



# Minutes for the Travis County Commissioners Court Tuesday, July 5, 2011 Voting Session

Minutes Prepared by the Travis County Clerk  
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## Call to Order

Meeting called to order on July 5, 2011, in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

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

## Public Hearings

1. Receive comments regarding a plat cancellation/vacation of Lots 43, 44 and 45, Block A, Lot 40, Block B, Lot 199, Block E and Lot 150, Block A in the Rocky Creek Ranch, Section 1 subdivision and a replat of Lots 43, 44, 45, Block A, Lot 40, Block A, Lot 199, Block E and Lot 150, Block A in the Rocky Creek Ranch in Precinct Three. (Commissioner Huber) (Action Item #9)

**MOTION:** Open the Public Hearing.  
**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

Members of the Court heard from:

Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR)

**MOTION:** Close the Public Hearing.  
**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

2. Receive comments regarding a request to temporarily close Sassman Road just east of Thaxton Road for culvert improvements beginning July 18, 2011 through August 19, 2011 or until construction is completed in Precinct Four. (Commissioner Gómez) (Action Item #10)

**MOTION:** Open the Public Hearing.  
**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

Members of the Court heard from:  
Steve Manilla, County Executive, TNR

**MOTION:** Close the Public Hearing.  
**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

### Citizens Communication

Members of the Court heard from:  
Gus Peña, 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, Fire Marshal

**RESULT:** **DISCUSSED**

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

*Clerk's Note: The Court revisited Item 3.*

Members of the Court heard from:  
Jim Connolly, Assistant County Attorney

**MOTION:** Reconsider Item 3.  
**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

**MOTION:** Amend the prohibition on outdoor burning to include the Fire Marshal's authority as granted in Item 4.

**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

4. Consider and take appropriate action regarding designation of County Judge or County Fire Marshal to make determination with regard to lifting of orders prohibiting outdoor burning in the unincorporated areas of Travis County in accordance with Section 352.081(e)(2) of the Texas Local Government Code.

Members of the Court heard from:

Jim Connolly, Assistant County Attorney  
Hershel Lee, Fire Marshal  
Danny Hobby, County Executive, Travis County Emergency Services

**MOTION:** Authorize the Fire Marshal to lift orders prohibiting outdoor burning in unincorporated areas of Travis County as appropriate, and that the matter be placed on the Commissioners Court's agenda on the first possible Voting Session thereafter.  
**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

### Proclamations and Resolutions

5. Consider and take appropriate action on Proclamation recognizing the numerous organizations that have coordinated efforts in fighting wildfires in Travis County. (Commissioner Huber)

Members of the Court heard from:

Gary Warren, Chief, Emergency Services Districts #3 and #9.

**MOTION:** Approve the Proclamation in Item 5.  
**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

### Purchasing Office Items

6. Pursuant to Section 263.151 of the Texas Local Government Code, declare list of certain equipment as surplus property and sell at public auction.

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

7. Approve Interlocal Agreement No. IL110227JW with City of Austin for rough proportionality methodology development.

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

8. Approve contract award for environmental monitoring services for Colorado River Corridor Plan, RFS No. S110046-JW, to URS Corporation.

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

### Transportation and Natural Resources Dept. Items

9. Consider and take appropriate action on a plat cancelation/vacation in Precinct Three: Lots 43, 44 and 45, Block A, Lot 40, Block B, Lot 199, Block E and Lot 150, Block A in the Rocky Creek Ranch, Section 1 subdivision and a plat for recording in Precinct Three: Replat of Lots 43, 44, 45, Block A, Lot 40, Block B, Lot 199, Block E and Lot 150, Block A in the Rocky Creek Ranch. (Commissioner Huber)

**RESULT: ADDED TO CONSENT**

10. Consider and take appropriate action on a request to temporarily close Sassman Road just east of Thaxton Road for culvert improvements beginning July 18, 2011 through August 19, 2011 or until construction is completed in Precinct Four. (Commissioner Gómez)

**RESULT: ADDED TO CONSENT**

11. Consider and take appropriate action on the following items in Precinct Two:
  - a. Acceptance of dedication of street and drainage facilities in Avalon, Phase 9A; and
  - b. A proposed maintenance agreement with the Kelly Lane Water Control and Improvement District No.1 for improvements within public right-of-way within Avalon, Phase 9A. (Commissioner Eckhardt)

**RESULT: ADDED TO CONSENT**

#### **Health and Human Services Dept. Items**

12. Consider and take appropriate action on a request to advance up to \$169,387 of County resources per the sub-recipient agreement with Austin Habitat For Humanity, Inc. with funds being reimbursed approximately 48 hours after closing from the Federal Treasury as a part of a land acquisition project funded through the Community Development Block Grant available through the U.S. Department of Housing and Urban Development.

**RESULT: ADDED TO CONSENT**

#### **Planning and Budget Dept. Items**

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

**RESULT: ADDED TO CONSENT**

*Clerk's Note: Judge Biscoe noted that by approving Item 13, \$861,000.00 is to be transferred from the Fuel & Utility Reserve to the fuel line item in the General Fund.*

14. Review and approve the annual Interlocal Agreement with the City of Austin for the Travis County Sheriff's Office to receive United States Department of Justice resources under the 2011 Byrne Justice Assistance Grant Program to upgrade and enhance crime lab components and to replace the current mobile command post trailer.

**RESULT: ADDED TO CONSENT**

15. Consider and take appropriate action to set Elected Officials' salaries for FY 2012.

Members of the Court heard from:

Jessica Rio, Assistant Budget Director, Planning and Budget Office (PBO)

**MOTION:** Approve the proposed order and Attachment A, and that we send appropriate notice to the impacted elected officials.

**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 Commissioners Court noted that there is no funding available for raises for rank-and-file employees or elected officials in FY 2012.*

16. Consider and take appropriate action on Travis County property tax exemptions for 65 and older and disabled residents.

Members of the Court heard from:  
Leroy Nellis, Budget Manager, PBO

**MOTION:** Set the exemption for residents 65 and older or disabled at \$65,000.00, the current amount.

**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

17. Consider and take appropriate action regarding property tax rate considerations for the Travis County Healthcare District:

- a. Ad valorem tax exemption under Tax Code Section 11.24 for historical structures; and  
b. Ad valorem tax exemption for 65 and older and disabled residents.

Members of the Court heard from:  
Leroy Nellis, Budget Manager, PBO

**MOTION:** Set the exemption for residents 65 and older or disabled at \$65,000.00 and historical exemptions the same as FY 2011.

**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

### **Administrative Operations Items**

18. 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 \$1,502,194.63 for the period of June 17 to June 23, 2011.

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

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

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

20. Consider and take appropriate action on order deleting current Chapter 10, Sections 10.035 - 10.037 (Vacation & Sick Leave) and adding Chapter 10, Sections 10.035 - 10.037 (Vacation & Sick Leave.)

Members of the Court heard from:  
Diane Blankenship; Director; Human Resources Management Department (HRMD)

Dana Hess, Employment Specialist, HRMD

**MOTION:** Approve Item 20.  
**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

21. Consider and take appropriate action on the following employee benefit items for Fiscal Year 2012:

a. Recommend award of contract to CIGNA for the following 100% voluntary employee paid coverages, to be effective October 1, 2011:

1. Supplemental life insurance and matching AD&D insurance;
2. Dependent life insurance;
3. Additional spouse life insurance;
4. Retiree life insurance;
5. Short term disability;
6. Long term disability; and
7. Employee and dependent voluntary AD&D (stand alone product currently underwritten by CIGNA).

Members of the Court heard from:  
Cindy Purinton, Benefits Administrator, HRMD

**MOTION:** Approve Items 21.a.1–21.a.7.  
**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

b. Renew basic \$50,000 life insurance and AD&D coverage with Unum effective October 1, 2011. This is 100% County paid; and

**MOTION:** Approve Item 21.b.  
**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

c. Renew administration contract for Flexible Spending Account and Qualified Transportation Benefit with Fringe Benefit Management Company, a division of Wageworks. This is a County paid administration fee.

Members of the Court heard from:

Cindy Purinton, Benefits Administrator, HRMD  
Dan Mansour, Risk and Benefits Manager, HRMD  
Diane Blankenship; Director, HRMD

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

### Justice and Public Safety Items

22. Consider and take appropriate action on request to transfer ownership of grant purchased equipment to the City of Manor Police Department.

**RESULT: ADDED TO CONSENT**

### Other Items

23. Consider and take appropriate action on legislative matters, including:
- Final report on the first called session, 82<sup>nd</sup> Texas legislature; and
  - Discussion of impact of particular bills on Travis County.

Members of the Court heard from:

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

**RESULT: DISCUSSED**

24. Consider and take appropriate action on the divestiture of LCRA's water systems.  
(Commissioner Huber)

Members of the Court heard from:

Jon White, Natural Resources Program Manager, TNR

Pix Howell, President, Coalition of Central Texas Utilities Development Corporation (UDC)  
Board of Directors

Dave Claunch, Mayor, City of West Lake Hills

Tom Nuckols, Assistant County Attorney

Jim Rumbo, Chairman, Water Committee, Glen Lake Hills System

**MOTION:** Execute an Interlocal Agreement to join the UDC, identify a source of funding, make a contribution of \$12,000.00, and direct Staff and Legal to bring back a resolution that further details the role of Travis County.

**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

*Clerk's Note: The Commissioners Court noted Item 24 will be on the Court's agenda on July 12, 2011.*

**Executive Session Items**

- 25. Consider and take appropriate action on potential acquisition of open space land in Precinct Three.<sup>2</sup>

**RESULT: POSTPONED**

**Consent Items**

- C1. Receive bids from County Purchasing Agent.
- C2. Approve payment of claims and authorize County Treasurer to invest County funds.
- C3. Approve the setting of a public hearing on August 2, 2011 to receive comments regarding a request to authorize the filing of an instrument to vacate three drainage easements located along the side and rear Lot lines of Lot 8, block 48 of Austin Lake Hills, Section Three in Precinct Three.

**MOTION:** Approve the following Consent Items: Agenda Items 6, 7, 8, 9, 10, 11.a–b, 12, 13, 14, 18, 19, and 22.

**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

**MOTION:** Approve Items C1–C3.

**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

**Minutes approved by the Commissioners Court**

\_\_\_\_\_  
Date of Approval

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Samuel T. Biscoe, Travis County Judge