austin, Texas.

RESULT: ADDED TO CONSENT

Purchasing Office Items

- 13. Approve Contract Award for an Identity Management Solution, Contract No. 4400001147, to the highest qualified respondent, SHI Government Solutions, Inc.

Members of the Court heard from:

Walter LaGrone, Information Technology Director, Information Technology Services (ITS)
John Stark, Systems Network Operations Division Manager, ITS

MOTION: Approve the contract award.

RESULT: APPROVED [4 TO 0]

MOVER: Karen L. Huber, Commissioner

SECONDER: Sarah Eckhardt, Commissioner

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

ABSTAIN: Ron Davis

- 14. Approve Modification No. 8 to Contract No. 4400000228 (H.T.E. No. 99AE601-JJ), MWM Designgroup for Ferguson Road Design Project.

RESULT: ADDED TO CONSENT

15. Approve Contract Award for Travis County El Rey Blvd. Sidewalk Design Project, RFQ No. Q110243-LP, to the highest qualified firm, Chan & Partners Engineering, LLC.

RESULT: ADDED TO CONSENT

16. Approve Modification No. 1 to Contract No. 4400001020, for Assignment of Payments from Hot Rod Mechanical, Inc. to Syrberus, Inc.

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident

RESULT: ADDED TO CONSENT

17. Approve two-month extension (Amendment No. 1) to Interlocal Agreement No. 4400000409 (H.T.E. Contract No. IL120169LD) Capital Area Council of Governments (CAPCOG).

RESULT: ADDED TO CONSENT

18. Approve order exempting the purchase of Caterpillar parts and service from Holt Texas, Ltd. d/b/a Holt Cat from the competitive procurement process pursuant to Sections 262.024 (A)(7)(D) and 262.024 (A)(11) of the County Purchasing Act.

RESULT: ADDED TO CONSENT

19. Approve order exempting the purchase of Magnum Trailers, Performance Trailers, PJ Trailers, Top Hat Trailers, Wells Cargo and Continental Cargo Trailers parts and service from Magnum Trailers from the competitive procurement process pursuant to Sections 262.024 (A)(7)(D) and 262.024 (A)(11) of the County Purchasing Act.

RESULT: ADDED TO CONSENT

Other Items

20. Consider and take appropriate action to appoint Meagan Jones to the Sustainable Food Policy Board effective immediately through February 28, 2013. (Judge Biscoe)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action regarding Travis County Combined Charities Campaign for 2012. (Judge Biscoe)

MOTION: Approve the County Judge's recommendation that we have no formal campaign this year and attempt to locate a new fiscal agent for next year.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Revised language: Consider and take appropriate action on dedication ceremony for 700 Lavaca Building, presented in conjunction with the fifth annual Travis County History Day on October 26, 2012, including the following:

- a. A Proclamation to recognize the project team who worked on the new Travis County Commissioners Courtroom and Offices;

Members of the Court heard from:
Steven Broberg, Director, Records Management & Communication Resources

MOTION: Approve the Proclamation in Item 22.a.
RESULT: **APPROVED [3 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber
ABSTAIN: Ron Davis, Margaret J. Gómez

- b. A Dedication Program; and

Members of the Court heard from:
Steven Broberg, Director, Records Management & Communication Resources
Ronnie Gjemre, Travis County Resident

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

- c. A Dedication Plaque. (Judge Biscoe and Commissioner Huber)

RESULT: **DISCUSSED** **Reset for: 10/23/2012**

23. Consider and take appropriate action regarding the order of the appointment of the Central Counting Station personnel, Receiving Substation personnel and members of the Early Voting Ballot Board.

MOTION: Take action regarding the order of appointment.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

24. Consider and take appropriate action regarding a Joint Election Agreement for the November 6, 2012 joint general and special elections with Travis County and 22 participating entities.

RESULT: **ADDED TO CONSENT**

25. Consider and take appropriate action on request to approve Contract for Travis County to perform administrative, accounting and clerical services for the Travis County Corporations from October 1, 2012 to September 30, 2013. (Judge Biscoe)

RESULT: **DISCUSSED**

26. Consider and take appropriate action on Fire Chief Ken Bailey's request that we support a proposal for financial assistance for ESD#11, in the event of City of Austin annexation of the area. (Judge Biscoe)

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:

Ken Bailey, Fire Chief, ESD #11
John Carlton, Attorney, ESD #11
Danny Hobby, County Executive, Emergency Services
Ronnie Gjemre, Travis County Resident

MOTION: Approve sending the letter in support of the proposal for financial assistance for ESD #11 to the City of Austin.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret Gómez, Commissioner
SECONDER: Karen L. Huber, 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

27. Consider and take appropriate action on an offer to sell to Travis County approximately 45 acres of land in Precinct Two, in connection with the Balcones Canyonlands Conservation Plan. (Commissioner Eckhardt). ²

Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Gov't. Code Ann. 551.072, Real Property.

MOTION: Make a counter offer of \$4.5 million.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

28. Consider and take appropriate action on an offer to sell to Travis County approximately 59 acres of land in Precinct Two, in connection with the Balcones Canyonlands Conservation Plan. (Commissioner Eckhardt). ²

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Gov't. Code Ann. 551.072, Real Property.

