



Minutes for the Travis County Commissioners Court Tuesday, February 1, 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 February 1, 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 regarding a partial plat vacation in Precinct Two: partial Plat Vacation of the Pearson Business Center Subdivision (Short form plat – 1 Lot – 5.005 Acres – Bratton Lane - no fiscal required – water and sewage service to be provided by the City of Austin – City of Austin ETJ). (Commissioner Eckhardt) (Action Item #16)

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

Members of the Court heard from:

Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR)

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

Citizens Communication

Members of the Court heard from:

Gus Peña, 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
Jim Connolly, Assistant County Attorney

MOTION: Amend the current burn ban so it expires Friday, February 4, 2011 at midnight, repost on Tuesday, February 8, 2011 for further consideration, notify interested parties and ensure that any public release contains appropriate cautionary statements.

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

Health and Human Services Dept. Items

3. Consider and take appropriate action on the following matters related to the Travis County Healthcare District Board of Managers:
 - a. Short list for interviews to fill current County-appointed vacancy;
 - b. Proposed questions for interviews with candidates; and
 - c. Interview schedule and other related issues.

Members of the Court heard from:

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

RESULT: **DISCUSSED**

Planning and Budget Dept. Items

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

RESULT: **ADDED TO CONSENT**

5. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. New application to the United States Department of Justice, Bureau of Justice Assistance, for a justice and mental health collaboration program to be managed by Criminal Justice Planning;
 - b. Biennial Interlocal agreement with the City of Austin, Travis County Sheriff's Office, County Attorney's Office, District Attorney's Office, Constable, Precinct Five, Safeplace and Texas Rio Grande Legal Aid to continue the Family Violence Protection Team Program funded by the United States Department of Justice, Office on Violence Against Women;

- c. Amendment to the contract with the Office of the Governor, Criminal Justice Division, to deobligate unspent funds from the Fiscal Year 2010 award for the Travis County Drug Diversion Court Program in the Criminal Courts;
- d. Amendment to the contract with the Office of the Governor, Criminal Justice Division, to deobligate unspent funds from the Fiscal Year 2010 award for the Travis County Veteran's Court Program in the Criminal Courts; and
- e. Annual submission of the Internal Control Questionnaire to the Department of State Health Services for the Fiscal Year 2011 Title IV-E Program in the Health and Human Services and Veterans Service Department.

RESULT: ADDED TO CONSENT

- 6. Consider and take appropriate action on the following regarding Waller Creek Tunnel Project and Amendment No. 1 to the Waller Creek Tax Increment Financing (TIF) Reinvestment Zone No. 17 Project and Financing Plan:
 - a. Receive status report; and
 - b. Appoint or reappoint the County member of the Waller Creek TIF Board.

Members of the Court heard from:

- Council Member Sheryl Cole, City of Austin
- Leslie Browder, Chief Financial Officer, City of Austin
- Joe Pantaloni, Deputy Director, Watershed Department, City of Austin
- Rodney Rhoades, Executive Manager, Planning and Budget Office (PBO)
- Leroy Nellis, Budget Manager, PBO

RESULT: DISCUSSED

Administrative Operations Items

- 7. 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 \$1,230,988.94 for the period of January 14 to January 20, 2011.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

- 9. Consider and take appropriate action on job description for Hazardous Material Coordinator position.

RESULT: ADDED TO CONSENT

- 10. Consider and take appropriate action on the following:
 - a. Review and approve tuition refunds for employees who have completed classes in accordance with Tuition Reimbursement Policy 10.021; and
 - b. Authorize the County Auditor and Treasurer to reimburse certain employees as listed.

- d. Establishing a performance review schedule; and

MOTION: Establish an annual performance review schedule with self-evaluation in May and Court evaluation in June.
RESULT: **DEFEATED [2 TO 2]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Sarah Eckhardt, Karen L. Huber
NAYS: Ron Davis, Margaret J. Gómez
ABSENT: Samuel T. Biscoe

- e. Other related items

Clerk's Note: The County Judge noted that Items 11.a-e will be brought back on February 22, 2011.

12. Receive final report and take appropriate action on the Travis County Employee Hospital and Insurance Fund Dependent Audit including authorization to terminate coverage for all unverified dependents effective back to October 1, 2010.

Members of the Court heard from:

Dan Mansour, Risk and Benefits Manager, Human Resources Management Department (HRMD)
Cindy Purinton, Benefit Administrator, HRMD
Patti Marchant, HR Specialist, HRMD
John Hille, Assistant County Attorney

MOTION: Approve Item 12.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSENT: Samuel T. Biscoe

Clerk's Note: By approving Item 12 the Court accepted the final report and authorized the termination of coverage for all unverified dependants.

Justice and Public Safety Items

13. 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 technical support for a Sobriety Center.

Members of the Court heard from:

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

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

Purchasing Office Items

14. Approve contract award for storm and mobile home replacement windows, IFB No. B110002-NB, to the low bidders:
 - a. Lowe's Home Improvement: Items 1,2,3,4,5,6; and
 - b. Exide Inc.: Items 8,9,10,11,12,13,14,15,16,17,18,19.

RESULT: ADDED TO CONSENT

15. Declare list of certain equipment as surplus property and sell at public auction, pursuant to Section 263.151 of the Texas Local Government Code.

RESULT: ADDED TO CONSENT

Transportations and Natural Resources Dept. Items

16. Consider and take appropriate action on a partial plat vacation in Precinct Two: Partial Plat Vacation of the Pearson Business Center Subdivision (Short form plat – 1 Lot – 5.005 Acres – Bratton Lane - no fiscal required – water and sewage service to be provided by the City of Austin – City of Austin ETJ). (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

17. A plat for recording in Precinct Two: Mansell Subdivision Final Plat (Final Plat – one lot - 1.977 acres – Engelman Lane). (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on the permanent traffic improvements on FM 620 at Quinlan Park and Marshall Ford Road in Precinct Three:

- a. Indemnification Agreement with Property Development Centers LLC for funding of improvements; and
- b. Advanced Funding Agreement for Voluntary Transportation Improvement Projects with the State of Texas and Travis County. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

Other Items

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

RESULT: DISCUSSED

- c. Resolution in support of House Bill 443 and Senate Bill 374, relating to the amount of the fee paid by a defendant for a Peace Officer's services in executing or processing an arrest warrant, Capias, or Capias Pro Fine.

Clerk's Note: The Court discussed approving the Resolution supporting HB 443 and SB 374 and authorizing the Intergovernmental Relations Office to distribute the Resolution to members of the Travis County delegation.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer

MOTION: Approve Item the Resolution in Item 19.c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSENT: Samuel T. Biscoe

MOTION: Reconsider Item 19.c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

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

20. Consider and take appropriate action on the following:

- a. Request to join local residents and extend an invitation to various Chinese Officials to visit Travis County; and
- b. Invitation to establish sister county relationship with Dengfang, Henan, China.

Members of the Court heard from:

Erica Estetter, Program Director, Austin Asian American Chamber of Commerce
George Chang, representative of Dengfang, Henan, China
Peter Shen, representative of Dengfang, Henan, China

MOTION: Put the invitation in final shape for approval by the Court next Tuesday, February 8, 2011, and that we send that invitation immediately after next Tuesday to the official that is listed in this letter and it will go to the City Mayor of Dengfang, Henan, China.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

21. Receive revenue and expenditure reports for the month of December 2010.

RESULT: **ADDED TO CONSENT**

22. Consider and take appropriate action on the reappointment of Adrienne Isom to the Travis County Historical Commission, effective immediately through January 31, 2013. (Commissioner Davis)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action on the following reappointments to the Austin-Travis County Emergency Medical Services Advisory Board, effective immediately through October 31, 2012:

- a. Paula S. Barr; and
- b. Bob Taylor.

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on the appointment of Tina Romanella de Marquez to the Emergency Services District No. 10 Board of Commissioners, effective immediately through December 31, 2011. (Commissioner Huber)

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

25. Receive briefing from the County Attorney and take appropriate action concerning submission by Travis County of an amicus curiae brief in support of the State and Galveston County with regard to the Texas Open Beaches Act in the case of Severance v. Patterson before the Texas Supreme Court. 1

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

MOTION: Move forward with an amicus curiae to the Supreme Court to re-hear the Severance v Patterson case.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

26. Consider and take appropriate action for salary equity adjustment for Executive Manager - Health and Human Services. 3

Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

MOTION: Approve Staff recommendation, that we increase this Executive Managers pay.
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

Clerk's Note: The County Judge noted that by approving the Motion in Item 26 the Court has increased the salary of the Executive Manager for Health and Human Services to \$130,301.49.

Consent Items

MOTION: Approve the following Consent Items: C1-C2 and Agenda Items 4, 5.a-e, 7, 8, 9, 10.a-b, 14.a-b, 15, 16, 17, 18.a-b, 21, 22, 23.a-b, 24, and A1.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, 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.

Added Items

A1. Consider and take appropriate action regarding Court authorization for the County Judge sign Memorandum of Understanding and Interlocals for the Lake Travis Economic and Water Quality Study. (Commissioner Huber)

RESULT: **ADDED TO CONSENT**

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, February 1, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Meeting called to order on February 1, 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, February 1, 2011
Voting Session**

**Minutes Prepared by the Travis County Clerk
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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: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, 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



Minutes for the Northwest Travis County Road District No. 3 (Golden Triangle) Tuesday, February 1, 2011 Voting Session

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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, February 1, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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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: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, 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