



Minutes for the Travis County Commissioners Court Tuesday, May 31, 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

Call to Order

Meeting called to order on May 31, 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

Public Hearings

1. 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 subdivision, section 13 - a subdivision in Precinct Three. (Commissioner Huber) (Action item #6)

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

Members of the Court heard from:

Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (TNR)

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

2. 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 Precinct Three. (Commissioner Huber) (Action item #7)

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

ABSENT: Karen L. Huber

Members of the Court heard from:

Anna Bowlin, Division Director, Engineering Services, TNR

MOTION: Close the Public Hearing.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

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

ABSENT: Karen L. Huber

Added item:

- A2. Receive comments regarding the proposed sale of approximately 7.3 acres of land in N.E. Metro Park to the Pflugerville Community Development Corporation for re-configuration of area roadway access near S.H. 130 and Pecan Street in Precinct Two. (Commissioner Eckhardt) (Action item #A3)

MOTION: Open the Public Hearing.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez

ABSENT: Karen L. Huber

Members of the Court heard from:

Steve Manilla, County Executive, TNR

Greg Chico, Right-of-Way Manager, TNR

Floyd Akers, City Attorney, City of Pflugerville and Interim Director, Pflugerville Community Development Corporation

MOTION: Close the Public Hearing.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez

ABSENT: Karen L. Huber

Citizens Communication

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

Morris Priest, Travis County Resident

Dr. John K. Kim, Travis County Resident

Special Items

3. 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 a new order prohibiting outdoor burning which will expire June 29,

2011.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

Resolutions and Proclamations

4. Approve Resolution recognizing Della Sprager for her many years of service to Travis County and its residents.

Members of the Court heard from:

Deborah E. Britton, Director, Community Services Division, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)

Della Sprager, Social Services Program Specialist, TCHHS&VS

Fred Lugo, Social Services Program Administrator, Travis County Health, Human Services (TCHHS)

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

5. Consider and take appropriate action on legislative matters, including:
- a. Update on legislative activities;
 - b. Fiscal matters affecting Travis County, including the State budget;
 - c. Redistricting of congressional and legislative districts and implications for Travis County;

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Coordinator, Intergovernmental Relations (IGR)

RESULT: **DISCUSSED**

- d. Resolutions expressing the Court's appreciation for the work of legislative associates during the session; and

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Coordinator, IGR

Felipe Nascimento, Intern, IGR

Hayley Armstrong, Intern, IGR

MOTION: Approve the Resolution in Item 5.d.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 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 Coordinator, IGR

RESULT: DISCUSSED

Transportations and Natural Resources Dept. Items

6. Consider and take appropriate action 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 subdivision, section 13 - a subdivision in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action 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 Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane IIIA lot 36 block M in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on a Cash Security Agreement with Russell Eppright Custom Homes for sidewalk fiscal for River Place section 16 lot 33 block M in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on the permanent traffic improvements on FM 812 at F1 Speedway in Precinct Four:
- a. Indemnification Agreement with Circuit of the Americas LLC for funding of improvements; and
 - b. Advanced Funding Agreement for voluntary transportation improvement projects with the State of Texas and Travis County. (Commissioner Gómez)

Members of the Court heard from:
Steve Manilla, County Executive, TNR
Anna Bowlin, Division Director, Engineering Services, TNR

MOTION: Approve Items 10.a–b.
RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
NAYS: Margaret J. Gómez

Clerk's Note: The Court noted that by approving Items 10.a–b the County is acting as a conduit between the developer and the State of Texas. No funds will come from Travis County.

16. Consider and take appropriate action on the following employee healthcare benefit items:
- a. No rate increase on health plan for County or participants for Fiscal Year 2012 Plan Year (plan funding levels to remain the same as Fiscal Year 2011);
 - b. Change of pharmacy benefit manager from Medco to Prescription Solutions, effective October 1, 2011;
 - c. A customized open formulary administered by Prescription Solution, effective January 1, 2012;

RESULT: ADDED TO CONSENT

- d. Customized quantity limitation on the formulary, effective January 1, 2012;
- e. Customized prior authorization for certain prescription drugs, effective January 1, 2012;
- f. Standard “pay the difference” protocol for using a brand prescription drug when a true generic is available on the formulary and deemed acceptable by the prescribing physician, effective January 1, 2012;

Members of the Court heard from:

Diane Blakenship, Director, Human Resources Management Department (HMRD)
 Cindy Purinton, Benefits Administrator, HRMD
 Barbara Wilson, Assistant County Attorney
 Rodney Rhoades, County Executive, PBO

MOTION: Approve Items 16.d-f.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court noted that the changes approved in Item 16.f will only be relevant to prescriptions written on and after January 1, 2012.

RESULT: DISCUSSED

- g. Set open enrollment from July 18 through August 19, 2011;
- h. Assign defaulting employees who do not complete all ten steps of the open enrollment process during open enrollment to co-insured EPO and basic employee life coverages for the employee only;
- i. Set date and time for employee hearing on June 15, 2011 at 4:30 P.M. in the Commissioners Court;
- j. Release of benefits information prior to hearing;
- k. Renewal of Assurant dental plan for Fiscal Year 2012, 100% voluntary; and
- l. Renewal of County provided basic life insurance with no rate increase.

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action on schematic design recommendations associated with 700 Lavaca Commissioners Court and offices.

Clerk's Note: The Court discussed two schematic designs for the existing bank vault on the first floor at 700 Lavaca.

Members of the Court heard from:

Roger El Khoury, Director, Facilities Management
David Stauch, President, HS&A
Earl Swisher, Principal, Lawrence Group

MOTION: Approve Recommendation One for the bank vault.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed two schematic designs for the orientation of the Commissioners Courtroom on the first floor at 700 Lavaca.

Members of the Court heard from:

David Stauch, President, HS&A
Earl Swisher, Architect, Lawrence Group

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

Clerk's Note: The Court discussed schematic designs for a café to be located at the basement level at 700 Lavaca.

Members of the Court heard from:

David Stauch, President, HS&A
Earl Swisher, Architect, Lawrence Group
Danny Hobby, County Executive, Travis County Emergency Services
Cyd Grimes, Purchasing Agent
Ken Gaede, Senior Project Manager, Facilities Management

RESULT: **DISCUSSED**

Justice and Public Safety Items

18. Consider and take appropriate action on the request by the Offices of Child Representation (OCR) and Parent Representation (OPR) to:
 - a. Add one attorney to each office in Fiscal Year 2011; and

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Leslie Hill, Managing Attorney, Office of Child Representation (OCR)
Lori Kennedy, Managing Attorney, Office of Parental Representation (OPR)
Tonya Mills, Senior Planner, Criminal Justice Planning (CJP)

MOTION: Approve 18.a at a cost of \$42,255.48 effective July 1, 2011. Funding will come from Allocated Reserve.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- b. Funding OCR and OPR in Fiscal Year 2012.

Clerk's Note: The Court noted that Item 18.b will be reviewed as part of the Fiscal Year 2012 Budget.

RESULT: DISCUSSED

Purchasing Office Items

- 19. Approve modification no. 2 to contract no. 10K00287LP, Patin Construction, LLC, Travis County Correctional Complex parking lot.

RESULT: ADDED TO CONSENT

- 20. Consider and take appropriate action on services related to parking management of County-owned property at 3rd and Guadalupe as follows:

- a. Terminate parking management services contract with LAZ parking; and
- b. Approve contract award to Parking Systems of America I, L.P. for parking management services, RFS no. S110160-ML.

RESULT: ADDED TO CONSENT

- 21. Approve modification no. 9 to contract no. PS090041RV, Broaddus and Associates, for consulting services, Travis County Central Campus Study for a needs analysis and facilities master plan.

RESULT: POSTPONED **Reset for: 6/7/2011**

Other Items

- 22. Consider and take appropriate action on request to change department name from Travis County Information & Telecommunication Systems to "Travis County Information Technology Services."

Members of the Court heard from:
Joe Harlow, Interim County Executive, Information Technology Services (ITS)

MOTION: Approve Item 22.
RESULT: **APPROVED [4 TO 0]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

- 23. Consider and take appropriate action on request to appoint Willie S. Anderson to the boards of directors of the Housing Authority of Travis County and the Strategic Housing Finance Corporation. (Judge Biscoe)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on appointment of Charles B. Cannon to replace Dr. Carla Emery-Culberson on the Board of Commissioners of Emergency Services District no. 4, effective immediately through December 31, 2011. (Commissioner Davis)

RESULT: ADDED TO CONSENT

25. 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:

Cyd Grimes, Purchasing Agent
John Hille, Assistant County Attorney
Martha Dickey, Co-Chair, Committee for new Civil/Family Courthouse, Austin Bar Association
Bill Whitehurst, Member, Committee for new Civil/Family Courthouse, Austin Bar Association
Keith Zimmerman, UGL Equis
The Honorable Lora Livingston, Judge, 261st District

MOTION: Approve Item 25 with Option 2, and remove the USA/Canada requirement for project credentials in P3 projects.

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

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

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

NAYS: Karen L. Huber, Margaret J. Gómez

Clerk's Note: By approving Option 2, the Court is choosing to allow the consultant chosen for the RFS to compete for the role of phase II Owners Representative but not for the role of Private Partner. The RFS will be released on June 3, 2011.

26. Consider and take appropriate action on the following items regarding the Travis County Civil and Family Law Courthouse:
- a. Selection of a County special projects team director and the steps necessary to implement it;
 - b. Issue request for services for financial advisor to develop value for money analysis for construction options, evaluate responses to the RFI and serve as financial advisor and consultant for the project throughout the project period;
 - c. Modification of the contract with Broaddus & Associates to include a visioning process, including internal and external stakeholders;
 - d. Modification of the contract with UGL Services to include real estate advisory services, including evaluation of responses to the RFI and serve as real estate advisor for the project throughout the project period;
 - e. Designation of an external consultant(s) team;
 - f. Designation of an internal Travis County team; and
 - g. Designation of a courts team of representatives of the civil and family courts. (This item may be taken into Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney) (Commissioners Gómez and Huber)

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*

- 27. Receive briefing from the County Attorney in Travis County, et al v. Edwenna B. Long (Christopher N. Taylor resale deed) and take appropriate action. ¹

Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Accept the offer of \$6,190.63 for the property located at 14708 Anderson Mill Road.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Karen L. Huber

SECONDER: Sarah Eckhardt, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 28. Receive briefing from County Attorney and take appropriate action regarding the possibility of improving one or more venues and related infrastructure using one or more of the methods of finance authorized by the Texas Local Govt. Code. ¹

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

- 29. Consider and take appropriate action regarding the lease agreement at 700 Lavaca with John T. Barrett. ^{1 and 2}

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. 551.072, Real Property.

MOTION: Authorize County Staff to continue to negotiate a mutual termination agreement with Mr. Barrett and report back to the Commissioners Court.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 6, 7, 8, 9, 11.a–c, 14, 15, 16.a–c, 16.g–l, 19, 20.a–b, 23, and 24.

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

C1. Receive bids from County Purchasing Agent.

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

Added Items

A1. Approve Resolution recognizing the week of June 5 through 11, 2011 as "Take Heart Austin Week 2011" in the Austin and Travis County community. (Commissioner Eckhardt)

Members of the Court heard from:

Dr. Paul Hinchey, Medical Director, Austin/Travis County Emergency Medical Services
Danny Hobby, County Executive, Travis County Emergency Services
Louis Gonzales, Program Manager, Take Heart Austin

MOTION: Approve the Resolution in Item A1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Gómez
ABSENT: Karen L. Huber

A3. Consider and take appropriate action on the proposed sale of approximately 7.3 acres of land in N.E. Metro Park to Pflugerville Community Development Corporation, needed for reconfiguration of access to adjoining tracts of land near the intersection of S.H. 130 and Pecan Street in Precinct Two. (Commissioner Eckhardt)

RESULT: **POSTPONED**

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 31, 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**

Meeting called to order on May 31, 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 payment of claims and authorize County Treasurer to invest Road District funds.

MOTION: Approve the investments in Item 1.
RESULT: **APPROVED [4 TO 0]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge