



Minutes for the Travis County Commissioners Court Tuesday, May 17, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Roll Call

Meeting called to order on May 17, 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
Ronnie Gjemre, Travis County Resident
Morris Priest, Travis County Resident
Deren Wilcox, Real Estate Council of Austin (RECA)
Margaret Owens, Volunteer Coordinator, Juvenile Probation
Dr. John K. Kim, Travis County Resident

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:
Hershel Lee, Travis County Fire Marshal

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

RESULT: DISCUSSED Reset for: 5/24/2011

Purchasing Office Items

2. Approve modification no. 3 to contract no. PS060314LC, Indigent Healthcare Solutions, Ltd for professional services and non-exclusive license agreement for inmate healthcare software.

Members of the Court heard from:
Aleithia Artemis, Travis County Resident
Marvin Brice, Construction Procurement Management, Purchasing
Tamara Armstrong, Assistant County Attorney

MOTION: Approve Item 2.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

3. Approve contract award for trap rock, grade 5T and 6T, IFB No. B110109-CW, to the sole bidder, Vulcan Construction Materials.

RESULT: ADDED TO CONSENT

4. Approve contract no. PS110165DW, Austin Recovery Center, Inc., to provide professional counseling services.

RESULT: POSTPONED **Reset for: 5/24/2011**

5. Approve modification no. 3 to contract no. 10K00309JE, J. D. Ramming Paving Co., Ltd. for FY2010 HMAC overlay program.

RESULT: ADDED TO CONSENT

6. Approve Request For Services (RFS) for a consultant to provide services regarding a new civil and family courthouse, including determining the feasibility of entering into a Public Private Partnership (P3), RFS No. S110505-CG, and authorize Purchasing Agent to issue RFS.

Members of the Court heard from:

Marvin Brice, Construction Procurement Management, Purchasing
The Honorable Darlene Byrne, Judge, 126th District
Rodney Rhoades, County Executive, Planning and Budget Office (PBO)
The Honorable John K. Dietz, Judge, 250th District
The Honorable Lora Livingston, Judge, 261st District

RESULT: DISCUSSED **Reset for: 5/24/2011**

Transportations and Natural Resources Dept. Items

7. Consider and take appropriate action on requests for variances to install the septic drain field closer than twenty five feet to a drainage easement and a septic tank closer than five feet to a surface improvement at 9801 Zion Way in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on a request for variance to allow a septic system to encroach in drainage and public utility easements at 1115 Ottawa Drive in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on a request by Parke Properties I, LP and GDF Realty Investment, Ltd. for a partial vacation of the Parke Corners Section 1 subdivision plat with Travis County as a landowner in this same plat in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on the following in Precinct Three:
 - a. Acceptance of dedication of street and drainage facilities for River Dance Phase 6A; and
 - b. Second amendment to a license agreement for River Dance Phase 3. (Commissioner Huber)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on the following:
 - a. Briefing on the charge, activities and progress of the 2011 Citizens Bond Advisory Committee; and
 - b. Whether to include certain facility projects (excluding the Civil/Family Law Courthouse) in the charge to the committee.

Members of the Court heard from:

Danny Hobby, County Executive, Travis County Emergency Services
 Jessica Rio, Assistant Budget Manager, Planning and Budget Office (PBO)

MOTION: Not to include certain facility projects on the charge of the 2011 Citizens Bond Advisory Committee.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

12. Consider and take appropriate action on the following regarding an application by Benchmark Wastewater Group, LLC to TCEQ to spread domestic septic waste in the Littig area south of Manor:

- a. Request to file letter in opposition to the application; and
- b. Request to file a letter with TCEQ requesting a public meeting.

Members of the Court heard from:

Jon White, Natural Resources Program Manager, Transportation and Natural Resources (TNR)
 Tom Weber, Environmental Program Manager, TNR
 Robert Kizer, Landowner
 Kenneth Leek, Travis County Resident
 Doris Zagst, Travis County Resident
 Morris Priest, Travis County Resident
 John A. Williams, Travis County Resident
 Lily Galindo, Travis County Resident
 Ann Brokenbow, Wilbarger Creek Conservation Alliance
 John E. Williams, Travis County Resident
 Dave Gunlock, Vice President, Park Springs Neighborhood Association
 Rod Castillegia, Travis County Resident
 Karen Loiselle, Travis County Resident
 David Gilmartin, Travis County Resident

MOTION: Approve Items 12.a–b and distribute the letters to any interested parties.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court noted that the applicant, Robert Kizer, is agreeable to Travis County noting in the letter to TCEQ that he has no objection to a public hearing.

Health and Human Services Dept. Items

13. Receive update from County Staff regarding Tobacco Cessation Program/Communities Putting Prevention to Work Initiative.

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)

Dr. Harinder Dhir M.D. MPH MBA, Medical Director, Wellness Clinic

RESULT: DISCUSSED

Planning and Budget Dept. Items

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

MOTION: Approve Items 14 and 16.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Karen L. Huber

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

15. Discuss and take appropriate action on recommendations made by the Local Tax Policy Working Group, especially regarding tax exemption for historical structures.

Members of the Court heard from:

Leroy Nellis, Budget Director, PBO

Elliot Beck, Assistant County Attorney

Dusty Knight, Chief Operating Officer, Tax Assessor Collector's Office

Morris Priest, Travis County Resident

Marlene Romanczak, Travis County Resident

Albert Stanley, Travis County Resident

Maureen Metteauer, Travis County Resident

August Harris, Heritage Society of Austin

MOTION: Direct Staff to:

- Report back to the Court on May 31, 2011, with recommendations;
- Liaise with the Travis County Historical Commission;
- Research the availability of federal grants;
- Communicate with the City of Austin in regards to their timeline, code amendments, and direction;
- Find out what the State has in place and how it works, and how it will affect Travis County;
- Check if there is a policy for homeowners on the Historical Register to roll-back/undesignate without penalty;
- Contact AISD and see what their plans are;
- Calculate what formula would be used to calculate historical tax exemptions if Travis County used the same guidelines as Central Health and the City of Austin;
- Update the Court if any legal advice is needed;

- Have four or five options laid out for discussion;
- Increase the number of stakeholders involved;
- Look into incentive programs; and
- Incorporate the policy Countywide

MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner

FRIENDLY

AMENDMENT: Direct Staff to:

- Develop recommendations on criteria for tax relief based on a property's need for preservation
- Contact ACC for their reasons for no longer allowing historic tax exemptions; and

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: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Administrative Operations Items

16. 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 \$556,246.87 for the period of April 29 to May 5, 2011.

MOTION: Approve Items 14 and 16.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

17. Consider and take appropriate action on the following items for Human Resources Management Department:
 - a. Proposed routine personnel amendments; and
 - b. Non-routine request from Juvenile Probation for a variance to Travis County Code Chapter § 10.03008, Promotion.

Clerk's Note: The County Judge noted that the increase in salary for the promotion will be funded by Juvenile Probation.

RESULT: **ADDED TO CONSENT**

18. Consider and take appropriate action on the following Exposition Center issues:
 - a. Approval of a website license and linking agreement between Travis County and HPT TRS SPES II, Inc. / Route 46 Management Associates Corp. D/B/A Hyatt Place Austin North Central; and
 - b. Granting approval for the Director of Facilities Management Department to sign future website license and linking agreements.

RESULT: POSTPONED

Reset for: 5/24/2011

19. Consider and take appropriate action on the following:
 - a. Two new members to the Employees Health Benefits Fund Appeal Panel; and
 - b. Post an appeal panel hearing as required by chapter 17, section 17.050, on May 18, 2011 at 2:00 p.m. located in the HRMD conference room, 1010 Lavaca, second floor, Austin, Texas to hear the following appeals:
 1. Adjudicate appeal of dental procedure excluded in the Travis County Employees Heath Fund benefits plan; and
 2. Adjudicate appeal of medical treatment contra-indicated for diagnosis presented.

Clerk's Note: By approving Item 19.a the Court authorized the addition of Kristin McLain and Patrick Phillips to the Employees Health Benefits Fund Appeal Panel.

RESULT: ADDED TO CONSENT

Other Items

20. Consider and take appropriate action on Travis County redistricting matters, including:
 - a. Principles to guide the redistricting process; and
 - b. Updated timetable for the redistricting process.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
Rolando Rios, Rolando Rios and Associates
John Hille, Assistant County Attorney
Jackie Nirenberg, Rolando Rios and Associates

RESULT: DISCUSSED

Reset for: 5/24/2011

21. Consider and take appropriate action on legislative matters, including:
 - a. Update on legislative activities;
 - b. Fiscal matters affecting Travis County, including the State budget and appraisal cap and revenue cap legislation;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR
David Escamilla, County Attorney

RESULT: DISCUSSED

- c. Redistricting of State Senate districts and implications for Travis County; 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

MOTION: Execute an appropriate Resolution opposing Plan S125 related to Senate redistricting and approve the addition of this position to Travis County's policy platform.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Justice and Public Safety Items

22. Consider and take appropriate action on Memorandum of Agreement between Seton Family of Hospitals ("Seton") and Travis County ("County") regarding contribution to Travis County and facilities related to use of STAR Flight.

Members of the Court heard from:

Danny Hobby, County Executive, Travis County Emergency Services

MOTION: Approve Item 22.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

23. Consider and take appropriate action for recommendations regarding the Travis County Fire Marshal:

- a. Reappoint Hershel Noah Lee as Travis County Fire Marshal for a term certain not to exceed two years;

Members of the Court heard from:

Danny Hobby, County Executive, Travis County Emergency Services
Barbara Wilson, Assistant County Attorney

MOTION: Approve Items 23.a and 23.c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- b. Set an appropriate salary; and

Judge Biscoe announced that Item 23.b 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.

Clerk's Note: The County Judge noted that no action would be taken on this Item at this time. The Fire Marshal's salary will be reviewed along with the County Executives' salaries within the next 30 to 45 days.

RESULT: DISCUSSED

- c. Approve renewal of current bond. (This item may be taken into Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney and Gov't Code Ann 551.074, Personnel Matters)

Members of the Court heard from:

Danny Hobby, County Executive, Travis County Emergency Services
Barbara Wilson, Assistant County Attorney

MOTION: Approve Items 23.a and 23.c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

Members of the Court heard from:

Aleithia Artemis, Travis County Resident

MOTION: Approve the following Consent Items: C1–C6 and Agenda Items 3, 5, 7, 8, 9, 10.a–b, 17.a–b, 19.a–b, and A1.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, 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 Sessions of April 12 & 19, 2011.
- C4. Approve the Commissioners Court Minutes for the Voting Sessions of April 26 & May 3, 2011.
- C5. Approve setting public hearing on June 7, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility and drainage easements located along the common lot line of Lots 38 and 39, Block 59 of Austin Lake Hills, Section 2 – a subdivision within Precinct Three. (Commissioner Huber)
- C6. Approve setting a public hearing on June 21, 2011 to receive comments regarding a request for the following subdivision in Precinct Three: Revised plat of lots 6 and 7, block Q of Lake Pointe Phase 1B and Lot 7a block Q of Lake Pointe Phase 1-E subdivision (revised plat – 2 lots – 0.61 acres – Norco Drive). (Commissioner Huber)

Added Items

- A1. Consider and take appropriate action on providing accessible access for an injured justice at the Criminal Justice Center and approval of the required funding.

Clerk's Note: The County Judge noted that this project is to be funded from Allocated Reserve.

RESULT: **ADDED TO CONSENT**

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, May 17, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Meeting called to order on May 17, 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	Absent
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

1. Approve the Northwest Travis County Road District No. 3 Minutes for the Voting Session of May 3, 2011.

MOTION: Approve Item 1.
RESULT: **APPROVED [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

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, May 17, 2011
Voting Session**

**Minutes Prepared by the Travis County Clerk
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Meeting called to order on May 17, 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 the Travis County Bee Cave Road District No. 1 Minutes for the Voting Session April 12, 2011.

MOTION: Approve Item 1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

2. Approve the Travis County Bee Cave Road District No. 1 Minutes for the Voting Session of May 3, 2011.

MOTION: Approve Item 2.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge