



# Minutes for the Travis County Commissioners Court Tuesday, May 3, 2011 Voting Session

Minutes Prepared by the Travis County Clerk  
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## Roll Call

Meeting called to order on May 3, 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  
Harvey Davis, Retiring Manager, Travis County Corporations  
Rodney Rhoades, County Executive, Planning and Budget Office (PBO)  
Andrea Shields, Manager, Travis County Corporations  
Dr. John K. Kim, Travis County Resident  
Ronnie Gjemre, Travis County Resident

## Introductions

1. Introduce Abigail Smith, the New Chief Animal Services Officer at the Town Lake Animal Center.

Members of the Court heard from:

Blanca Leahy, Director, Travis County Health, Human Services (TCHHS)  
Abigail Smith, Director, Animal Control Services, City of Austin

**RESULT: DISCUSSED**

## 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

**MOTION:** Approve Item 2, which will renew the burn ban until June 1, 2011.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Margaret J. Gómez, Commissioner

**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

*Clerk's Note: The Fire Marshal noted that if Travis County residents have any questions regarding the prohibition on outdoor burning, they can:*

- Call the Fire Marshal's Office at 512-854-4621,
- Call the Emergency Services Department at 512-854-9637, or
- Check the website at [www.co.travis.tx.us/fire\\_marshal](http://www.co.travis.tx.us/fire_marshal).

### Proclamations and Resolutions

3. Approve Proclamation recognizing the 25<sup>th</sup> annual "Cinco De Mayo" celebration in Travis County and the 16<sup>th</sup> annual "Combined City/County Cinco De Mayo Celebration."  
(Commissioner Gómez)

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

### Planning and Budget Dept. Items

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

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

### Administrative Operations Items

5. 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 \$429,984.91 for the period of April 15 to April 21, 2011.

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

6. 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.

Members of the Court heard from:

Jose Hernandez, Office Manager, Constable Precinct Three  
Todd Osburn, Compensation Manager, HRMD  
David McAngus, Sergeant, Constable Precinct Three  
Randy Lott, Senior Budget Analyst, PBO

**RESULT:** **DISCUSSED**

**Reset for 5/10/2011**

7. Present certificates of recognition to Travis County employees who completed 20, 25, 30, and 35 years of service during 2010.

Members of the Court heard from:

Diane Blankenship, Director, Human Resources Management Department (HMRD)  
Kris Nilsen, Human Resources Specialist, HRMD

**MOTION:** Approve the Proclamation in Item 7.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

### **Purchasing Office Items**

8. Approve contract No. PS100224DW, Meridell Achievement Center, to provide professional residential treatment services.

**RESULT: ADDED TO CONSENT**

9. Authorize Purchasing Agent to commence negotiations with the highest qualified firm, Klotz and Associates Inc. for engineering services in response to RFQ No. Q110115-LP, Bee Creek Road Improvements.

**RESULT: ADDED TO CONSENT**

10. Approve contract awards for parks concessions services, RFS No. S110118-LD, to:

- a. Local Licks Shaved Ice, Northeast Metro Park;
- b. Jo Jo Sno Biz, Bob Wentz Park; and
- c. La Super Michoacana, Richard Moya Park and Southeast Metro Park.

**RESULT: ADDED TO CONSENT**

11. Approve contract awards for transmission repair services, IFB No. B110143LD, to the Low Bidders:

- a. AAMCO Transmissions of North Austin, primary contractor; and
- b. Eagle Transmissions, secondary contractor.

**RESULT: ADDED TO CONSENT**

12. Approve Modification No. 3 to Contract No. PS990080TS, CAP Systems, Inc., for Case Management and Benefits Administration (CABA) System.

**RESULT: ADDED TO CONSENT**

13. Approve contract award for Travis County Correctional Complex firing range lane addition expansion, IFB No. B110142-JW, to the Low Bidder, G. Creek Construction.

**RESULT: ADDED TO CONSENT**

14. Approve contract awards for countywide professional indoor air quality assessment services, RFS #S110055-DG, to the following qualified firms:
  - a. PS110155DG, Rimkus Consulting Group, Inc.;
  - b. PS110156DG, Terracon Consultants, Inc.;
  - c. PS110157DG, Professional Services Industries, Inc.;
  - d. PS110158DG, Mactec Engineering and Consulting, Inc.; and
  - e. PS110159DG, ERC Environmental Consultants, Inc.

**RESULT:           ADDED TO CONSENT**

15. Approve Assignment of Contract from GG's Construction to GG's Construction, LLC, for the following Contracts:
  - a. No. 09K00147JT, painting services
  - b. No. 09T00334NB, electrical services
  - c. No. 10T00205NB, residential plumbing services

**RESULT:           ADDED TO CONSENT**

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

16. Consider and take appropriate action on the request to execute a License Agreement with River Place Municipal Utility District for landscape improvements in the right of way of River Place Boulevard, in Precinct Three. (Commissioner Huber)

**RESULT:           ADDED TO CONSENT**

#### **Other Items**

17. Receive revenue and expenditure reports for the month of March 2011.

**RESULT:           ADDED TO CONSENT**

18. Consider and take appropriate action on proposal from County Clerk for establishment of vote centers in Travis County.

Members of the Court heard from:  
Dana DeBeauvoir, County Clerk

*Clerk's Note: The Court indicated its support of the County Clerk and the pilot initiative currently being discussed at the 82nd legislature.*

**RESULT:           DISCUSSED**

19. Consider and take appropriate action on Election Services Agreement between Travis County and Travis County Emergency Services District 14.

**RESULT:           ADDED TO CONSENT**

20. Consider and take appropriate action on request from Precinct Two Constable for additional funds to support a second bailiff for Justice of the Peace, Precinct Two.

Members of the Court heard from:

George Morales, Chief Deputy, Constable Precinct Two  
Randy Lott, Senior Budget Analyst, PBO

**RESULT: DISCUSSED**

**Reset for: 5/17/2011**

21. Consider and take appropriate action on reappointment of Efren Brito to the Board of Commissioners for the Travis County Emergency Services District No. 2, effective immediately through December 31, 2012. (Commissioner Eckhardt)

**RESULT: ADDED TO CONSENT**

22. Consider and take appropriate action on reappointment of Terry Struble to the Board of Commissioners for the Travis County Emergency Services District No. 2, effective immediately through December 31, 2012. (Commissioner Eckhardt)

**RESULT: ADDED TO CONSENT**

23. Consider and take appropriate action on reappointment of George Mentzer II to the Board of Commissioners for the Travis County Emergency Services District No. 2, effective immediately through December 31, 2012. (Commissioner Davis)

**RESULT: ADDED TO CONSENT**

24. Revised 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;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

**RESULT: DISCUSSED**

- c. House Bill 3254, relating to the creation of renewable energy reinvestment zones and the abatement of ad valorem taxes on property of a renewable energy company located in such a zone;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR  
David Smeltzer, Legislative Director, Representative Mark Strama  
Floyd Aker, City Attorney, City of Pflugerville

**MOTION:** Support legislation that encourages economic development while preserving the County's authority and discretion in negotiating economic development incentives.

**MOVER:** Sarah Eckhardt, Commissioner

**SECONDER:** Ron Davis, Commissioner

**ADDITION:** Support HB 3254 and approve adding this legislation to our policy platform.

**MOVER:** Sarah Eckhardt, Commissioner  
**RESULT:** **ADDITION ACCEPTED**

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

**RESULT:** **APPROVED [UNANIMOUS]**  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- d. Senate Bill 627 and House 1746, relating to the participation by certain taxing units in tax increment financing and the payment of tax increments into the tax increment fund for a reinvestment zone;

Members of the Court heard from:  
Deece Eckstein, Intergovernmental Relations Officer, IGR  
Stacey Wilson, representing Central Health  
Mary Etta Gerhardt, Assistant County Attorney

**RESULT:** **DISCUSSED** **Next: 5/10/2011 9:00 AM**

- e. House Bill 1648, relating to relating to the enforcement of building code standards for new residential construction in the unincorporated area of a county; providing a fee;

Members of the Court heard from:  
Deece Eckstein, Intergovernmental Relations Officer, IGR

**MOTION:** Support HB 1649, relating to the enforcement of building code standards for new residential construction in the unincorporated area of a county; providing a fee.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Sarah Eckhardt, Commissioner  
**SECONDER:** Ron Davis, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- f. Amendments to the Priorities, Policy Positions, and the Positions on Other Proposals sections of the Travis County Legislative Agenda; and

Members of the Court heard from:  
Deece Eckstein, Intergovernmental Relations Officer, IGR

**MOTION:** Move legislation that would expand the powers and duties of Criminal Magistrates in Travis County to the priorities list.

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

- g. Senate Bill 878, relating to a defendant's release on a personal bond or bail bond.

Members of the Court heard from:  
Deece Eckstein, Intergovernmental Relations Officer, IGR  
Irma Guerrero, Director, Pre-Trial Services  
David Escamilla, County Attorney

**MOTION:** Oppose SB 878, relating to a defendant's release on a personal bond or bail bond.

**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Sarah Eckhardt, Commissioner

**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

### 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. Consider and take appropriate action on approval of transaction by Central Health involving real estate in east Austin. <sup>1 and 2</sup>

*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.*

Members of the Court heard from:  
Bruce Bower, Travis County Resident

**MOTION:** Postpone action on this item until Tuesday, May 10, 2011, to give Court members an opportunity to chat with members of Austin Interfaith and to get answers to their legal questions.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

26. 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 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.*

**RESULT:** **DISCUSSED**

27. 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>

*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. 551.072, Real Property.*

**MOTION:** Accept the seller's offer for the 16.48 acres in the amount of \$615,392.00.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Karen L. Huber, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

## Consent Items

**MOTION:** Approve Consent Items C1–C4.  
**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

**MOTION:** Approve the following Agenda Items on Consent: 4, 5, 6.a, 8, 9, 10.a–c, 11.a–b, 12, 13, 14.a–e, 15.a–c, 16, 17, 19, 21, 22, and 23.  
**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Ron Davis, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

- 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 March 29, 2011.
- C4. Approve setting a public hearing for June 7, 2011 to receive comments regarding a request for the following in Precinct Three: partial cancellation of Lots 15-19 Block DDD Montebella Subdivision (partial cancellation – 5 Lots – 2.96 Acres – Linkview Drive).

## Minutes approved by the Commissioners Court

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Date of Approval

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Samuel T. Biscoe, Travis County Judge