MOTION: That we offer \$8.1 million for the property.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

29. Receive briefing and take appropriate action regarding lease issues at 700 Lavaca with Zunker, Crane & Gibson, L.L.P. 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: Approve the recommendation of one month plus an additional right to renew the lease for a second month if needed.
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 regarding extending the grievance appeal deadline by one day for grievant who formally occupied Slot 8 in Department 59. ¹

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Grant the request for an additional day to file and appeal.

31. Receive briefing from the County Attorney and take appropriate action regarding Melanie Boyte vs. Travis County, Texas, Greg Hamilton, Cynthia Schantz, Julie Martinets and Jane Doe II; A-12-CV-00181-LY. ¹

RESULT: **PULLED**

32. Consider and take appropriate action regarding Circuit of the Americas and Formula One. ¹

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

RESULT: **DISCUSSED**

Consent Items

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

MOTION: Approve the following Consent Items: C1-C4 and Agenda Items 7, 8.a-c, 9, 10.a-b, 12, 14, 15, 16, 17, 18, 19, 20, 24, 25, A2 and A3.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, 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 setting a public hearing on Tuesday, November 6, 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 453 and 454 of Apache Shores, First Installment, in Precinct Three. (Commissioner Huber)
- C4. Approve setting a public hearing on Tuesday, November 13, 2012 to receive comments regarding a request to authorize the filing of an instrument to vacate a 7.5 foot wide public utility easement located along the rear lot line of Lot 105, Block 1 of Steiner Ranch, Phase One, Section Two, in Precinct Two. (Commissioner Eckhardt)

Added Items

- A1. Consider and take appropriate action to approve adding "or equivalent, i.e. DMU (CURE)" to the real estate contract with D2000 at page 7 of 64, section 6 A V111, as recommended by the City of Austin Planning Commission (October 9, 2012 meeting, Item 15) and Downtown Austin Neighborhood Association.

Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

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

- A2. Consider and take appropriate action regarding a License Agreement with GDG South Lamar Plaza, L.P. for use of the Lamar Plaza Shopping Center, 1150 South Lamar Boulevard, in Austin, Texas as an early voting and election day polling location for the November 6, 2012 joint general and special elections.

RESULT: **ADDED TO CONSENT**

- A3. Consider and take appropriate action regarding a License Agreement with Austin Community College District for use of Suite 1390 at Highland Mall, 6001 Airport Boulevard, in Austin, Texas as an early voting and election day polling location for the November 6, 2012 joint general and special elections.

RESULT: **ADDED TO CONSENT**

- A4. Consider and take appropriate action on a Proclamation congratulating the City of Jonestown upon being recognized as a FireWise Community by the National Fire Protection Association FireWise Communities Program. (Commissioner Huber)

Members of the Court heard from:

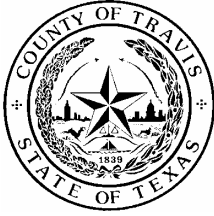
Mayor Deane Armstrong, City of Jonestown
James Herrera, Director of Maintenance, Public Works, City of Jonestown

MOTION: Approve the Proclamation in Item A4.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Samuel T. Biscoe, Judge
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, October 23, 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 October 23, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputies Kimberlie Young and Chasity Sandoval.

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 the application from Circuit of the Americas for a Texas Mass Gatherings Act permit under Chapter 751 of Government Code for events on November 3, 2012, and related issues, including but not limited to the following: (Action Item #16)
 - a. 5-k run;
 - b. Proposed open house;
 - c. Proposed public safety plan, including reports from:
 1. Austin/Travis County Health Authority;
 2. Travis County Fire Marshal;
 3. Travis County Sheriff; and
 - d. Proposed Traffic Management Plan.

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:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
Nikelle S. Meade, Partner, Brown McCarroll, LLP, representing Circuit of the Americas (COTA)
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)
Hershel Lee, Travis County Fire Marshal

Kevin Tyo, Director, Security, COTA - didn't hear him here but this is where he is in the notes
David Greear, Senior Engineer, TNR
Cyril Friday, Captain, East Command, Travis County Sheriff's Office (TCSO)
Ronnie Gjemre, Travis County Resident
Cathy Olive, President, Elroy Preservation Association
Aaron Nathan, Traffic Engineer, Kimley-Horn & Associates
Frank Duval, Travis County Resident

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

Citizens Communication

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident
Zenobia C. Joseph, Travis County Resident

Special Item

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

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

RESULT: DISCUSSED

Resolutions and Proclamations

3. Approve Proclamation of commendation for Kevin Wayne McDonald for his more than 19 years of dedicated service with Star Flight to Travis County and Central Texas. (Judge Biscoe)

Members of the Court heard from:
Danny Hobby, County Executive, Emergency Services
Kevin McDonald, STAR Flight
Casey Ping, Program Director, STAR Flight

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 recognizing the project team who worked on the new Travis County Administration Building. (Commissioner Gómez)

Members of the Court heard from:
Steven Broberg, Director, Records Management and Communication Resources (RMCR)
Walter LaGrone, Director, Information Technology Services (ITS)

Jim Barr, Senior Project Manager, Facilities Management
Cyd Grimes, Travis County Purchasing Agent

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

Health and Human Services Dept. Items

5. Consider and take appropriate action regarding approval of the Program Year 2012 Community Development Block Grant Agreement provided by HUD.

RESULT: ADDED TO CONSENT

6. Consider and take appropriate action on a request to approve the Certificates of Exemption from environmental assessment effective October 1, 2012 for three Community Development Block Grant projects with funding provided by HUD:

- a. Family Support Services social work services expansion;
- b. Fair housing counseling; and
- c. Administrative and planning expenses.

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on request for assistance from Foundation Communities for the operation of its Tax Preparation Assistance Program during the 2013 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 for the operation of Tax Preparation Assistance Program during the 2013 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 2013 tax season; and
- c. In-kind support to Foundation Communities' Tax Preparation Assistance Program in the form of deaf interpreters services for the 2013 tax season.

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action regarding the request to appoint Travis County residents to the Joint Subcommittee's Family and Children School Task Force.

Members of the Court heard from:
Sherri Fleming, County Executive, TCHHS&VS

RESULT: DISCUSSED

Reset for: 11/6/2012

Planning and Budget Dept. Items

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

MOTION: Approve Item 9.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

10. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- a. Amendment to the Austin/Travis County Family Violence Protection Team Interlocal to extend the end date of the grant to March 31, 2013;
- b. Annual contract with the Office of the Governor, Criminal Justice Division, to continue the Family Drug Treatment Court Program in the civil courts;
- c. Annual contract with the Office of the Governor, Criminal Justice Division, to continue the Drug Court and In Home Family Services Grant in the Juvenile Probation Department;
- d. Amendment to the agreement with the Texas Department of Housing and Community Affairs to increase the grant award for the Comprehensive Energy Assistance Program (CEAP) in Health and Human Services and Veterans Service; and
- e. Annual contract with the Texas Department of Housing and Community Affairs for Health and Human Services and Veterans Service to continue to provide weatherization repairs for low income households through the Low Income Home Energy Assistance Program (LIHEAP) weatherization program.

RESULT: ADDED TO CONSENT

11. 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 \$1,356,899.90 for the period of October 5 to 12, 2012.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action on request to approve the second renewal term of the lease between the City of Jonestown, Texas and Travis County for lease space located at 18649 Highway 1431 in Jonestown. (Commissioner Huber)

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action to amend the Chapter 381 Agreement with RRE Solar, LLC.

RESULT: ADDED TO CONSENT

15. Consider and take appropriate action on dedication plaque for County owned building at 700 Lavaca Street, Austin, Texas.

Members of the Court heard from:
Steven Broberg, Director, RMCR

RESULT: **DISCUSSED**

Reset for: 10/30/2012

Justice and Public Safety Items

16. Consider and take appropriate action regarding the application from Circuit of the Americas for a Texas Mass Gatherings Act permit under Chapter 751 of Government Code for events on November 3, 2012, and related issues, including but not limited to the following:

- a. 5-k run;
- b. Proposed open house;
- c. Proposed public safety plan, including reports from:
 1. Austin/Travis County Health Authority;
 2. Travis County Fire Marshal;
 3. Travis County Sheriff; and
- d. Proposed traffic management plan.

Members of the Court heard from:
Tom Nuckols, Assistant County Attorney
Nikelle S. Meade, Partner, Brown McCarroll, LLP, representing COTA

MOTION: Approve the proposed order in Item 16, which states that a public hearing was held today, notice had been issued prior to the public hearing, and the County Judge finds that the plans for the event as described in the application and reports are adequate. It is reasonable to expect that preparations for the event will be substantially completed by the time of the event. The County Judge approves a permit to conduct the event in the manner described in the application and report on the condition that COTA notify the County Judge if and when any circumstances arise that:

- a) Necessitate significant changes to the event described in the application and reports or
- b) Will preclude preparation for the event as described in the application and reports from being substantially completed in time for event. The order will serve as the permit.

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

17. Consider and take appropriate action on the mutual agreements to terminate the 1992 Mutual Aid Agreement between Travis County and the City of Rollingwood, City of Lakeway and the Village of Briarcliff.

RESULT: ADDED TO CONSENT

Purchasing Office Items

18. Approve Contract Award for Travis County Correctional Complex, Building No. 106 - hydronic boiler replacement, IFB No. 1206-001-JE, to the low bidder Thermal Mechanical Contractors, Inc.

RESULT: ADDED TO CONSENT

19. Approve Contract Award for Travis County Exposition Center, Arena HVAC controls, IFB No. 1207-006-PS, to the low bidder, Computrols, Inc.

RESULT: ADDED TO CONSENT

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

- a. Order exempting the purchase of patient ventilators for Star Flight from Carefusion from the competitive procurement process pursuant to Section 262.024(A)(7)(A) of the County Purchasing Act; and
- b. Pursuant to Section 263.152 of the Texas Local Government Code, Declare Pulmonetics LTV 1000 ventilators as surplus property and authorize same as trade-in on new equipment.

RESULT: ADDED TO CONSENT

21. Approve Ratification of Modification No. 1 to Contract 4400000861 H.T.E. Contract No. PS110261ML), Family Eldercare, for guardianship services.

RESULT: ADDED TO CONSENT

22. Approve Interlocal Agreement No. 4400001166, City of Austin, for installation and maintenance of wireless communications components and systems.

RESULT: ADDED TO CONSENT

23. Declare items as surplus and authorize same to be disposed of through Dell, Inc. pursuant to Section 263.152 of the Texas Local Government Code.

RESULT: ADDED TO CONSENT

Other Items

24. Consider and take appropriate action on recommendation to replace members on the Compensation Committee:
 - a. Appoint Nicki Riley to replace Susan Spataro; and
 - b. Appoint Tanya Acevedo to replace Joe Harlow.

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident
Dolores Ortega-Carter, Travis County Treasurer
Nicki Riley, Travis County Auditor

MOTION: Approve the appointments in Items 24.a–b.
RESULT: **APPROVED [3 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber
ABSTAIN: Ron Davis, Margaret J. Gómez

MOTION: Request that the Compensation Committee consider the appointment of Michael Wichern, Business Consultant II, Travis County Treasurer's Office to the Committee in the future.

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

25. Consider and take appropriate action on the District Attorney's Fiscal Year 2012 Asset Forfeiture Report as required by Chapter 59 of the Code of Criminal Procedure.

RESULT: **ADDED TO CONSENT**

26. Consider and take appropriate action on appointments to the Housing Authority of Travis County, Texas, Board of Commissioners, including:

- a. Adopt procedure and timetable for Housing Authority appointment process; and
- b. Approve Housing Authority application packet for distribution to interested parties.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
Craig Alter, Executive Director, Travis County Housing Authority
John Hille, Assistant County Attorney
Ronnie Gjemre, Travis County Resident
Michael Wrenn, Court Appointee, Travis County Housing Authority

MOTION: Follow the process, issue a call for applications and proceed to act under the current policy.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed Attachment A from the back-up regarding the proposed expiration dates of the appointee's terms on the board.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

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

27. Consider and approve Amendment No. Ten to the Memorandum of Understanding relating to security for the Combined Transportation, Emergency & Communications Center, extending the scope of work for the Travis County Sheriff's Office through Fiscal Year 2013.

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action on Amendment Number Eleven to the Interlocal Agreement between Travis County, the Travis County Juvenile Board and the Austin Independent School District to continue the Truancy Court Project for the 2012-2013 Fiscal Year.

RESULT: ADDED TO CONSENT

29. Consider and take appropriate action on request from Travis County District and County Judges to support the creation of two additional criminal courts in the upcoming 83rd legislative session.

Members of the Court heard from:

The Honorable Julie Kocurek, Judge, 390th District
Susan Spataro, Travis County Resident
Jessica Rio, Budget Director, Planning and Budget Office (PBO)
Ronnie Gjemre, Travis County Resident

RESULT: DISCUSSED

Reset for: 11/13/2012

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

30. Consider and take appropriate action on a counter-offer received from Mayfield Village Ltd. for sale of real property and various easements required for transportation-related improvements as part of the Tuscany Way South Roadway Improvement Project in Precinct One. (Commissioner Davis) 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: That we counter the counter-offer in the amount of \$437,000.00.

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 a counter-offer received from 1825 Development, Inc. for sale of a temporary construction easement (Parcel #1TE), needed for transportation-related work as part of the Tuscany Way South Roadway Improvement Project in Precinct One. (Commissioner Davis) 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: That we offer to pay the sum of \$19,000.00 for the easement.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

32. Receive briefing and take appropriate action regarding lease issues at 700 Lavaca St. with BullionDirect, Inc. ^{1 and 2}

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.

MOTION: Approve the requested change of use.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

33. Consider and take appropriate action on request from Constable McCain regarding legal representation in litigation filed by Merilee Peterson, a former employee, in Cause No. D-1-GN-11-001312; Merilee Peterson v. Travis County, Texas, et al., in the 250th Judicial District, Travis County Texas. 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: Put this matter back on the Court's Agenda Tuesday, October 30, 2012, make reference to the mediation that is scheduled to take place Wednesday, October 24, 2012, and take appropriate action next week.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

34. Consider and take appropriate action regarding Circuit of the Americas and Formula One. ¹

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

RESULT: **NOT NEEDED** **Reset for: 10/30/2012**

35. **Revised language** - Consultation with County Attorney and take appropriate action regarding roles and responsibilities of County Auditor and Commissioners Court on accounting and audit services and County programs, including a revised job description. 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: Repost this item for Tuesday, October 30, 2012, direct County Attorney's Office to meet with the Honorable Lora Livingston, Judge, 261st District and the Honorable Tim Sulak, Judge, 353rd District, on behalf of the Commissioners Court and share the ideas and opinions discussed in Executive Session.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

36. **Revised language** - Consultation with County Attorney and take appropriate action regarding mutual release of claims with Graebel Affiliated Companies for 700 Lavaca Building moves.

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

MOTION: Approve the proposed Mutual Release of all Claims and Final Settlement in the amount of \$18,090.51.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident

MOTION: Approve the following Consent Items: C1–C5 and Agenda Items 5, 6a–c, 7a–c, 10a–e, 11, 12, 13, 14, 17, 18, 19, 20a–b, 21, 22, 23, 25, 27, and 28.

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 Commissioners Court Minutes for the Voting Sessions of September 25 and October 2, 2012 and the Special Voting Session of September 28, 2012.
- C4. Receive monthly financial reports for the month August 2012 from the County Auditor's office.
- C5. Approve setting a public hearing on Tuesday, November 13, 2012 to receive comments regarding a request to authorize the filing of an instrument to release the non-disturbance easements located over and across several sections of the Overlook Estates, Phase One subdivision in Precinct Three. (Commissioner Huber)

Added Items

- A1. Consider and take appropriate action on an offer from the City of Austin to acquire an electric transmission easement across the East Command Center tract in Precinct One. (Executive

Session under Gov't. Code Ann. §551.071, Consultation with Attorney, and §551.072, Real Property)

Judge Biscoe announced that Item A1 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

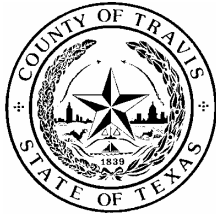
RESULT: DISCUSSED

Reset for: 10/30/2012

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, October 30, 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 October 30, 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, Chasity Sandoval, 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 regarding a Plat for recording: RoundMountain Oaks, revised Plat of part of Lot 31 - final plat (revised plat of Lot 31, Roundmountain Oaks - subdivision final plat - two lots - Faubion Trail - Leander ETJ) in Precinct Three. (Commissioner Huber) (Action Item #19)

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, Division Director, Engineering Services, Transportation and Natural Resources (TNR)
Kevin Fenerin, Travis County Resident

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 requests for partial plat vacations of Lots 43 through 53 of The Reserve at Lake Travis final Plat; Lots 43 through 53A of the revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14 Block C The Reserve at Lake Travis; and Lots 43, 44, 45, 46A and 47A of the revised Plat of Lots 53A & 54A Block A and Lot 17, Block C of the revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14 Block C The Reserve at Lake Travis; and a Plat for recording in Precinct Three: Cliffside at the Reserve at Lake Travis final Plat (short form final plat – five total lots – Flying J Boulevard – no ETJ). (Commissioner Huber) (Action Item #20)

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, Division Director, Engineering Services, 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:
Rossana Barrios, Planning Manager, Information Technology Services (ITS)
Gus Peña, Travis County Resident
Shaun Auckland, Environmental Specialist, TNR
Cora Leonard, Keep Austin Beautiful
Erin Franz, Executive Director, Colorado River Foundation
Dana DeBeauvoir, Travis County Clerk
Gavino Fernandez, Jr., District 12 Director, League of United Latin American Citizens (LULAC)
Dr. John K. Kim, Travis County Resident
Ronnie Gjemre, Travis County Resident
Karen Renick, Director, VoteRescue

Clerk's Note: Commissioner Davis requested a moment of silence for the victims of Hurricane Sandy.

Special Item

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

RESULT: **DISCUSSED**

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

Resolutions and Proclamations

4. Approve Proclamation regarding "Austin Adoption Day" to be held November 1, 2012 at Gardner-Betts Juvenile Justice Center. (Commissioner Gómez)

Members of the Court heard from:
Andrew Hathcock, Associate Judge

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

Introduction

5. Introduction of Paul Lyon, First Assistant County Auditor.

Members of the Court heard from:

Nicki Riley, Travis County Auditor
Paul Lyon, First Assistant, Travis County Auditor's Office

RESULT: DISCUSSED

Planning and Budget Dept. Items

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

RESULT: NOT NEEDED

7. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- a. New application to the Texas Historical Commission to fund a historical survey of southeast Travis County with the Travis County Historical Commission;

Members of the Court heard from:

Allan Miller, Budget Analyst, Planning and Budget (PBO)
Barry Hutchinson, Chair, Travis County Historical Commission
Bob Ward, Vice Chair, Travis County Historical Commission

MOTION: Approve Item 7a.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- b. Annual Contract with the Office of the Governor, Criminal Justice Division, to continue the Travis County Veterans Court within the criminal courts; and
- c. Annual contract with the Office of the Governor, Criminal Justice Division, to continue the Drug Diversion Court Program in Pretrial Services Department.

RESULT: ADDED TO CONSENT

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 \$819,640.44 for the period of October 12 to 18, 2012.

RESULT: ADDED TO CONSENT

9. 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 Constable Precinct One for a variance to Travis County Code Section 10.0295, Peace Officer Pay Scale (POPS).

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on the following:
 - a. Tuition reimbursements for employees who have completed classes in accordance with the Tuition Reimbursement Program §10.021 - §10.022; and
 - b. Authorize the County Auditor and Treasurer's office to reimburse employees as approved.

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on dedication plaque for County owned building at 700 Lavaca Street, Austin, Texas.

Members of the Court heard from:

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

MOTION: Approve that the dedication plaque be made of nickel silver, to change the wording to say "Travis County Administration Building," and to place the plaque on the East wall of the Hall of Government.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

12. Consider and take appropriate action regarding the 700 Lavaca Building cafeteria and concession service agreement.

MOTION: Approve Item 12.

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

Justice and Public Safety Items

13. Consider and take appropriate action on the Mutual Agreements to terminate the 1992 Mutual Aid Agreement between Travis County and the City of Bee Cave, City of West Lake Hills and Bastrop County.

RESULT: ADDED TO CONSENT

Purchasing Office Items

14. Approve Contract No. 4400001168, Texas Association of Community Action Agencies, Inc., Hudson Sausage Company and Caritas of Austin, for the Hunters for the Hungry Program.

RESULT: ADDED TO CONSENT

15. Approve twelve-month extension (Modification No. 4) to Contract No. 4400000027 (HTE Contract No. 08T00263OJ), Frost Insurance Agency, for excess workers compensation insurance.

RESULT: ADDED TO CONSENT

16. Approve Interlocal Agreement No. 4400001170, Texas Workforce Commission, for information release for Travis County Attorney's office.

RESULT: ADDED TO CONSENT

17. Approve Modification No. 8 to Contract No. 4500000031 (H.T.E. Contract No. 07T00173VC), Securus Technologies, Inc., for inmate pay phone services.

Members of the Court heard from:

Bonnie Floyd, Assistant Purchasing Agent, Purchasing
Darren Long, Major, Travis County Sheriff's Office (TCSO)
Walter LaGrone, Director, Information Technology, Information Technology Services (ITS)
Sally Zeitvogell, Representative, Securus Technologies

MOTION: Approve Item 17.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

18. Approve Memorandum of Understanding No. 4400001180, Southwest Texas Regional Advisory Council, Inc., for land and satellite based communications devices and services.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

19. Consider and take appropriate action regarding a Plat for recording: RoundMountain Oaks, revised plat of Part of Lot 31 - final Plat (revised plat of Lot 31, RoundMountain Oaks - subdivision final plat - two Lots - Faubion Trail - Leander ETJ) in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action regarding requests for partial Plat vacations of Lots 43 through 53 of The Reserve at Lake Travis final Plat; Lots 43 through 53A of the revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14 Block C The Reserve at Lake Travis; and Lots 43, 44, 45, 46A and 47A of the revised Plat of Lots 53A & 54A Block A and Lot 17, Block C of the revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14 Block C The Reserve at Lake Travis; and a Plat for recording in Precinct Three: Cliffside at The Reserve at Lake Travis

final plat (short form final plat – five total lots – Flying J Boulevard – no ETJ). (Commissioner Huber)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action regarding a License Agreement with Circuit of the Americas for the use of Richard Moya Park as a bicycle staging area for cyclists riding shuttle to the F1 races on November 16-18, 2012. (Commissioner Gómez)

Members of the Court heard from:

Steven Manilla, County Executive, TNR
Allan Pease, Travis County Resident
Dan Chapman, Chief Park Ranger, TNR

MOTION: Approve Item 21.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Consider and take appropriate action on an exemption from platting requirements for the Cabins at Lake Travis condominiums - twenty single-family detached units and a Condominium Construction Agreement. (Commissioner Huber)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action on the acceptance of the dedication of the public street and drainage facilities within Rocky Creek Ranch, Section 2 subdivision in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on the use of an Alternative Fiscal Agreement for the Park at Blackhawk II, Section 3B in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action on a plat for recording in Precinct Three: Sweetwater Section Two Village F1 final Plat (long form final plat -27 total lots -Pedernales Summit Parkway -no ETJ and Subdivision Construction Agreement between Travis County and WS -COS, LLC. (Commissioner Huber)

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

26. Consider and take appropriate action on items related to the Program Year 2011 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant Provided by HUD:
- a. Request to approve November 30, 2012 through December 14, 2012 as the 15-day public comment period for the public to review and comment on the draft;
 - b. Request to approve a public hearing date on December 4, 2012, at 9:00 a.m., Travis County Commissioners Courtroom, to receive public comment; and

- c. Request to approve the advertisement announcing the public hearing date and 15-day public comment period in newspapers of general circulation: Austin Chronicle, Pflugerville Pflag, Hill Country News, Lake Travis View, Oak Hill Gazette, Westlake Picayune, The Villager, Ahora Si, and El Mundo.

RESULT: ADDED TO CONSENT

Other Items

This item to be discussed at 1:30 p.m.

- 27. Receive presentation from Travis County delegation to China to establish friendly City/County relationships with Haining and Rugau cities, receive gifts, consider request for reciprocal invitations and take appropriate action. (Judge Biscoe)

Members of the Court heard from:

- Steven Broberg, Director, RMCR
- Sunita Murti, Commercial Business Developer, Southwestern National Bank and member, Travis County Citizens International Program (TCCIP)
- Peter Shen, Chairman, Austin Chinese Chamber of Commerce and member, TCCIP
- Aletta Banks, Executive Director, Asian Contractor Association (ACA)
- George Chang, Member, TCCIP
- Ronnie Gjemre, Travis County Resident

RESULT: DISCUSSED

- 28. Receive Fiscal Year 2011 Financial Audit Reports for Emergency Services Districts No. 5 and 11 and Fiscal Year 2010 Financial Audit Report for Emergency Services District No. 5. (Commissioner Huber and Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 29. Consider and take appropriate action on an Interlocal Cooperation Agreement for sustainment funding for the Austin Regional Intelligence Center between Travis County and various partner agencies for the purpose of establishing sustainment funding for the center.

RESULT: ADDED TO CONSENT

- 30. Consider and take appropriate action on issues related to making appointments to the Strategic Housing Finance Corporation Board of Directors.

Members of the Court heard from:

- Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
- Craig Alter, Executive Director, Travis County Housing Authority
- Sarah Anderson, Chair, Strategic Housing Financing Board
- Gus Peña, Travis County Resident

MOTION: Approve the recommended schedule of terms and appointments.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Karen L. Huber, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

MOTION: Issue a similar invitation to apply for membership on the Housing Authority board with new language due November 30, 2012.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

31. Consider and take appropriate action on Resolution asking the Lower Colorado River Authority to request and submit to the Texas Commission on Environmental Quality for approval the re-authorization or renewal of an Emergency Drought Order for 2013. (Commissioner Huber)

Members of the Court heard from:
Steven Manilla, County Executive, TNR
Ronnie Gjemre, Travis County Resident

MOTION: Approve the Resolution in Item 31.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

32. Consider and take appropriate action on request to fill vacancies for the unexpired term of presiding election judges and alternate presiding election judges for the November 6, 2012 joint general and special elections.

RESULT: **ADDED TO CONSENT**

33. Consider and take appropriate action on Resolution amending list of authorized representatives to Texpool for the Travis County Tax Assessor Collector's Office.

RESULT: **ADDED TO CONSENT**

Clerk's Note: Judge Biscoe noted that the representatives are Tina Morton, Tax Assessor Collector, Renea Deckard, Associate Deputy, Tax Assessor Collector's Office, Joe Marshall, Analyst VI, Travis County Auditor's Office and Karen Doane, Accountant, Tax Assessor Collector's Office.

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. Consultation with County Attorney regarding the draft economic development incentives policy. ¹

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

Members of the Court heard from:

Philip Lawhon, Representative, International Brotherhood of Electrical Workers (IBEW)
Aaron Chappell, Laborers International Union of North America (LUNA)

RESULT: DISCUSSED

Reset for: 11/13/2012

35. Consider and take appropriate action regarding the potential purchase of real estate in central Austin. ^{1 and 2}

Judge Biscoe announced that Item 35 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 indicating Travis County's interest; direct Staff and the consultant to gather more information and authorize the execution of an appropriate confidentiality document.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

36. Consider and take appropriate action on the following:

- a. Request from Constable McCain regarding legal representation in Cause No. D-1-GN-11-001312; Merilee Peterson v. Travis County, Texas, et al., in the 250th Judicial District, Travis County Texas. ¹
- b. Consultation with County Attorney, authorize County Attorney to accept, reject, or counter settlement offer, and/or take appropriate action in Cause No. D-1-GN-11-001312; Merilee Peterson v. Travis County, Texas, et al., in the 250th Judicial District, Travis County Texas. ¹

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

MOTION: That we place Items 36.a-b on the Agenda for Tuesday, November 6, 2012.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

37. Consider and take appropriate action regarding Circuit of the Americas and Formula One. ¹

RESULT: NOT NEEDED

Reset for: 11/6/2012

38. Consider and take appropriate action on an offer from the City of Austin to acquire an electric transmission easement across the East Command Center tract in Precinct One. ^{1 and 2}

RESULT: POSTPONED

Reset for: 11/6/2012

39. Consultation with County Attorney and take appropriate action regarding roles and responsibilities of County Auditor and Commissioners Court on accounting and audit services and County programs, including a revised job description. ¹

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

RESULT: DISCUSSED

Reset for: 11/6/2012

Consent Items

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 7.b–c, 8, 9.a–b, 10.a–b, 13, 14, 15, 16, 18, 19, 20, 22, 23, 24, 25, 26.a–c, 28, 29, 32, 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.

Added Item

A1. Consider and take appropriate action regarding amendments to real estate contract with D2000. (This item may be discussed in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, and Gov't. Code Ann. 551.072, Real Property.)

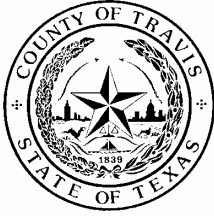
RESULT: POSTPONED

Rest for: 11/6/2012

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, November 6, 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 November 6, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, 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	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. 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 of Lots 453 and 454 of Apache Shores, First Installment, in Precinct Three. (Commissioner Huber) (Action item #8)

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

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

Citizens Communication

Members of the Court heard from:
Gus Peña, Travis County Resident
Karen Renick, Director, VoteRescue

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

Reset for: 11/13/2012

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

Resolutions and Proclamations

3. Approve Resolution recognizing November 11, 2012 as Veterans' Day in Travis County. (Judge Biscoe)

Members of the Court heard from:
Olie Pope, Director, Veterans' Services, Travis County Health and Human Services (TCHHS&VS)
Al Reyes, Tejanos in Action
Fred Hudgeons, Commander, Military Order of the Purple Heart

MOTION: Approve the Resolution in Item 3.

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

Justice and Public Safety Items

4. Consider and take appropriate action on the Mutual Agreements to terminate the 1992 Mutual Aid Agreement between Travis County and City of Jonestown and Hays County.

RESULT: ADDED TO CONSENT

Purchasing Office Items

5. Approve Modification No. 3 to Contract No. 4400000789 (H.T.E. No. PS100041DW), Council on At-Risk Youth (CARY) for youth violence prevention services.

RESULT: ADDED TO CONSENT

6. Approve Modification No. 4 to Contract No. 4400000378, (H.T.E. No. IL080039VR) Victoria County, for residential treatment services.

RESULT: ADDED TO CONSENT

7. Approve contract awards for sheriff uniforms, IFB No. 120219-LD, to the low responsive bidders:
 - a. Miller Uniforms, all line items in Groups A through M, V, X, Z, AA, BB, Line Items 33-01, 33-02; and
 - b. GT Distributors, Groups S, T, U, W and Line Item 34-01.

RESULT: POSTPONED

Reset for: 11/13/2012

Transportation and Natural Resources Dept. Items

8. Consider and take appropriate action 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 of Lots 453 and 454 of Apache Shores, First Installment, in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

9. Consider and take appropriate action to approve the agreement with the City of Austin/Austin Energy to continue the Emergency Financial Assistance Program for utility assistance for low-income households in Travis County that are customers of Austin Energy in FY 2013.

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action to approve revenue Contract with Del Valle Independent School District for after school enrichment services provided through the Texas AgriLife Extension Office.

RESULT: ADDED TO CONSENT

Clerk's Note: The Court noted that the contract is for a maximum of \$42,528.00.

Planning and Budget Dept. Items

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

Members of the Court heard from:

Diana Ramirez, Senior Budget Analyst, Planning and Budget Office (PBO)
Katie Gipson, Senior Budget Analyst, PBO

MOTION: Approve Item 11.

RESULT: **APPROVED [3 TO 0]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

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

ABSTAIN: Ron Davis

ABSENT: Karen L. Huber

12. 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 \$1,076,062.49 for the period of October 19 to October 25, 2012.

RESULT: ADDED TO CONSENT

13. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
- a. Annual application to the Texas Department of Transportation to continue the Underage Drinking Prevention Program in the County Attorney's Office;
 - b. Contract with the U.S. Department of Health and Human Services, Administration of Children Youth and Families for a two-year continuation of the Parenting in Recovery Grant in Health and Human Services and Veterans Services; and
 - c. New contract with the Texas Association of Community Action Agencies, Inc. Pedernales Electric Cooperative for a targeted low income weatherization program in Health and Human Services and Veterans Services.

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action on the following items for Human Resources Management Department:

- a. Proposed routine personnel amendments;

Members of the Court heard from:

Todd Osburn, Compensation Manager, Human Resources Management Department (HRMD)
Travis Gatlin, Senior Budget Analyst, PBO

MOTION: Approve Item 14.a.
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

- b. Non-routine request from Medical Examiner's Office for a variance to Travis County Code Section 10.03009, Voluntary Job Change; and

Members of the Court heard from:

Todd Osburn, Compensation Manager, HRMD

MOTION: Approve Item 14.b.
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

- c. Non-routine requests from Sheriff's Office for a variance to Travis County Code Section 10.03002, General Overview for Determining Pay Policy.

Members of the Court heard from:

Todd Osburn, Compensation Manager, HRMD

MOTION: Approve Item 14.c.
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

Other Items

15. Consider and take appropriate action regarding a public official bond renewal for appointed visiting Justice of the Peace Jon Wisser.

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action regarding Certification Agreement between the Texas Historical Commission and Travis County for participation in the Certified Local Government Program.

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action on the following:

- a. Equitable Sharing Agreement and Certification for Constable 1, Constable 2, Constable 3, Constable 4 and Constable 5.
- b. Chapter 59 Asset Forfeiture Reports for Constable 1, Constable 2, Constable 3 and Constable 5.

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action regarding letter of appreciation to City officials at Haining and Rugao cities in China. (Judge Biscoe)

MOTION: Approve the letters and authorize the County Judge to send them to Peter Shen, Chairman, Austin Chinese Chamber of Commerce and member, Travis County Citizens International Program (TCCIP), who will send the letters electronically to the mayors of Haining and Rugao from the Commissioners Court along with a letter to the administrators of the school from Judge Biscoe and Commissioner Eckhardt.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

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

ABSENT: Karen L. Huber

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

19. Consider and take appropriate action on an offer to sell approximately 90 acres of undeveloped land located south of Northeast Metro Park in Precinct One for Eastern Creek Open Space as part of the 2011 Bond Program. ^{1 and 2}

Judge Biscoe announced that Item 19 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: Accept the offer to sell to Travis County this acreage for the total amount of \$888,230.00 and authorize the County Judge to sign the deed on behalf of the Commissioners Court.
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

20. Consider and take appropriate action on the following:

- a. Request from Constable McCain regarding legal representation in Cause No. D-1-GN-11-001312; Merilee Peterson v. Travis County, Texas, et al., in the 250th Judicial District, Travis County Texas; and
- b. Settlement offer in Cause No. D-1-GN-11-001312; Merilee Peterson v. Travis County, Texas, et al., in the 250th Judicial District, Travis County Texas. ¹

Judge Biscoe announced that Items 20.a–b would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Postpone action on Items 20.a–b until Tuesday, November 13, 2012.
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

21. Consider and take appropriate action regarding Circuit of the Americas and Formula One. ¹

Judge Biscoe announced that Item 21 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **NOT NEEDED** **Reset for: 11/13/2012**

22. Receive briefing and take appropriate action regarding the appeal of the Texas Commission on Environmental Quality's decision to issue a permit to Waste Management of Texas, Inc., for the expansion of the Austin Community Landfill. ¹

Judge Biscoe announced that Item 22 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **DISCUSSED** **Reset for: 11/13/2012**

Consent Items

Members of the Court heard from:
Mary Etta Gerhardt, Assistant County Attorney
Hershel Lee, Travis County Fire Marshal

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 4, 5, 6, 8, 9, 10, 12, 13.a–c, 15, 16, and 17.a–b.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

- C1. Receive bids from County Purchasing Agent.
- C2. Approve payment of claims and authorize County Treasurer to invest County funds.

Added Items

A1. Consider and take appropriate action on a request to Texas Department of Transportation to include the Balcones Canyonlands Conservation Plan Coordinating Committee as a participating agency in the State Highway 45 National Environmental Policy Act (NEPA). (Commissioner Huber) (This item may be taken into Executive Session under the Consultation with Attorney and Real Property exceptions) ^{1 and 2}

RESULT: POSTPONED **Reset for: 11/13/2012**

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge