



Minutes for the Travis County Commissioners Court Tuesday, June 7, 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 June 7, 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	Absent

Public Hearings

1. Receive comments on a request to temporarily close Thaxton Road in Precinct Four for roadway reconstruction beginning June 15, 2011 and continuing through July 20, 2011 or until construction is completed. (Commissioner Gómez) (Action item #15)

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

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
David Greear, Traffic Manager, TNR

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

2. Receive comments for the following subdivision in Precinct Three: partial cancellation of lots 15-19 block DDD Montebella subdivision (partial cancellation - 5 lots - 2.96 acres - Linkview Drive). (Commissioner Huber) (Action item #16)

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

Members of the Court heard from:
Anna Bowlin, Division Director, Engineering Services, TNR

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

Added item:

A2. Receive comments regarding a request to authorize the filing of an instrument to vacate two five foot 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 in Precinct Three. (Commissioner Huber) (Action item #a3)

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

Members of the Court heard from:
Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (TNR)
Tom Jones, Travis County Resident

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

Citizens Communication

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident
Rick Luna, Travis County Resident
Nelson Linder, President, Austin National Association for the Advancement of Colored People (NAACP)
Gus Peña, 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

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

RESULT: DISCUSSED

Reset for: 6/14/2011

4. **Revised language: Consider and take appropriate action regarding the regulation of fireworks in the unincorporated area of Travis County.** (This item may be taken into Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney)

Members of the Court heard from:

Hershel Lee, Travis County Fire Marshal
Jim Connolly, Assistant County Attorney

Judge Biscoe announced that Item 4 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Direct Staff to put together appropriate data and information in support of a Local Disaster Declaration for the Court's consideration Tuesday, June 14, 2011.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

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

ABSENT: Margaret J. Gómez

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 \$914,551.93 for the period of May 20 to May 26, 2011.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action to encourage Travis County employees, retirees and their families to attend Travis County employee night with the Round Rock Express at the Dell Diamond on Sunday, June 26, 2011.

Members of the Court heard from:

Diane Blakenship, Director, Human Resources Management Department (HMRD)

RESULT: DISCUSSED

Health and Human Services Dept. Items

8. Consider and take appropriate action on the following items related to the Community Development Block Grant – recovery funds through the American Recovery and Reinvestment Act of 2009 available through the U.S. Department of Housing and Urban Development:
- a. Update on the project;
 - b. Receive results of the environmental review; and
 - c. Approve the certificate of exemption of funds.

Members of the Court heard from:

Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS)

MOTION: Approve Item 8.c and authorize the County Judge to sign the exemption order regarding the environmental declaration.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Samuel T. Biscoe, Judge

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

ABSENT: Margaret J. Gómez

9. Consider and take appropriate action on the following items related to the Community Development Block Grant available through the U.S. Department of Housing and Urban Development:
 - a. Update on interested municipalities joining the Urban County for Program Years 2012-2014; and
 - b. Request to move forward with participation agreements.

Members of the Court heard from:

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

MOTION: Approve 9.b; proceed with sending the Participation Agreements to the eligible municipalities and a reminder to municipalities who have not yet replied. The deadline for replies would be June 30, 2011.

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

RESULT: **APPROVED [UNANIMOUS]**

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

ABSENT: Margaret J. Gómez

Purchasing Office Items

10. Pursuant to section 263.151 (4) (B) of the Texas Local Government Code, declare list of certain equipment as surplus property and donate to Brown Santa, a local non-profit agency.

RESULT: **ADDED TO CONSENT**

11. 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.

Judge Biscoe announced that Item 11 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Richard Villareal, Purchasing Agent Assistant Level IV, Purchasing
Rodney Rhoades, County Executive, Planning and Budget Office (PBO)
Belinda Powell, Capital Planning Coordinator, PBO
John Hille, Assistant County Attorney

MOTION: Extend the modification of the contract as proposed.
RESULT: **APPROVED [3 TO 1]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
NAYS: Karen L. Huber
ABSENT: Margaret J. Gómez

Planning and Budget Dept. Items

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

MOTION: Approve Item 12.
RESULT: **APPROVED [3 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
NAYS: Karen L. Huber
ABSENT: Margaret J. Gómez

