



Minutes for the Travis County Commissioners Court Tuesday, May 10, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Roll Call

Meeting called to order on May 10, 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	Absent
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:

John Brady, Senior Risk and Safety Specialist, Human Resources Management Department (HRMD)

Morris Priest, Travis County Resident

Ronnie Gjemre, Travis County Resident

Gus Peña, 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

2. Receive update from Travis County 4-H and Texas AgriLife Travis County regarding Keys to the Courthouse curriculum.

Members of the Court heard from:

Cory Talley, Travis County 4-H Extension Agent

Samantha Salinas, Harris Elementary School student

Nelda Hinojosa, Harris Elementary School student

Mary Wallace, AmeriCorps Volunteer/Teacher

RESULT: DISCUSSED

Proclamations and Resolutions

3. Approve Resolution supporting the 5th Street Mexican American Heritage Corridor in Austin, Texas. (Commissioner Gómez)

Members of the Court heard from:

Gus Garcia, Board Member, Fiesta de Independencia Foundation
Gloria Mata Pennington, Committee Chair, Fiesta de Independencia Foundation
Frank Rodriguez, Former Board Member, Mexic-Arte Museum
Michael Candelas, Board Member, Fiesta de Independencia Foundation

MOTION: Approve the Resolution in Item 3.
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

4. Consider and take appropriate action on a request to approve a Balcones Canyonlands Conservation Plan 15th Anniversary Proclamation. (Commissioner Huber)

Members of the Court heard from:

Rose Farmer, Program Manager, Natural Resources, Transportation and Natural Resources (TNR)

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

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 \$958,871.06 for the period of April 22 to April 28, 2011.

RESULT: **ADDED TO CONSENT**

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

RESULT: **ADDED TO CONSENT**

Purchasing Office Items

7. Approve contract award for design of Circle Drive/US 290 intersection safety improvements, RFQ No. 11AE0154LP, to the highest qualified firm, RJ Rivera Associates, Inc.

RESULT: **ADDED TO CONSENT**

8. Approve Modification No. 1 to Contract No. 10K00267RV, Job Order No. 6, for assignment of payments from Architectural Habitat of Austin, Inc. to Suretec Information Systems, Inc.

RESULT: ADDED TO CONSENT

Transportations and Natural Resources Dept. Items

9. Receive an update on approved state highway projects and provide direction on action to be taken to complete and close out remaining active state highway projects.

Members of the Court heard from:

- Steve Manilla, County Executive, TNR
- Cynthia McDonald, Financial Manager, TNR
- Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO)

RESULT: DISCUSSED

10. Consider and take appropriate action regarding the acceptance and improvement of 1300 linear feet of Sandy Beach Road, in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action regarding a request for a License Agreement with the Lower Colorado River Authority and Lake Travis Fire Rescue for use of the facility at Parks West, 14624 Hamilton Pool Road, in Precinct Three (the Parks West facility is sometimes referred to as Satellite Three). (Commissioner Huber)

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

12. Consider and take appropriate action on Memorandum of Understanding (MOU) with Travis County Housing Finance Corporation for Tenant Based Rental Assistance (TBRA) Grant.

RESULT: ADDED TO CONSENT

Planning and Budget Dept. Items

13. Consider and take appropriate action on budget amendments, transfers and discussion Items.

RESULT: NOT NEEDED

14. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. Annual application to the United States Department of Health and Human Services for Travis County to continue to participate in the Parenting in Recovery Project with Travis County Health and Human Services and Veterans Service serving as the regional partnership project lead. The application is for the fifth and final year of the grant;
 - b. Amendment to the agreement with the Texas Parks and Wildlife Department to extend the term of the Reimers Urban Outdoor Recreation Grant in the Transportation and Natural Resources Department; and

- c. Amendment to the agreement with the Office of the Governor, Criminal Justice Division, to increase the award and adjust the budget of the Recovery Act-Stop Violence Against Women Act Program in the Travis County Sheriff's Office and County Attorney's Office.

RESULT: ADDED TO CONSENT

Other Items

- 15. 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. Adoption of a Resolution regarding the State Budget for the 2012-2013 Biennium;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR
John Hille, Assistant County Attorney

Clerk's Note: The Court discussed SB 1771 and HB 874, relating to the provision of information by tax officials related to ad valorem tax rates.

MOTION: Execute an appropriate Resolution opposing SB 1771 and HB 874.

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

Clerk's Note: The Court discussed a request from a coalition of citizen and employee groups to support their request to the State regarding accessing the Rainy Day Fund to fund public services.

MOTION: Execute an appropriate Resolution supporting the request.

MOVER: Samuel T. Biscoe, County Judge

SECONDER: Margaret J. Gómez, Commissioner

FRIENDLY

AMENDMENT: That Commissioners Eckhardt and Gómez work with IGR on appropriate wording for the Resolution.

MOVER: Sarah Eckhardt, Commissioner

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

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

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

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

ABSENT: Gómez
Ron Davis

- c. Senate Bill 627 and House Bill 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

RESULT: NOT NEEDED

- d. Legislation relating to countywide voting centers, including HB 2055 and SB 1355;

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, IGR
Karen Rennick, Founder, VoteRescue

RESULT: DISCUSSED

- e. HB 664, relating to voting eligibility requirements for members of a Metropolitan Planning Organization Policy Board;

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

MOTION: Execute an appropriate Resolution expressing opposition to HB 664.
RESULT: **APPROVED [3 TO 1]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
NAYS: Samuel T. Biscoe
ABSENT: Ron Davis

Clerk's Note: The County Judge clarified that per the Court's "supermajority" rule, the Commissioners Court takes no official position.

- f. Congressional redistricting, particularly as it affects Travis County;

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, IGR
David Escamilla, Travis County Attorney

MOTION: Execute an appropriate Resolution in opposition to current Congressional Redistricting proposals.
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

- g. Adoption of Resolutions on legislation previously discussed by the Commissioners Court, including HB 3254 and SB 878;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

Clerk's Note: The Court discussed HB 3254, relating to green energy reinvestment zones.

MOTION: Execute an appropriate Resolution in support of HB 3254.
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

Clerk's Note: The Court discussed SB 878, relating to cash deposit bonds.

MOTION: Execute an appropriate Resolution in opposition to SB 878.
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

- h. 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

RESULT: DISCUSSED

16. Receive Fiscal Year 2009 Financial Audit Reports for Emergency Services Districts Nos. 10 and 12. (Commissioners Davis and 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

17. Consider and take appropriate action regarding the lease agreement at 700 Lavaca with AustinSuites Management, Ltd. ^{1 and 2}

Judge Biscoe announced that Item 17 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: Authorize Staff to continue to negotiate with AustinSuites Management, LTD., and bring an acceptable lease agreement before the Commissioners Court for consideration.
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

18. Receive briefing from the County Attorney and take appropriate action concerning submission by Travis County of an amicus curiae brief to the Texas Supreme Court in the eminent domain case of Reid Road Municipal Utility District No. 2 v. Speedy Stop Food Stores, Ltd. ¹

Judge Biscoe announced that Item 18 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the Travis County Attorney's Office to file an appropriate Amicus Curiae brief setting forth the position of Travis County in this matter.
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

19. Consider and take appropriate action on approval of transaction by Central Health involving real estate in east Austin. ^{1 and 2}

Judge Biscoe announced that Item 19 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: Approve the following:
○ Central Health taking the steps necessary to purchase a tract of land in southeast Travis County in the amount of \$8M, including acceptance of an assignment for purchase, and;
○ Budget amendment to transfer \$10M from Allocated Reserves to the Central Health budget to be reimbursed by Certificates of Obligation issued Summer 2011, for the purchase of a tract of land in southeast Travis County. This is to include \$8M for the purchase of the land and \$2M to cover related expenses.
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

Consent Items

MOTION: Approve the following Consent Items: C1-C5 and Agenda Items 5, 6, 7, 8, 10, 11, 12, 14.a-c, and 16.
RESULT: **ADOPTED [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

- C1. Receive bids from County Purchasing Agent.
- C2. Approve payment of claims and authorize County Treasurer to invest County funds.
- C3. Approve setting a Public Hearing on May 24, 2011 to receive comments regarding a request to approve a proposed street name change from "Maha Loop Road" to "Burklund Farms Road", in Precinct Four. (Commissioner Gómez)
- C4. Approve setting a Public Hearing on May 31, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate several five and ten foot wide public utility easements located along the side and rear lot lines of Lots 72, 73, 74, 76 and 77 of South Cherry Hollow Estates – a subdivision in Travis County, Precinct Three. (Commissioner Huber)
- C5. Approve setting a Public Hearing on May 31, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate a seven and one half foot wide public utility easement located along the rear lot line of Lot 29, Block V of the Reserve at Twin Creeks, Section 13 – a subdivision in Travis County, Precinct Three. (Commissioner Huber)

Added Items

- A1. Consider and take appropriate action to give direction and assistance to the civil and family courthouse internal team regarding the status of the RFS for review and analysis of RFI released on April 19, 2011.

Judge Biscoe announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:
Rodney Rhoades, County Executive, PBO
Jim Collins, Senior Chief Deputy, County Attorney's Office

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

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge