



Minutes for the Travis County Commissioners Court Tuesday, March 15, 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 March 15, 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	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Present

Citizens Communication

Members of the Court heard from:

Gus Peña, Travis County Resident
Gavino Fernandez, Deputy Director, District 12, League of United Latin American Citizens (LULAC)
Ronnie Gjemre, Travis County Resident
Dr. John K. Kim, Travis County Resident

Clerk's Note: The Court expressed its condolences to the victims of the earthquake and tsunami in Japan.

Special Items

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

Members of the Court heard from:

Tony Callaway, Assistant Fire Marshal, Fire Marshal's Office

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

Health and Human Services Dept. Items

2. Receive presentation on Travis County Snapshot from American Community 2009 Report.

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)
Rachel Coff, Planner, TCHHS&VS
Anna Lisa Fahrenthold, Planner, TCHHS&VS
Elizabeth Vela, Planner, TCHHS&VS

RESULT: DISCUSSED

3. Consider and take appropriate action on an agreement between Travis County, the City of Austin and Austin Independent School District to purchase software to support the Connecting the Dots initiative to improve services to students in the Austin Independent School District.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS

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

4. Consider and take appropriate action to fill Travis County vacancy on Central Health Care District Board of Managers.

MOTION: Appoint Rebecca Lightsey to the Central Health Care District Board of Managers.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

Planning and Budget Dept. Items

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

Members of the Court heard from:

Leroy Nellis, Budget Manager, Planning and Budget Office (PBO)

MOTION: Approve Item 5.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez
ABSENT: Sarah Eckhardt, Karen L. Huber

6. Consider and take appropriate action to establish and sponsor a Travis County Combined Charities 5K and Kids K Event for employees, retirees, and dependants.

Members of the Court heard from:

Travis Gatlin, Budget Analyst, PBO
Kelly Page, Community Services Director, Travis County Sheriff's Office (TCSO)
Zetta Garnett, Benefits Assistant, Human Resources Management Department (HRMD)
Paul Carrozza, RunTex

MOTION: Approve Item 6.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez
ABSENT: Sarah Eckhardt, Karen L. Huber

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 \$992,688.31 for the period of February 25 to March 3, 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 the following auto liability bodily injury claim from Jerry Marshall, Jr.

Clerk's Note: The Court noted that the settlement amount will be \$32,500.00.

RESULT: ADDED TO CONSENT

Purchasing Office Items

10. Approve Modification No. 5 to Contract No. MA020091LC, VertiQ Software, LLC, for Medical Examiner's software system.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

12. Approve contract award for janitorial services, IFB No. B110125-LD, to the qualified low bidders:

- a. American Facility Services, Inc., Group A ; and
- b. Villeda Building Service, LLC., Group B.

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action on interviews of respondents to Request for Services for Travis County redistricting services as follows:

- a. Proposed questions to be provided to the respondents; and

Judge Biscoe announced that Item 13.a would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Marvin Brice, Construction Procurement Management, Purchasing

MOTION: Approve sending the questions to the firms to be interviewed February 22, 2011.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

- b. Interview process format.

Members of the Court heard from:
Marvin Brice, Construction Procurement Management, Purchasing
Elizabeth Corey, Purchasing Agent Assistant III, Purchasing

MOTION: Approve Item 13.b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

Transportations and Natural Resources Dept. Items

14. Consider and take appropriate action on request to approve a process for seeking interested party input on a rule making relating to environmental quality.

Members of the Court heard from:
Tom Weber, Environmental Quality Program Manager, Transportation and Natural Resources (TNR)
Tom Nuckols, Assistant County Attorney
Jon White, Natural Resources Program Manager, TNR
Richard McDonald, Travis County Resident
Ronnie Gjemre, Travis County Resident

MOTION: Approve the process in Item 14.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez
ABSENT: Sarah Eckhardt, Karen L. Huber

15. Consider and take appropriate action on a proposal to create a Joint Task Force to address bicycle safety on Travis County roads in the unincorporated areas. (Commissioner Eckhardt)

RESULT: **ADDED TO CONSENT**

16. Consider and take appropriate action on the City of Lakeway's agreement with the developer of Crosswater Yacht Club to offer Travis County \$20,000 for roadway improvements and/or maintenance of Hurst Creek Road, a Travis County roadway in Precinct Three.

RESULT: **POSTPONED** **Reset for: 3/22/2011**

Other Items

17. Consider and take appropriate action on legislative matters, including:

- a. Update on legislative activities;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)

RESULT: DISCUSSED

- b. House Bill 507, relating to notice for certain transactions involving local government entities;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR
Marvin Brice, Construction Procurement Management, Purchasing

MOTION: Support House Bill 507, relating to notice for certain transactions involving local government entities.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Samuel T. Biscoe, Judge

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

ABSENT: Karen L. Huber

- c. House Bill 1906, relating to the idling of motor vehicles; providing a criminal penalty;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR
Adele Noel, Air Quality Project Manager, TNR
Ronnie Gjemre, Travis County Resident

MOTION: Support House Bill 1906, relating to the idling of motor vehicles; providing a criminal penalty.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ron Davis, Commissioner

SECONDER: Samuel T. Biscoe, Judge

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

ABSENT: Karen L. Huber

- d. Legislation relating to the powers and duties of criminal magistrates in Travis County; and

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR
The Honorable Brenda Kennedy, Judge, 403rd District
The Honorable Leon Grizzard, Magistrate, Criminal Court
Ronnie Gjemre, Travis County Resident

RESULT: DISCUSSED

Reset for: 3/22/2011

- e. Amendments to the priorities, policy positions, and the positions on other proposals sections of the Travis County legislative agenda.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR
Greg Knaupe, Legislative Consultant, Knaupe GR

MOTION: Add the following to the County's legislative agenda:

- HB 1906, plus legislation to improve the ability of the County to enforce clean air, water and other environmental laws
- HB 507, plus legislation giving counties greater freedom and flexibility in providing legal notices to their residents;
- Support restoration of 9-1-1 funding;
- Support authority of Central Health to enter into lease without prior approval from the Commissioners Court.

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

18. Consider and take appropriate action on policy governing court appointments to various boards and committees.

Members of the Court heard from:
 Sherri Fleming, County Executive, TCHHS&VS
 John Hille, Assistant County Attorney

RESULT: **DISCUSSED** **Reset for: 3/29/2011**

19. Consider and take appropriate action on order to replace Chapter 27 Travis County Capital Asset Guide of the Travis County Code as updated to comply with new rules for accounting for intangible assets.

Members of the Court heard from:
 Susan Spataro, Travis County Auditor
 Diana Warner, First Assistant County Auditor, Travis County Auditor's Office
 Nicki Riley, Chief Assistant County Auditor II, Travis County Auditor's Office

MOTION: Approve Item 19.
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

20. Consider and take appropriate action on request to appoint Vincent M. Torres to serve on the Board of the Austin Travis County Integral Care. (Commissioner Gomez)

RESULT: **POSTPONED** **Reset for: 3/29/2011**

21. Consider and take appropriate action regarding the downtown lot at 3rd and Guadalupe:
- a. Receive legal briefing regarding various legal options for County for a public/private partnership regarding a new civil courts building (This item may be taken into executive session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney);
 - b. Evaluate the County Executives of Planning and Budget, and Emergency Services (Facilities) regarding progress to date, performance and future duties regarding a new civil courts building (This item may be taken into executive session pursuant to Gov't. Code Ann 551.074, Personnel Matters); and
 - c. Approve questions to solicit responses to facilitate the preparation and evaluation of specific requirement for a Request for Proposal for a public/private partnership on the

property (This item may be taken into executive session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.072, Real Property).

RESULT: POSTPONED

Reset for: 3/22/2011

22. Consider and take appropriate action on request from Life Anew to use the Commissioners Courtroom temporarily to provide court ordered counseling.

Members of the Court heard from:

Charlie Baird, Former Judge, 299th District Court
Kim Patton, Director, Life Anew

MOTION: Approve the request in Item 22.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Samuel T. Biscoe, Judge

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

23. Receive briefing from County Attorney and take appropriate action and/or consider settlement offer regarding Regina Jackson and Rudolf Williamson, individually, and on behalf of the Estate of Rachel Jackson, Deceased v. John A. Ford, M.D., and Travis County, Texas; A-10-CA-522-SS. 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: POSTPONED

Reset for: 3/22/2011

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

Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: POSTPONED

Reset for: 3/22/2011

25. Consider and take appropriate action regarding proposal for downtown office building by D2000, a turn key development company. ^{1 and 2}

Judge Biscoe announced that Item 25 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: POSTPONED

Reset for: 3/22/2011

26. Consider and take appropriate action regarding the purchase of open space land in Precinct One.²

Judge Biscoe announced that Item 26 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

27. Receive briefing from County Attorney and take appropriate action regarding responsibility for road maintenance within or adjacent to The Village of Creedmoor.¹

Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

28. Consider and take appropriate action regarding Economic Development Agreement for Webberville Solar Plant Project.⁵

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann 551.087, Economic Development Negotiations.

MOTION: Direct County Attorney's Office to begin the process for an agreement for an 80% rebate to FRV Solar Plant Project in Webberville and that the agreement should be similar to the RRE Solar Farm Project approved recently.

RESULT: APPROVED [UNANIMOUS]

MOVER: Ron Davis, Commissioner

SECONDER: Sarah Eckhardt, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

29. Receive briefing from County Attorney regarding status of purchase contract for the sale of County-owned property located on Johnny Morris Road in Precinct One to Balcones Resources, Inc.^{1 and 2}

Judge Biscoe announced that Item 29 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 : 3/22/2011

Consent Items

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

MOTION: Approve the following Consent Items: C1–C5 and Agenda Items 7, 8, 9, 10, 11,

12.a–b, and 15.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez
ABSENT: Sarah Eckhardt, Karen L. Huber

- C1. Receive bids from County Purchasing Agent.
- C2. Approve payment of claims and authorize County Treasurer to invest County funds.
- C3. Approve the Commissioners Court Minutes for the Voting Session of February 22, 2011.
- C4. Approve the Commissioners Court Minutes for the Voting Session of March 1, 2011.
- C5. Approve setting a Public Hearing on April 5, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate a 10 foot wide public utility easement located along the rear lot lines of Lots 21 through 25 of Northridge Acres, No. 2 – a subdivision in Travis County, Precinct Two. (Commissioner Eckhardt)

Added Items

- A1. Consider and take appropriate action on Information and Telecommunication Systems (ITS) Subcommittee recommendations regarding:
 - a. Change management (program and process evaluation) within ITS; and
 - b. Utilization of Interim External Advisory Board. (Commissioner Eckhardt)

Members of the Court heard from:

Joe Harlow, Interim County Executive, Information and Telecommunications Systems (ITS)
Tanya Acevedo, Project Manager I, ITS
Susan Spataro, Travis County Auditor
Leroy Nellis, Budget Manager, PBO

MOTION: Approve the six volunteers for the interim External Advisory Board.
RESULT: **APPROVED [3 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Margaret J. Gómez
NAYS: Ron Davis
ABSENT: Karen L. Huber

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, March 15, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Meeting called to order on March 15, 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: Make the investments in Item 1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

2. Approve the Northwest Travis County Road District No. 3 Minutes for the Voting Session of February 22, 2011.

MOTION: Approve Item 2.
RESULT: **APPROVED [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

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, March 15, 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**

Meeting called to order on March 15, 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	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Present

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

RESULT: NOT NEEDED

2. Approve the Travis County Bee Cave Road District No. 1 Minutes for the Voting Session of February 22, 2011.

MOTION: Approve Item 2.
RESULT: **APPROVED [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

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge