



Minutes for the Travis County Commissioners Court Tuesday, January 11, 2011 Voting Session

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

Roll Call

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

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

Citizens Communication

Members of the Court heard from:

Kevin McDonald, President, Fire Commissioners Board, Emergency Services District No.4
(ESD # 4)

Gus Peña, Travis County Resident

Ronnie Gjemre, Travis County Resident

Pix Howell, Urban Design Officer, City of Leander

Aleithia Artemis, Travis County Resident

Donna Parker Stirman, Risk Management, Human Resources Management Department
(HRMD)

Zetta Garnet, Benefits Assistant, HRMD

Special Items

1. Consider and take appropriate action regarding outdoor burning in the unincorporated areas of Travis County.

Clerk's Note: The Court discussed a recommendation from the Fire Marshal's Office to adopt an order prohibiting outdoor burning for another 30 days.

Members of the Court heard from:

Hershel Lee, Travis County Fire Marshal

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

Clerk's Note: The Fire Marshal noted that if Travis County residents have any questions regarding the prohibition on outdoor burning, they can:

- call the Fire Marshal's Office at (512) 854-4621,
- call the Emergency Services Department at (512) 854-9637, or
- check the website at www.co.travis.tx.us/fire_marshal.

Proclamations and Resolutions

2. Approve Resolution congratulating Executive Manager Joe Gieselman on his retirement and 36 years of dedicated service to the residents of Travis County.

Members of the Court heard from:

Joe Gieselman, Executive Manager, Transportation and Natural Resources (TNR)
Carol Joseph, Assistant Director, TNR
Steve Manilla, Director, Public Works, TNR
Mike Aulick, Former Director, Capital Area Metropolitan Planning Organization (CAMPO)

MOTION: Approve the Resolution in Item 2.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

3. Approve Proclamation for Austin Independent School District designating February 2011 as "Black History Month" in Travis County.

RESULT: **ADDED TO CONSENT**

4. Approve Proclamation congratulating Reverend Bruno C. Schmidt on his 100th birthday and declaring January 10 through 14, 2011 as his week in Travis County.

Members of the Court heard from:

Barry Hutcheson, Chairman, Travis County Historical Commission

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

Purchasing

5. Pursuant to Section 263.151 of the Texas Local Government Code, declare list of certain equipment as surplus property and sell at public auction.

RESULT: **ADDED TO CONSENT**

6. Consider and take appropriate action on issuance of Request for Services (RFS) for professional consulting services for a study of pre-hospital (EMS) medical care, and authorize the Travis County Purchasing Agent to issue the RFS.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Danny Hobby, Executive Manager, Travis County Emergency Services
Bob Taylor, Chairman, Austin-Travis County EMS Advisory Board
Steve Stewart, President, Austin-Travis County EMS Employees Association
Ernie Rodriguez, Director, Austin-Travis County EMS
Steve Jones, City Manager, City of Lakeway

MOTION: Approve Item 6, the data and recommendations from the study will be shared with all interested parties within the emergency services community to avoid any duplication of effort.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Transportation and Natural Resources

7. Consider and take appropriate action on a plat for recording in Precinct Three: Sola Vista Section One Final Plat (Final Plat - one lot - 1.017 acres - Cypress Ranch Boulevard - no fiscal required - water service to be provided by individual water well and sewage service to be provided by on-site septic facilities - no ETJ). (Commissioner Huber)

RESULT: **ADDED TO CONSENT**

8. Consider and take appropriate action to amend the Transportation and Natural Resources Department budget to supplement existing funds for one year of environmental monitoring at TXI permitted locations in eastern Travis County in an amount not to exceed \$21,000 from Allocated Reserves.

Members of the Court heard from:

Jon White, Natural Resources Program Manager, TNR
Richard McDonald, Travis County Resident
Cyd Grimes, Travis County Purchasing Agent
Joe Gieselman, Executive Manager, TNR
Morris Priest, Travis County Resident

MOTION: Take \$21,000.00 from Allocated Reserve to augment the monies available for the Request for Services (RFS).

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

9. **Revised language:** Consider and take appropriate action on the following requests:
- Transportation and Natural Resources (TNR) to initiate and manage the preparation of a 2011 Bond Referendum in collaboration with another department;
 - Designate department or manager to work with TNR;

Members of the Court heard from:

Danny Hobby, Executive Manager, Travis County Emergency Services
Rodney Rhoades, Executive Manager, PBO
Susan Spataro, Travis County Auditor

MOTION: TNR will work with the three managers — Susan Spataro, Travis County Auditor, Rodney Rhoades, Executive Manager, PBO, and Danny Hobby, Executive Manager, Travis County Emergency Services — as appropriate. Steve Manilla, Director, Public Works, TNR, will take the lead and make referrals for questions to the appropriate persons for issues he can't address.

A Restatement of the Previous Motion was made by Judge Biscoe to add to TNR the other three Executive Managers, Susan Spataro, Travis County Auditor, Rodney Rhoades, Executive Manager, PBO, and Danny Hobby, Executive Manager, Travis County Emergency Services, so we end up with four of them working together.

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

- c. TNR to prepare a draft prioritized list of potential bond projects for consideration by a Citizens Bond Advisory Committee and the Court:

Members of the Court heard from:
Steve Manilla, Executive Manager, TNR
Rodney Rhoades, Executive Manager, PBO

MOTION: Approve Item 9.c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- d. Authorize TNR to pursue commitments from public and/or private entities for partnering on projects utilizing "2011 Guidelines for Public/Private Partnerships for Transportation Projects";

Members of the Court heard from:
Rodney Rhoades, Executive Manager, PBO
Danny Hobby, Executive Manager, Travis County Emergency Services

MOTION: Approve Item 9.d.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- e. **Authorize TNR to develop guidelines for Public-Private Partnerships for parks and natural areas; and**

MOTION: Approve Item 9.e, and authorize TNR to call upon County staff as appropriate for any assistance.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- f. **Authorize Facilities Management and other County Staff to develop guidelines for Public-Private Partnerships for Facilities projects.**

Members of the Court heard from:
The Honorable John K. Dietz, Judge, 250th District Court

MOTION: Ask Danny Hobby, Executive Manager, Travis County Emergency Services, Steve Manilla, Director, Public Works, TNR, Susan Spataro, Travis County Auditor, and Rodney Rhoades, Executive Manager, PBO, to serve on a core Travis County team to develop guidelines for public-private partnerships for Facilities Management, the most important of which now would be the Civil Courts building.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Health and Human Services

10. Consider and take appropriate action regarding notice of the vacancies and expiring terms of Travis County appointees to the joint City Of Austin and Travis County Sustainable Food Policy Board.

Members of the Court heard from:

Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)

RESULT: DISCUSSED

11. Consider and take appropriate action on the following matters related to the Travis County Healthcare District Board of Managers:
 - a. Designation of Committee to review applications and create a short list for interviews to fill current County-appointed vacancy;
 - b. Proposed questions for interviews with candidates; and
 - c. Timeline and other related issues.

Members of the Court heard from:

Sherri Fleming, Executive Manager, TCHHS&VS
Aleithia Artemis, Travis County Resident

Clerk's Note: The County Judge directed Staff to create a matrix for the Court to use in creating a short list of 10 applicants from the original 21. Items 11.a–c will be discussed again at the January 25, 2011 Voting Session to reduce the list further to four to five applicants, and an interview date will be set.

RESULT: DISCUSSED

12. Consider and take appropriate action on items related the Substantial Amendments for Program Years 2007 through 2009 for the Community Development Block Grant provided by HUD:
 - a. Review comments received during the public comment period; and
 - b. Approve the substantial amendments.

Members of the Court heard from:

Sherri Fleming, Executive Manager, TCHHS&VS

MOTION: Approve Items 12.a–b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Planning and Budget

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

RESULT: **ADDED TO CONSENT**

Administrative Operations

14. Review and approve the immediate release of reimbursement payments to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$341,870.01 for the period of December 24 to December 30, 2010.

RESULT: **ADDED TO CONSENT**

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

RESULT: **ADDED TO CONSENT**

16. Consider and take appropriate action on request from the producers of “Deep in the Heart” to use portions of the Exposition Center on January 13 and 14, 2011 at a reduced rate for a film documenting the life of the Future Farmers of America Founder.

MOTION: Approve Item 16, with the understanding that our receipts will be \$4,050.00.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Other Items

17. Consider and take appropriate action regarding Board and Committee Assignments and Appointments for Commissioners Court Members.