13. Receive update from the Planning and Budget Office on Fiscal Year 2012 Budget process.

Members of the Court heard from:
Leroy Nellis, Budget Director, PBO
Rodney Rhoades, County Executive, PBO
Jessica Rio, Assistant Budget Manager, PBO
Susan Spataro, Travis County Auditor

RESULT: **DISCUSSED**

14. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
- a. Annual application to the US Department of Justice – Bureau of Justice Assistance for the Sheriff's Office to be reimbursed for expenses incurred under the Immigration and Naturalization Act of 1994. The reimbursement term is from July 1, 2009 to June 30, 2010;
 - b. New application to the Hogg Foundation for mental health for the Juvenile Probation Department to receive resources to create an American Psychological Association accredited doctoral internship training program that will expand and enhance mental health services provided to high risk youth and families;
 - c. Amendment to the contract with the Texas Department of Public Safety to closeout the 2008 Urban Area Strategic Initiative Grant that will reduce the grant award to the Sheriff's Office in order to match the program's final expenditures;
 - d. Amendment to the contract with the Texas Veterans Commission to extend the grant term for the existing Veterans Court Program in the Criminal Court;
 - e. Amendment to the contract with the Corporation for National and Community Service (through the Onestar Foundation) to de-obligate Fiscal Year 2011 AmeriCorps Grant Funds in Health And Human Services And Veterans Service related to savings from staff and member vacancies; and

- f. Ratify updated information provided by Health and Human Services and Veterans Services to the United States Department of Health and Human Services as a part of a recently approved contract amendment for the Parenting in Recovery Project.

RESULT: ADDED TO CONSENT

Transportations and Natural Resources Dept. Items

15. Consider and take appropriate action regarding a request to temporarily close Thaxton Road in Precinct Four for roadway reconstruction beginning June 15, 2011 and continuing through July 20, 2011 or until construction is completed. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action for the following subdivision in Precinct Three: partial cancellation of lots 15-19 block DDD Montebella subdivision (partial cancellation - 5 lots - 2.96 acres - Linkview Drive). (Commissioner Huber)

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action for the following subdivision in Precinct Three: Montebella North preliminary plan (preliminary plan - 7 lots - 8.454 acres - Cirrus Drive). (Commissioner Huber)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action regarding a request for a license agreement with Huns RFC, Inc. for a rugby tournament at Northeast Metro Park in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on a plat for recording in Precinct Three: revised plat of lots 31 and 32, block D, Belvedere phase II - a subdivision (revised plat - one lot - 2.358 acres - Flagler Drive). (Commissioner Huber)

RESULT: ADDED TO CONSENT

Other Items

20. Consider and take appropriate action on legislative matters, including:
 - a. Update on legislative activities;
 - b. Redistricting of Congressional and Legislative districts and implications for Travis County; and
 - c. 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, Intergovernmental Relations (IGR)

Ronnie Gjemre, Travis County Resident

RESULT: DISCUSSED

21. Consider and take appropriate action on Travis County redistricting processes, including public outreach program components and timetable, for the following:
- a. Commissioners Court Precincts;
 - b. Justice of the Peace and Constable Precincts; and
 - c. Election Precincts.

Clerk's Note: The Court discussed the following changes to the public outreach program:

- *Encourage people to pass the word to neighbors, colleagues, friends, etc, and*
- *Move the Precinct Three public hearing to a more central location.*

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Coordinator, IGR
Robena Jackson, Group Solutions RJW

MOTION: Approve Item 21 with the discussed changes.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

22. Consider and take appropriate action on assumptions for Travis County regarding the following:
- a. Property Tax considerations; and

Members of the Court heard from:

Tien Dao, Business Analyst I, Tax Assessor Collector's Office

MOTION: Approve the Staff recommendations in 9.a.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

- b. 2011 Parcel Rate fees.

Members of the Court heard from:

Tien Dao, Business Analyst I, Tax Assessor Collector's Office

MOTION: Approve the recommended tax rate of \$0.96.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

23. Consider and take appropriate action on property tax rate considerations for the Travis County Healthcare District.

Members of the Court heard from:

Tien Dao, Business Analyst I, Tax Assessor Collector's Office

MOTION: Approve the Staff recommendations in Item 23.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. 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

24. Receive briefing and take appropriate action in Regina Jackson and Rudolf Williamson, individually, and on behalf of the estate of Rachel Jackson, deceased v. John A. Ford, M.D., and Travis County, Texas; Action No. A-10-CA-522-SS.¹

Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Elaine Casas, Assistant County Attorney

MOTION: Authorize Dan Mansour, Risk and Benefits Manager, HRMD to represent Travis County in mediation regarding this matter, and that Staff report back to Court any proposed settlement.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

25. Receive briefing and take appropriate action in Shay Morrow v. Tracy C. Hill, Civil Action No. A-10-CA-554-SS.¹

Judge Biscoe announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Elaine Casas, Assistant County Attorney

MOTION: Grant authority to the County Attorney's office to hire appropriate experts and that this matter be placed on the Court's Agenda Tuesday, June 14, 2011. Funding will be from Risk Management.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber

ABSENT: Margaret J. Gómez

26. Receive briefing from County Attorney and take appropriate action regarding legal issues associated with the impact on County departments of the Circuit of the America's Formula One Grand Prix.¹

Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Provide the City of Austin in advance of their Thursday, June 9, 2011, meeting a copy of the Travis County letter to Circuit Of Americas as well as Circuit Of Americas' response letter from Mr. Steve Sexton, along with a summary of the costs that may be incurred by Travis County and are directly associated with the Formula One event.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Ron Davis, Commissioner

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

ABSENT: Margaret J. Gómez

Consent Items

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

MOTION: Approve the following Consent Items: C1–C5 and Agenda Items 5, 6, 10, 14.a–f, 15, 16, 17, 18, 19, and A3.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Karen L. Huber, Commissioner

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

ABSENT: Margaret J. Gómez

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 June 28, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate six drainage easements located along the side and rear lot lines of lots 11, 12, and 13, block 47 of Austin Lake Hills, Section Three, a subdivision in Precinct Three. (Commissioner Huber)

C4. Approve setting a public hearing on June 28, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate a ten foot wide public utility and drainage easement along with a five foot wide public utility easement all being located along the rear lot line of lot 3 of the resubdivision of Northwest Hills Ranch, lot J-7, a subdivision in Precinct Three. (Commissioner Huber)

C5. Revised language: approve setting the public for July 5, 2011 to receive comments on a plat cancellation/vacation of lots 43, 44, 45, block A, lot 40, block B, lot 199, block E and lot 150, block A, Rocky Creek Ranch Section 1 subdivision and a replat of lots 43, 44, 45, block A, lot 40, block B, lot 199, block E and lot 150, block A Rocky Creek Ranch Section 1 in Precinct Three. (Commissioner Huber)

Added Items

- A1. Consider and take appropriate action regarding purchase of open space land near Gilleland Creek in Precinct One. (Executive Session pursuant to Gov't code Ann 511.072, Real Property)

Judge Biscoe announced that Item A1 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.

RESULT: DISCUSSED

- A3. Consider and take appropriate action regarding a request to authorize the filing of an instrument to vacate two five foot 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 in Precinct Three. (Commissioner Huber)

Members of the Court heard from:
Tom Jones, Travis County Resident

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, June 7, 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 June 7, 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	Absent

1. Consider and take appropriate action on property tax rate considerations for the Northwest Travis County Road District No. 3 (Golden Triangle).

Members of the Court heard from:

Tien Dao, Business Analyst I, Tax Assessor Collector's Office
Leroy Nellis, Budget Director, Planning and Budget Office (PBO)

MOTION: Approve Staff recommendations in Item 1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber
ABSENT: Margaret J. Gómez

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, June 7, 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 June 7, 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	Absent

1. Consider and take appropriate action on property tax rate considerations for the Travis County Bee Cave Road District No 1 (Galleria).

Members of the Court heard from:

Tien Dao, Business Analyst I, Tax Assessor Collector's Office

MOTION: Approve Staff recommendations in Item 1.
RESULT: **APPROVED [3 TO 0]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber
ABSTAIN: Ron Davis
ABSENT: Margaret J. Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge