



# Minutes for the Travis County Commissioners Court Tuesday, April 26, 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 April 26, 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	Absent
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

*Clerk's Note: The Court expressed its condolences to the Aviles and Hurtado families at this time.*

## Additional Motion and Vote

Members of the Court heard from:  
John Hille, Assistant County Attorney

**MOTION:** Authorize Commissioner Gómez to sign on the behalf of Judge Biscoe for any of the business that comes before the Court.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Ron Davis, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSENT:** Samuel T. Biscoe

## Public Hearings

1. Receive comments for the following subdivision in Precinct Three: Lodge Acres Annex Number Two Revised Plat of Lots 67, 68, and 69 in Precinct Three (Revised Plat - one lot - 0.76 acres - Red Bird Trail). (Commissioner Huber) (Action Item #19)

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

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

### **Citizens Communication**

Members of the Court heard from:

Florencio Soliz, Chief, Emergency Services District # 4 (ESD # 4)  
Andrew Alvarez, Firefighter Cadet Class 11  
Frankie Alvarez, Firefighter Cadet Class 11  
Jacob Austin, Firefighter Cadet Class 11  
Gilbert Banda, Firefighter Cadet Class 11  
Anthony Cortes, Firefighter Cadet Class 11  
Michael Cortes, Firefighter Cadet Class 11  
Cindy Dominguez, Firefighter Cadet Class 11  
William Fritzinger, Firefighter Cadet Class 11  
Adam Garza, Firefighter Cadet Class 11  
Alan Kouri-Ordieres, Firefighter Cadet Class 11  
Russell Lineham, Firefighter Cadet Class 11  
Isaac Monteleone, Firefighter Cadet Class 11  
Moises Rodriguez, Firefighter Cadet Class 11  
Mason Royal, Firefighter Cadet Class 11  
Juan Serrano, Firefighter Cadet Class 11  
Albert Suarez, Firefighter Cadet Class 11  
Zachary Wats, Firefighter Cadet Class 11  
Christopher Westra, Firefighter Cadet Class 11  
John Wilkins, Firefighter Cadet Class 11  
Ronnie Gjemre, Travis County Resident  
Gus Peña, Travis County Resident  
John Shipley, Developer  
Dr. John K. Kim, 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, Travis County Fire Marshal  
Dan Chapman, Chief Park Ranger, Transportation and Natural Resources (TNR)  
John Hille, Assistant County Attorney

*Clerk's Note: Commissioner Gómez announced that by taking no action, the prohibition against outdoor burning stays in place.*

### **Proclamations and Resolutions**

3. Approve Resolution recognizing the month of May 2011 as "Older Americans Month" in Travis County.

Members of the Court heard from:

Deborah E. Britton, Director, Community Services Division, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)  
Fred Lugo, Social Services Program Administrator, Travis County Health, Human Services (TCHHS) and Director, Coming of Age  
Penny Siedel, Chair, Coming of Age Board

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

4. Approve Resolution recognizing the month of May 2011 as "Mental Health Month" and May 3, 2011 as "Children's Mental Health Awareness Day" in Travis County.

Members of the Court heard from:  
Christy Kuehn, The Children's Partnership  
Sonia Hartman, Program Coordinator, Juvenile Probation

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

#### **Planning and Budget Dept. Items**

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

Members of the Court heard from:  
Rodney Rhoades, County Executive, Planning and Budget Office (PBO)  
Danny Hobby, County Executive, Travis County Emergency Services  
Diana Ramirez, Senior Budget Analyst, PBO

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

6. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
  - a. Annual grant application to the Automobile Burglary and Theft Prevention Authority to continue the Sheriff's Combined Auto Task Force program in the Sheriff's Office; and  
  
**RESULT: ADDED TO CONSENT**
  - b. New agreement with the Texas Historical Commission for the Travis County Historical Commission to receive United States Department of the Interior, National Park Service resources for a cultural resources survey of rural properties in Eastern Travis County.

Members of the Court heard from:

Katie Gipson, Senior Budget Analyst, PBO

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

7. Consider and take action on an Order authorizing the issuance and sale of Travis County, Texas, Unlimited Tax Road Bonds, Series 2011, in the aggregate principal amount of \$3,765,000; levying a tax in payment thereof; approving a bond purchase contract; approving the official statement; and enacting other provisions relating thereto.

Members of the Court heard from:

Ladd Pattillo, Travis County Financial Adviser  
Richard Ramirez, Managing Director, First Southwest  
Jessica Rio, Assistant Budget Manager, PBO  
Rodney Rhoades, County Executive, PBO  
Tim Deithloff, Associate, Vinson and Elkins

**MOTION:** Approve Items 7, 8, 9, and 10.  
**RESULT:** **APPROVED [3 TO 0]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSTAIN:** Ron Davis  
**ABSENT:** Samuel T. Biscoe

*Clerk's Note: By approving the above Motion, the Court adopted an order to authorize the issuance of \$3,765,000.00 in Unlimited Tax Road Bonds, Series 2011, in Item 7.*

8. Consider and take action on an Order authorizing the issuance and sale of Travis County, Texas, Permanent Improvement Bonds, Series 2011 (Limited Tax), in the aggregate principal amount of \$1,855,000; levying a tax in payment thereof; approving a purchase contract; approving the official statement; and enacting other provisions relating thereto.

Members of the Court heard from:

Ladd Pattillo, Travis County Financial Adviser  
Richard Ramirez, Managing Director, First Southwest  
Jessica Rio, Assistant Budget Manager, PBO  
Rodney Rhoades, County Executive, PBO  
Tim Deithloff, Associate, Vinson and Elkins

**MOTION:** Approve Items 7, 8, 9, and 10.  
**RESULT:** **APPROVED [3 TO 0]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSTAIN:** Ron Davis  
**ABSENT:** Samuel T. Biscoe

*Clerk's Note: By approving the above Motion, the Court adopted an order to authorize the issuance of \$1,855,000.00 in Permanent Improvement Bonds, Series 2011 (Limited Tax), in Item 8.*

9. Consider and take action on an order authorizing the issuance and sale of Travis County, Texas, Certificates Of Obligation, Series 2011 (Limited Tax), in the aggregate principal amount of \$21,310,000; levying a tax in payment thereof; approving a purchase contract; approving the official statement; and enacting other provisions relating thereto.

Members of the Court heard from:

Ladd Pattillo, Travis County Financial Adviser  
Richard Ramirez, Managing Director, First Southwest  
Jessica Rio, Assistant Budget Manager, PBO  
Rodney Rhoades, County Executive, PBO  
Tim Deithloff, Associate, Vinson and Elkins

**MOTION:** Approve Items 7, 8, 9, and 10.  
**RESULT:** **APPROVED [3 TO 0]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSTAIN:** Ron Davis  
**ABSENT:** Samuel T. Biscoe

*Clerk's Note: By approving the above Motion, the Court adopted an order to authorize the issuance of \$20,355,000.00 in Certificates of Obligation, Series 2011 (Limited Tax), in Item 9.*

10. Consider and take action on an order authorizing the issuance and sale of Travis County, Texas, Certificates Of Obligation, Taxable Series 2011 (Limited Tax), in the aggregate principal amount of \$22,600,000; levying a tax in payment thereof; approving a purchase contract; approving the official statement; and enacting other provisions relating thereto.

Members of the Court heard from:

Ladd Pattillo, Travis County Financial Adviser  
Richard Ramirez, Managing Director, First Southwest  
Jessica Rio, Assistant Budget Manager, PBO  
Rodney Rhoades, County Executive, PBO  
Tim Deithloff, Associate, Vinson and Elkins

**MOTION:** Approve Items 7, 8, 9, and 10.  
**RESULT:** **APPROVED [3 TO 0]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSTAIN:** Ron Davis  
**ABSENT:** Samuel T. Biscoe

*Clerk's Note: By approving the above Motion, the Court adopted an order to authorize the issuance of \$22,715,000.00 in Certificates of Obligation Taxable, Series 2011 (Limited Tax), in Item 10.*

11. Discuss and consider changes to expenditure budget control levels for FY 12 under new financial system.

**MOTION:** Approve Item 11.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Margaret J. Gómez, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSENT:** Samuel T. Biscoe

## Administrative Operations Items

12. 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 \$1,203,323.54 for the period of April 8 to April 14, 2011.

**RESULT:           ADDED TO CONSENT**

13. Consider and take appropriate action on the following items for Human Resources Management Department:

- a. Proposed routine personnel amendments; and

**RESULT:           ADDED TO CONSENT**

- b. Non-routine request from the Travis County Constable Precinct Three Office for a variance to Travis County Code Chapter §10.0295, Peace Officer Pay Scale.

**RESULT:           POSTPONED**

14. Consider and take appropriate action for funding of renovations on the Ned Granger Building 5th floor for the District Attorney Public Integrity Unit including move cost from 700 Lavaca Building to Ned Granger Building.

Members of the Court heard from:

Roger El Khoury, Director, Facilities Management  
Jim Barr, Senior Project Manager, Facilities Manager

**MOTION:**           Approve Item 14.

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

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

**SECONDER:**       Sarah Eckhardt, Commissioner

**AYES:**           Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez

**ABSENT:**          Samuel T. Biscoe

## Purchasing Office Items

15. Approve Termination of Contract No. 09T00051RG with Ace Roadside Service for flat tire and tube repair services.

**RESULT:           ADDED TO CONSENT**

16. Approve contract award for NE Metro Park, Phase III, Project 1, IFB No. B110124-LP, to the Low Bidder, Hardcore Shotcrete, Inc.

**RESULT:           ADDED TO CONSENT**

17. Approve Modification No. 1 to Contract No. PS110119ML, Graves, Dougherty, Hearon & Moody for legal services.

**MOTION:**           Approve Item 17.

**RESULT:**           **APPROVED [3 TO 0]**

**MOVER:**           Sarah Eckhardt, Commissioner

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

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

**ABSTAIN:**         Ron Davis

**ABSENT:** Samuel T. Biscoe

18. Approve contract award for re-roof of designated areas at 2201 Post Road facility, IFB No. B110312-DG, to the low bidder - QA Construction Services, Inc.

**RESULT: ADDED TO CONSENT**

#### **Transportations and Natural Resources Dept. Items**

19. Consider and take appropriate action for the following subdivision in Precinct Three: Lodge Acres Annex Number Two Revised Plat of Lots 67, 68, and 69 in Precinct Three (Revised Plat - one lot - 0.76 acres - Red Bird Trail). (Commissioner Huber)

**RESULT: ADDED TO CONSENT**

20. Consider and take appropriate action on the construction of floating habitable structures on Lake Travis. (Commissioner Huber)

Members of the Court heard from:

Steve Manilla, County Executive, TNR  
John Shipley, Developer  
Tom Nuckols, Assistant County Attorney

**RESULT: DISCUSSED**

21. Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane IIA Lot 21 Block L in Precinct Two. (Commissioner Eckhardt)

**RESULT: ADDED TO CONSENT**

22. Consider and take appropriate action on the following items in Precinct Two:

- a. A final plat for recording: The Commons at Rowe Lane, Phase II-B Windmill Ranch Avenue fiscal has been posted with Travis County City of Pflugerville ETJ; and
- b. A Construction Agreement for The Commons at Rowe Lane, Phase II-B, Final Plat. (Commissioner Eckhardt)

**RESULT: ADDED TO CONSENT**

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

23. Receive briefing on research based strategies for offender reentry by the Policy Research Project at the University of Texas LBJ School of Public Affairs.

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)  
Rena, Pacheco-Theard, Student, LBJ School of Public Affairs  
Saba Danawala, Student, LBJ School of Public Affairs  
Andrea Linzey, Student, LBJ School of Public Affairs  
Unidentified Student, LBJ School of Public Affairs  
Greg Mandell, Student, LBJ School of Public Affairs  
Harry Lidner, Student, LBJ School of Public Affairs  
Dr. Lew Spellman, Professor, LBJ School of Public Affairs

**RESULT: DISCUSSED**

**Other Items**

24. Consider and take appropriate action on legislative matters, including:
- a. Update on legislative activities;
  - b. House Bill 2979, relating to county authority to provide certain exemptions to restrictions on outdoor burning;
  - c. Legislation relating to local government authority to enter into public-private partnerships, including Senate Bill 1048 and House Bill 2432; and
  - d. 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  
Leroy Nellis, Budget Director, PBO  
Tom Nuckols, Assistant County Attorney

**RESULT: DISCUSSED**

25. Consider and take appropriate action on a request for automatic payroll deduction or dues checkoff for the Travis County United Sheriff's Officer's Association. (Commissioner Gómez)

**RESULT: ADDED TO CONSENT**

26. Consider and take appropriate action on the appointment of Bob Ayers to the Groundwater Stakeholder Committee replacing Madelyn Naber. (Commissioner Huber)

**RESULT: ADDED TO CONSENT**

27. Consider and take appropriate action on the appointment of Shirene Garcia to the Sustainable Food Policy Board, effective immediately through February 28, 2013. (Judge Biscoe)

**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*

28. Receive briefing from County Attorney and take appropriate action regarding proposal to purchase central Austin property owned by Travis County. (Commissioner Eckhardt)<sup>1 and 2</sup>



*Judge Biscoe announced that Item 28 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.*

**MOTION:** Direct Staff to analyze the programmatic worth of the use to which we put this property.

**MOVER:** Sarah Eckhardt, Commissioner

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

**FRIENDLY**

**AMENDMENT:** Staff first develop a repeatable methodology for the analysis.

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

**RESULT:** **FRIENDLY AMENDMENT ACCEPTED**

*Clerk's Note: A Vote on the Standing Motion was taken.*

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

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

**ABSENT:** Samuel T. Biscoe, Ron Davis

29. Receive briefing from County Attorney and take appropriate action regarding the extension of administrative leave with pay for Employee Slot Number 622. <sup>1 and 3</sup>

*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. 551.074, Personnel Matters.*

**MOTION:** Approve an extension of six days administrative leave with pay for Juvenile Probation Department employee in Slot 622.

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

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

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

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

**ABSENT:** Samuel T. Biscoe, Ron Davis

30. Consider purchase of an approximately 16.48-acre tract of land in northwest Travis County in connection with the Balcones Canyonlands Conservation Plan and take appropriate action. <sup>2</sup>

**RESULT:** **POSTPONED**

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

*Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.*

**RESULT:** **DISCUSSED**

**Reset for: 5/03/2011**

32. Receive briefing from County Attorney and take appropriate action regarding legal issues associated with the impact on County infrastructure of the Circuit of the Americas Formula One U.S. Grand Prix site in Precinct Four. <sup>1</sup>

*Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.*

**MOTION:** Staff will perform further regulatory and cost benefit analyses.

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

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

### Consent Items

**MOTION:** Approve the following Consent Items: C1–C3 and Agenda Items 6.a, 12, 13.a, 15, 16, 18, 19, 21, 22.a–b, 25, 26, 27, and A1.  
**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Ron Davis, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Ron Davis, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**ABSENT:** Samuel T. Biscoe

- 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 April 5, 2011.

### Added Items

- A1. Consider and take appropriate action regarding Travis County public service recognition:
  - a. Declare May 1 through 7, 2011 as “Public Service Recognition Week”;
  - b. Declare Tuesday, May 3, 2011 as “Travis County Employee Recognition Day”; and
  - c. Present certificates of recognition to employees who completed 20, 25, 30, and 35 years of service during calendar year 2010.

**RESULT:** **ADDED TO CONSENT**

### Minutes approved by the Commissioners Court

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

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