



Minutes for the Travis County Commissioners Court Tuesday, January 25, 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 25, 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

Public Hearings

1. Receive comments on the following:
 - a. Amendment to Chapter 82 to require a notification regarding Travis County's limited land use authority on the cover sheet of plats; and
 - b. Amendment to Title 30 to add Section 30-2-87 to require a notification regarding Travis County's limited land use authority on the cover sheet of plats. (Commissioner Davis)

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

Members of the Court heard from:
Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (TNR)
Hank Smith, President-Elect, Home Builders Association of Greater Austin, (HBA)

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

Citizens Communication

Members of the Court heard from:
Dr. John K. Kim, Travis County Resident
Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD)
Patti Marchant, HR Specialist, Dependent Audit Reconciliation Project, HRMD
Ronnie Gjemre, Travis County Resident

Special Items

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, Fire Marshal

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

Clerk's Note: The Court noted that those desiring more information regarding the burn ban can contact the Travis County Fire Marshal's Office at 512-854-4621.

RESULT: POSTPONED

Reset for: 2/1/2011

Proclamations and Resolutions

3. Approve Proclamation recognizing the month of January 2011 as "Mentoring Month" in Travis County.

Members of the Court heard from:
Leroy Nellis, Budget Manager, Planning and Budget Office (PBO)
Sari Waxler, Executive Director, Seedling Foundation
Kathrin Brewer, Executive Director, Austin Partners in Education

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

4. Approve Proclamation for the 11th Annual Central Texas African American Family Support Conference to be held February 10 and 11, 2011, hosted by Austin Integral Care.

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

Transportations and Natural Resources Dept. Items

5. Consider and take appropriate action on the following for Buonodono Subdivision in Precinct One:

- a. A variance to Title 30-2-151 Street Alignment; and
- b. A Final Plat.

RESULT: ADDED TO CONSENT

6. Consider and take appropriate action on a plat for recording in Precinct Three: Revised Plat of Lot 28, Block D, Belvedere, Phase V and Lot 29, Block D, Belvedere Phase II - A Subdivision. (Revised Plat – 2 Lots – 3.995 acres – Flagler Drive (Private Street) – no fiscal required – water

service to be provided by LCRA and sewage service to be provided by on-site septic facilities – no ETJ). (Commissioner Huber)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on a proposed amendment to a license agreement with the Rocky Creek Master Community Association, Inc for private improvements within the public right of way of Rocky Creek Boulevard - Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

8. Consider and take appropriate action on the following items regarding the proposed acquisition of four lots in the Gilbert Lane subdivision in eastern Travis County by Austin Habitat for Humanity pursuant to a contract as a part of the Travis County 2007, 2008 and 2009 Community Development Block Grant Plans, as amended:

- a. Receive the results of the Environmental Assessment; and
- b. Approve the posting of the findings of no significant impact and request for release of funds.

Members of the Court heard from:

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

MOTION: Approve Items 8.a-b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

9. 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 short list for interviews to fill current County-appointed vacancy;
- c. Timeline and other related issues.

Clerk's Note: The Court discussed setting up a sub-committee to create a shortlist of less than 10 for interviews.

Members of the Court heard from:

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

MOTION: Accept the volunteering of Commissioners Huber and Eckhardt to serve on the sub-committee, and that we shoot to do the interviews on February 15 or 17, 2011; next week the Court will decide definitely.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

- b. Proposed questions for interviews with candidates; and

RESULT: POSTPONED

Reset for: 2/1/2011

Planning and Budget Dept. Items

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

RESULT: NOT NEEDED

- 11. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. Annual application to the Office of the Governor, Criminal Justice Division, for Juvenile Probation to continue the existing Juvenile Drug Court and In-Home Family Services Program;
 - b. Annual application to the Office of the Governor, Criminal Justice Division, for Juvenile Probation to continue the existing Juvenile Accountability Block Grant Juvenile Assessment Center Program;
 - c. Annual application to 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;
 - d. Annual Interlocal Agreement for the Austin/Travis County Human Trafficking Law Enforcement Task Force Joint Investigative Project to continue to provide resources to reimburse program related overtime within the Sheriff's Office;
 - e. New contract with the Capital Area Trauma Advisory Council to receive Texas Department of State Health Services resources for safety equipment and training for the Starflight Program;
 - f. Amendment to the contract with the Office of the Governor, Criminal Justice Division, to extend the Recovery Act - STOP Violence Against Women Act Program an additional three months to fully expend grant resources; and
 - g. Approve the use of unassigned 2010 State Criminal Alien Assistance Grant resources for needed paving repairs to the public and employee access roads at the Travis County Corrections Complex.

RESULT: ADDED TO CONSENT

- 12. Consider and take appropriate action on requested debt issuance schedule and funding for Fiscal Year 2011 Capital Projects.

Members of the Court heard from:

Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO)

Rodney Rhoades, Executive Manager, PBO

MOTION: Approve Item 12.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Samuel T. Biscoe, Judge

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

ABSENT: Margaret J. Gómez

13. Consider and take appropriate action on building projects for the Fiscal Year 2011 Bond Election.

RESULT: POSTPONED

Administrative Operations Items

14. 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 \$654,603.52, for the period of January 7 to January 13, 2011.

RESULT: ADDED TO CONSENT

15. 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 Travis County Clerk for a variance to Travis County Code Chapter 10.0155, Employment of Special Project Employees.

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

16. Consider and take appropriate action on application for Travis County to be selected as a Justice Reinvestment Initiative Phase II Site by the Bureau of Justice Assistance to become eligible for funding and technical support for a Sobriety Center.

Members of the Court heard from:

Roger Jefferies, Executive Manager, Justice and Public Safety (JPS)
Cathy McClaugherty, Senior Planner, Criminal Justice Planning (CJP)

RESULT: DISCUSSED

Reset for: 2/1/2011

Purchasing Office Items

17. Approve ratification (Modification No. 6) of services provided pursuant to Interlocal Agreement No. IL040243RE, Austin Independent School District, for After School Care.

Members of the Court heard from:

Marvin Brice, Construction Procurement Management, Purchasing
Sherri Fleming, Executive Manager, TCHHS&VS

MOTION: Approve Item 17.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Karen L. Huber, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

18. Approve Contract Award for Professional Psychiatric Nurse Practitioner Services to CompHealth Medical Staffing.

RESULT: POSTPONED

19. a. Approve Interlocal Agreement with City of Forth Worth, Texas for Cooperative Purchasing, and

- b. Approve Participation Agreement between Travis County and JPMorgan Chase Bank, NA, for participation in the Commercial Card Agreement between the bank and the City of Fort Worth.

MOTION: Approve Items 19.a-b.
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

Other Items

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

Clerk's Note: The Court discussed eliminating the following committees:

- o *Audit Committee*
- o *Central Texas Regional Mobility Authority (CTRMA) sub-committee*
- o *State Highway 130 sub-committee*

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

MOTION: Roll Capital Area Regional Transportation Planning Organization (CARTPO) to Commissioner Huber.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

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

- o *Commissioner Davis representing Travis County with Commissioner Eckhardt as an alternate on the Clean Air Force Committee.*
- o *Commissioner Eckhardt to serve on the Conference of Urban Counties (CUC) policy committee with Commissioner Gómez as alternate*
- o *Commissioner Gómez to serve on the Downtown Austin Alliance (DAA) with Commissioner Eckhardt as alternate*

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

21. Consider and take appropriate action on legislative matters, including:
- a. Update on legislative activities; and
 - b. Amendments to the priorities, policy positions and position on other proposals sections of the Travis County legislative agenda.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer
Bruce Elfant, Constable, Precinct 5

Clerk's Note: The Court discussed supporting legislation to increase the Warrant Fee from \$50.00 to \$75.00.

MOTION: Support increasing the Warrant Fee this session.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed adding "Drive a Clean Machine" legislation to the Travis County legislative priorities list.

MOTION: Support the "Drive a Clean Machine" legislation this session.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Consider and take appropriate action on the following reappointments to the Travis County Historical Commission, effective immediately through January 31, 2013:

- a. Margarine G. Beaman; and
- b. Carolyn L. Jones. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

23. Consider and take appropriate action on bond for Paula Jan Breland to serve as visiting Justice of the Peace.

RESULT: **ADDED TO CONSENT**

Executive Session Items

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

Note 1: Gov't Code Ann 551.071, Consultation with Attorney

Note 2: Gov't Code Ann 551.072, Real Property

Note 3: Gov't Code Ann 551.074, Personnel Matters

Note 4: Gov't Code Ann 551.076, Security

Note 5: Gov't Code Ann 551.087, Economic Development Negotiations

24. Receive legal briefing and take appropriate action on proposed permit from Texas Commission on Environmental Quality to Synagro of Texas - CDR, Inc. for the land application of sewage sludge in Precinct Four.¹

Members of the Court heard from:

Tom Nuckols, Assistant County Attorney

MOTION: Authorize the sending of the comment letter, authorize Steve Manilla, Executive Director, TNR to sign that letter on behalf of the Commissioner's Court and have it delivered to Texas Commission on Environmental Quality (TCEQ).

RESULT: **APPROVED [3 TO 1]**
MOVER: Samuel T. Biscoe, Judge

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

Clerk's Note: The Court noted that the letter indicates Travis County's opposition to the project, and that the deadline to submit comments regarding the permit to TCEQ is January 28, 2011.

25. Receive legal briefing and authorize County Attorney to accept, reject, or counter settlement agreement and take appropriate action in Alejandra Cornelius v. City of Austin and Travis County. ¹

Clerk's Note: Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve the settlement of this matter for the amount of \$48,500.00, in exchange for a full release and dismissal of the litigation.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez
ABSENT: Sarah Eckhardt

26. Receive briefing from retained outside counsel and take appropriate action; Alicia Perez v. Travis County. No. 1:11-CV-00019-LY. ¹

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

RESULT: **DISCUSSED**

27. Receive briefing and take appropriate action on request for financial incentives for Solar Farm Initiative in the Village of Webberville. (Commissioner Davis) ⁵

Clerk's Note: Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't Code Ann 551.076, Security.

RESULT: **DISCUSSED** **Reset for: 2/1/2011**

28. Consider and take appropriate action on market salary adjustments for Executive Managers. ³

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

RESULT: **DISCUSSED** **Reset for: 2/1/2011**

Consent Items

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

MOTION: Approve the following Consent Items: C1-C2 and Agenda Items 5.a-b, 6, 7, 11.a-g, 14, 15.a-b, 22.a-b, and 23.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, 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.

Added Items

A1. Consider and take appropriate action on submitting comments on proposed amendments to the Texas Department of Transportation's Outdoor Advertising Rules in support of preserving the beauty of scenic highways in unincorporated Travis County. (Commissioner Huber)

MOTION: Submit these comments.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Karen L. Huber, Commissioner

SECONDER: Samuel T. Biscoe, Judge

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

ABSENT: Margaret J. Gómez

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 25, 2010
Voting Session**

**Minutes Prepared by the Travis County Clerk
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Meeting called to order on January 25, 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: Karen L. Huber, 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 25, 2010
Voting Session**

**Minutes Prepared by the Travis County Clerk
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Meeting called to order on January 25, 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: Karen L. Huber, 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