RESULT: **DISCUSSED** **Reset for: 1/25/2011**

18. Consider and take appropriate action on request to add equipment purchased by the Auto-Theft Task Force to the County fleet:

- a. Addition of two 2010 Solar Tech Sign Board trailers to the Travis County Sheriff's Office vehicle fleet for the Auto Theft Task Force Public Awareness Programs; and

Members of the Court heard from:

Tommy Wooley, Sergeant, Supervisor, Auto Theft Task Force, Travis County Sheriff's Office (TCSO)

Aleithia Artemis, Travis County Resident

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

- b. Addition of a 2006 18-foot flatbed trailer to the Travis County Sheriff's Office vehicle fleet for the Motors Unit to use to transport motorcycles.

RESULT: **ADDED TO CONSENT**

- 19. Consider and take appropriate action on the reappointment of Art Maple to the Board of Commissioners for the Travis County Emergency Services District No. 4, effective immediately through December 31, 2012.

RESULT: **ADDED TO CONSENT**

- 20. Consider and take appropriate action on the appointment of two Travis County staff representatives to serve on the Technical Advisory Committee of the Lone Star Rail District: One representative will be from the Planning and Budget Office and the other will be from Transportation and Natural Resources.

Clerk's Note: The Court discussed the appointment of Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO), and Steve Manilla, Director, Public Works, TNR, to the Technical Advisory Committee (TAC) and that they could designate any member of their Staff as they see appropriate.

Members of the Court heard from:
Rodney Rhoades, Executive Manager, PBO

MOTION: Approve Item 20.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

Clerk's Note: Item 20 was further discussed at 10:39 AM with a request by Commissioner Eckhardt that the Commissioners' Court record reflect a Corrected Vote on Item 20. Judge Biscoe instructed that the record show Commissioner Eckhardt voting yes on the Motion on Item 20. The Commissioners' Court record does reflect the Corrected Vote.

RESULT: **APPROVED [UNANIMOUS]**
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*

21. Receive legal briefing and take appropriate action on appeal from Travis County Grievance Panel decision in Sergio Flores v. Precinct Three Constable Richard McCain, pursuant to Travis County Code section 9.257(K).^{1 and 3}

Judge Biscoe announced that Item 21 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

MOTION: Make an offer to Mr. Flores of a grant-funded position, for the life of the grant, in Precinct 2 Constables Office, three months back pay, and these two in exchange for his waiver of any claims against the County.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Receive update on leases regarding the recent purchase of land at 4th and Guadalupe.^{1 and 2}

Judge Biscoe announced that Item 22 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**

23. Receive briefing from County Attorney's Office on legal issues regarding approval of the preliminary plan application for the Estancia Hill Country Subdivision. Discussion item only.¹

Judge Biscoe announced that Item 23 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **DISCUSSED**

24. Consider and take appropriate action regarding purchase of open space land in Precinct One. (Commissioner Davis)^{1 and 2}

Judge Biscoe announced that Item 24 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**

Added Items

- A1. Consider and take appropriate action on request from the Texas House of Representatives video/audio services department (Texas House) to allow the Texas House to use Travis County Channel 17 (TCTV-17) to cablecast the 2011 Legislative Session that runs from Tuesday, January 11, 2011 through Monday, May 20, 2011.

RESULT: **ADDED TO CONSENT**

- A2. Receive briefing from County Attorney and take appropriate action regarding the hiring of outside counsel in Alicia Perez v. Travis County, No. 1:11-CV-00018-LY. (Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney)

Members of the Court heard from:
Sherine Thomas, Assistant County Attorney

MOTION: Authorize the County Attorney to negotiate an appropriate contract with the firm of Graves-Dougherty Hearon and Moody, and that we authorize from the Risk Management Fund or Allocated Reserve as appropriate a not-to-exceed amount of \$50,000.00 to start things off, and when we get to that amount, the expectation is that the matter will be brought back to the Commissioners Court for further consideration, and authorize the County Judge to sign the contract.

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

Consent Items

Members of the Court heard from:
Richard McDonald, Travis County Resident
Aleithia Artemis, Travis County Resident

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 3, 5, 7, 13, 14, 15, 18.b, 19, and A1.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

C1. Receive bids from County Purchasing Agent.

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

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Northwest Travis County Road District No. 3 (Golden Triangle) Tuesday, January 11, 2011 Voting Session

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

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

1. Approve payment of claims and authorize County Treasurer to invest road district funds.

MOTION: Approve Item 1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



**Minutes for the Travis County
Bee Cave Road District No. 1 (Galleria)
Tuesday, January 11, 2011
Voting Session**

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

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

1. Approve payment of claims and authorize County Treasurer to invest road district funds.

MOTION: Approve Item 1.
RESULT: **APPROVED [4 TO 0]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge