



# Minutes for the Travis County Commissioners Court Tuesday, April 19, 2011 Voting Session

Minutes Prepared by the Travis County Clerk  
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## Roll Call

Meeting called to order on April 19, 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

## Citizens Communication

Members of the Court heard from:  
Gus Peña, Travis County Resident  
Morris Priest, Travis County Resident

## Special Items

1. 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 stays in place.*

**RESULT: DISCUSSED**

## Introductions

2. **Canceled – Reset to May 3, 2011.**  
Introduce Abigail Smith, the new Chief Animal Services Officer at the Town Lake Animal Center.

**RESULT: POSTPONED** **Reset for: 5/3/2011**

## Proclamations and Resolutions

3. Approve Resolution honoring the River City Youth Foundation's "Beacons of Light" (Los Faros de Luz) 28th Annual Youth Recognition Ceremony. (Commissioner Gómez)

**RESULT: ADDED TO CONSENT**

### Transportations and Natural Resources Dept. Items

4. Consider and take appropriate action on the acceptance of the dedication of the public street and drainage facilities within Shadowglen Phase One, Section 1(A) – 4(A), Section 5, Section 6, Section 7 and Section 8 – five subdivisions within Precinct One. (Commissioner Davis)

**RESULT:           ADDED TO CONSENT**

5. Consider and take appropriate action on the request for an acceptance of dedication of street and drainage facilities for Park at Blackhawk Section 5, Section 6, and Park at Blackhawk II Phase 2B, three subdivisions in Precinct Two. (Commissioner Eckhardt)

**RESULT:           ADDED TO CONSENT**

### Planning and Budget Dept. Items

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

**RESULT:           ADDED TO CONSENT**

7. Consider and take appropriate action authorizing the County Judge to execute a Statement of Impact - Environmental Assessment for a home buyer assistance pilot program to be administered in Travis County by the Texas Department of Housing and Community Affairs.

**RESULT:           ADDED TO CONSENT**

8. Consider and take appropriate action on request to:

- a. Accept and open applications and good faith checks from local banks interested in being Travis County's Depository Bank; and
- b. Authorize the Bank Depository Review Committee to review the applications and recommend a Depository Bank to the Court.

Members of the Court heard from:

Deborah Lauder milk, Investment Manager, Cash/Investment Management  
Reagan Grimes, Senior Financial Analyst, Cash/Investment Management  
Barbara Wilson, Assistant County Attorney

**MOTION:**           Approve Items 8.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

### Administrative Operations Items

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 \$678,799.41 for the period of April 1 to April 7, 2011.

**RESULT:           ADDED TO CONSENT**

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

**RESULT:           ADDED TO CONSENT**

11. Consider and take appropriate action on request to approve funding and minor renovation project at the Palm Square facility. (Commissioner Gómez)

**RESULT:           ADDED TO CONSENT**

#### **Justice and Public Safety Items**

12. Consider and take appropriate action regarding a reallocation of funding and restructuring of the Commitment to Change Program administered by the Counseling and Education Services Department.

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)  
Caryl Colburn, Director, Travis County Counseling and Education Services (TCCES)  
Kimberly Pierce, Planning Manager, Criminal Justice Planning (CJP)  
The Honorable Julie Kocurek, Judge, 390<sup>th</sup> District Court

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

#### **Purchasing Office Items**

13. Approve contract award for consulting services relating to redistricting, RFS No. S110035-EC, to the highest qualified respondent, Roland L. Rios & Associates PLLC.

Members of the Court heard from:

Cyd Grimes, Purchasing Agent  
Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)  
Daniel Bradford, Assistant County Attorney

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

*Clerk's Note: The Court took a further vote to clarify the previous motion's intention regarding the contract.*

**MOTION:**           Approve the base contract of \$66,467.00 with the understanding that the Purchasing Agent will come back April 26, 2011, with any modifications.  
**RESULT:**           **APPROVED [UNANIMOUS]**  
**MOVER:**           Sarah Eckhardt, Commissioner  
**SECONDER:**       Karen L. Huber, Commissioner  
**AYES:**            Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSENT:**         Ron Davis

*Clerk's Note: The Court noted an error in the Agenda language the corrected firm name is Rolando L. Rios & Associates PLLC.*

14. Approve Modification No. 6 to Contract No. 08T00249NB, Smith Protective Services, Inc. for on-site security guard services.

**RESULT:           ADDED TO CONSENT**

15. Approve Modification No. 1 to Contract No. PS110003EC, Workforce Solutions - Capital Area Workforce Development Board for Child Care Local Match Transfer Agreement.

**RESULT:           ADDED TO CONSENT**

16. Approve Modification No. 17 to Contract No. PS980170JJ, Clean Air Force of Central Texas for improving air quality services.

**RESULT:           ADDED TO CONSENT**

17. Consider and take appropriate action regarding issuance of Request for Services No. S110160-ML, parking management services at 3rd and Guadalupe.

**RESULT:           ADDED TO CONSENT**

18. Approve Modification No. 5 to Contract No. PS090110RE, Capital Investing in Development and Employment of Adults, Inc., for workforce development.

**RESULT:           ADDED TO CONSENT**

19. 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:           APPROVED WITHOUT OBJECTION**

20. Consider and take appropriate action on the following matters in relation to the development of a new civil and family courthouse:

- a. Authorize Purchasing Agent to issue Request For Information with a specified due date;

Members of the Court heard from:  
Cyd Grimes, Purchasing Agent

**MOTION:** Authorize the Purchasing Agent to issue the RFI with the caveat that the responses would not be reviewed until we have, pursuant to Item 20.c, made a selection on a Request For Services (RFS) for a Project Manager with financial expertise to provide us the information that we need to make a decision on how we are going to do the project to evaluate responses and other preparation. The deadline for the RFI will be June 30, 2011.

**CLARIFICATION:** Authorize the Purchasing Agent to issue the RFI with the responses not to be reviewed until an Owner Representative/Project Manager has been selected through Item 20.c, preparation of an RFS for an Owner Representative/Project Manager with expertise in financing projects of these types.

**MOVER:** Sarah Eckhardt, Commissioner

**RESULT:** APPROVED [3 TO 2]  
**MOVER:** Sarah Eckhardt, Commissioner  
**SECONDER:** Samuel T. Biscoe, Judge  
**AYES:** Samuel T. Biscoe, Ron Davis, Sarah Eckhardt  
**NAYS:** Karen L. Huber, Margaret J. Gómez

*Clerk's Note: By approving the above motion the Court authorized Staff to draft the RFS and bring it back to the Court for approval.*

- b. Identify internal team to oversee RFI process, including evaluation of responses;

Members of the Court heard from:

Cyd Grimes, Purchasing Agent

Rodney Rhoades, County Executive, Planning and Budget Office (PBO)

**MOTION:** That the internal team be comprised of the following:

- Two representatives from PBO—one with expertise in finance and one from Planning;
- One representative from Facilities Management with expertise in construction negotiation and management;
- One representative from Transportation and Natural Resources (TNR) with expertise in park and transportation planning and construction management;
- Two representatives from the County Attorney's Office—one with expertise in land use and one with experience in contracts;
- One representative from the Purchasing Agent; and,
- One representative from the Auditor's Office.

**FRIENDLY**

**AMENDMENT:** That PBO chair the internal team.

**RESULT:** ACCEPTED

**MOVER:** Samuel T. Biscoe, Judge

**RESULT:** APPROVED [3 TO 2]

**MOVER:** Sarah Eckhardt, Commissioner

**SECONDER:** Ron Davis, Commissioner

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

**NAYS:** Karen L. Huber, Margaret J. Gómez

- c. Preparation of Request For Solicitation for an owner's representative or outside P3 consultant;

*Clerk's Note: Please refer to Item 20.a for action on this Item.*

- d. Schedule Work Session; and

**MOTION:** Set the Work Session for May 5, 2011.  
**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Samuel T. Biscoe, Judge  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- e. Other issues related thereto.

**RESULT:** DISCUSSED

*Clerk's Note: The Court indicated its intention to have a monthly agenda item related to this issue.*

## Other Items

21. Consider and take appropriate action on legislative matters, including:
  - a. Update on legislative activities;
  - b. House Bill 2702, relating to the application of statutes that classify political subdivisions according to population;
  - c. House Bill 2979, relating to county authority to provide certain exemptions to restrictions on outdoor burning;
  - d. House Bill 1975, relating to the submission of election changes under Section 5 of the Voting Rights Act of 1965; and

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR  
Greg Knaupe, Legislative Consultant, Knaupe GR  
Danny Hobby, County Executive, Travis County Emergency Services

**RESULT: DISCUSSED**

- 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

**MOTION:** Adopt the proposed policy positions regarding support of legislation that would give Travis County more options for storage and maintenance of paper records and opposition of legislation that would reduce or eliminate local control over the placement and usage of digital electronic billboards.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Samuel T. Biscoe, Judge

**SECONDER:** Karen L. Huber, Commissioner

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

**ABSENT:** Ron Davis

22. Consider and take appropriate action on request to approve Interlocal Agreement with Texas Department of Transportation to allow for electronic filing of crash reports.

Members of the Court heard from:

David Lampl, Project Manager III, Information and Telecommunication Systems (ITS)

**MOTION:** Approve Item 22.

**RESULT: APPROVED [UNANIMOUS]**

**MOVER:** Sarah Eckhardt, Commissioner

**SECONDER:** Margaret J. Gómez, Commissioner

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

**ABSENT:** Ron Davis

23. Consider and take appropriate action on request for two members of the Travis County Sheriff's Office Correctional Tactical Unit to use a county vehicle to transport tactical gear to Moundsville, West Virginia to compete in the 2011 Mock Prison Riots.

**RESULT:           ADDED TO CONSENT**

24. Consider and take appropriate action on acceptance of a donation of \$10,000 from the Downtown Austin Alliance for the Travis County District Attorney's Office.

**RESULT:           ADDED TO CONSENT**

25. Receive annual report from Travis County Healthcare District d/b/a Central Health.

**MOTION:**           Accept the report in Item 25.

**RESULT:**           **APPROVED [UNANIMOUS]**

**MOVER:**           Margaret J. Gómez, Commissioner

**SECONDER:**       Karen L. Huber, Commissioner

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

**ABSENT:**          Ron Davis

26. Receive presentation from the County Auditor regarding a public private partnership project (Brooklyn, New York), a recently constructed civil and family law courthouse (Charlotte, North Carolina) and issues and opportunities related thereto. (Commissioner Gomez)

Members of the Court heard from:

Susan Spataro, Travis County Auditor

The Honorable John K. Dietz, Judge, 250<sup>th</sup> District Court

**RESULT:           DISCUSSED**

27. Consider and take appropriate action on an Interlocal Agreement to partner with the City of Austin on implementing zero-waste goals in Travis County. (Commissioner Eckhardt)

**MOTION:**           Agree to partner, direct Staff to work with the City of Austin and bring back an Interlocal for final approval.

**RESULT:**           **APPROVED [UNANIMOUS]**

**MOVER:**           Samuel T. Biscoe, Judge

**SECONDER:**       Margaret J. Gómez, Commissioner

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

**ABSENT:**          Ron Davis

### **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*

28. Consider and take appropriate action regarding economic development agreement with Austin Executive Airport. <sup>5</sup>

*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 Staff to give the applicant the briefing that the Court received.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Sarah Eckhardt, Commissioner  
**AYES:** Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSENT:** Ron Davis

29. Consider and take appropriate action on an offer presented to sell approximately 120 acres of undeveloped land near the intersection of State Highway 130 and Onion Creek in Precinct Four, for inclusion in the Onion Creek Open Space Parkland - 2005 Bond Program. (Commissioner Gómez) <sup>2</sup>

*Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.*

**MOTION:** Approve the purchase of the 120 acres for \$1.5M; the funding source is the 2005 Bond Program.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Samuel T. Biscoe, Judge  
**AYES:** Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSENT:** Ron Davis

30. Consider and take appropriate action on a counter-offer to sell approximately 3 acres of land near the intersection of U.S. Highway 183 South and Onion Creek in Precinct Four, for inclusion in the Onion Creek Open Space Parkland - 2005 Bond Program. (Commissioner Gómez) <sup>2</sup>

*Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.*

**RESULT:** **DISCUSSED**

31. Consider and take appropriate action on Economic Development Agreement for property tax rebates with FRV AE Solar, LLC (Webberville Solar Farm). (Commissioner Davis) <sup>5</sup>

**MOTION:** Approve Item 31.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Ron Davis, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez  
**ABSENT:** Sarah Eckhardt

#### Consent Items

**MOTION:** Approve the following Consent Items: C1–C2 and Agenda Items 3, 4, 5, 7, 9, 10, 11, 6, 14, 15, 16, 17, 18, 19, 23, and 24.  
**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez



**ABSENT:** Sarah Eckhardt

C1. Receive bids from County Purchasing Agent.

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

*Clerk's Note: The County Judge noted that it was necessary to take action on Item 11 before taking action on Item 6.*

**Added Items**

A1. Receive briefing on the results of the cost benefit analysis for the Office of Parental Representation and the Office of Child Representation.

Members of the Court heard from:

Roger Jefferies, County Executive, JPS

Tonya Mills, Senior Planner, CJP

The Honorable Darlene Byrne, Judge, 126<sup>th</sup> District

Lori Kennedy, Managing Attorney, Office of Parental Representation (OPR)

The Honorable W. Jeanne Meurer, Judge, 98<sup>th</sup> District

Leslie Hill, Managing Attorney, Office of Child Representation (OCR)

**RESULT: DISCUSSED**

**Minutes approved by the Commissioners Court**

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
Samuel T. Biscoe, Travis County Judge