



**Minutes for the
Travis County Commissioners Court
Tuesday, July 12, 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 July 12, 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	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. Receive comments regarding the resubdivision of Lot 2, Kellywood Estates Section Two in Precinct Three (4 lots - 4.14 acres – 4110 Kellywood Drive). (Commissioner Huber) (Action Item #6)

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:

Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (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
ABSENT: Karen L. Huber

2. Receive comments regarding a plat for recording: revised plat of Lots 368, 369, 370 and a portion of Lots 367 and 371, Travis Settlement Section 6 (revised plat - two lots - 10.261 acres - Noon Day Cove) in Precinct Three. (Commissioner Huber) (Action Item #7)

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:

Anna Bowlin, Division Director, Engineering Services, TNR

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

3. Receive comments regarding the Program Year 2011 through 2013 Consolidated Plan and Program Year 2011 Action Plan including the proposed three year priorities and one year use of Community Development Block Grant funds available through the U.S. Department of Housing and Urban Development.

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, Margaret J. Gómez
ABSENT: Karen L. Huber

Members of the Court heard from:

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

Jeffrey Richard, President and CEO, Austin Urban League

Dr. John K. Kim, Travis County Resident

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

4. Receive comments regarding proposed redistricting plans for County Commissioner, Justice of the Peace and Constable, and voting precincts in Travis County. (Action Item #25)

Clerk's Note: The Court without objection opened the Public Hearing.

Members of the Court heard from:

George Korbel, Rolando Rios and Associates

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

Daniel Bradford, Assistant County Attorney

Marcelo Tafoya, Former Director, District 12, League of United Latin American Citizens
(LULAC)

Charles Graham, Travis County Resident

Lawrence Brown, Jr., Travis County Resident

Reverend Ira Lewis, Travis County Resident

Ronnie Gjemre, Travis County Resident

Scottie Ivory, Chestnut Neighborhood Association

Nell Peterson, Travis County Resident

Akwasi Evans, Publisher and Founder, NOKOA the Observer

Anne Brockenbough, Travis County Resident
Richard Franklin, Travis County Resident
Pam Thompson, Travis County Resident
John Williams, Travis County Resident
N. Pennick, Travis County Resident
Fidel Acevedo, President, Local 4860 LULAC
Nelson Linder, President, Austin National Association for the Advancement of Colored
People (NAACP)
Alfred Stanley, Travis County Resident
Judge Glenn Bass, Justice of the Peace, Precinct Two
Adan Ballesteros, Constable Precinct 2
James Randall, Travis County Resident
Zenobia Joseph, Travis County Resident

MOTION: Close 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

Citizens Communication

Members of the Court heard from:
Dr. John K. Kim, Travis County Resident
Ronnie Gjemre, Travis County Resident
Morris Priest, Travis County Resident

Special Items

5. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

RESULT: DISCUSSED

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

Transportation and Natural Resources Dept. Items

6. Consider and take appropriate action on the resubdivision of Lot 2, Kellywood Estates Section Two in Precinct Three (4 lots - 4.14 acres – 4110 Kellywood Drive). (Commissioner Huber)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on a plat for recording: revised plat of Lots 368, 369, 370 and a portion of Lots 367 and 371, Travis Settlement Section 6 (revised plat - two lots - 10.261 acres - Noon Day Cove) in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action to approve an Interlocal Agreement with the City of Austin for storm water management programs.

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action to use the Local Initiative Program Grant to continue a Transportation Management Association Partnership.

RESULT: ADDED TO CONSENT

Clerk's Note: The County Judge noted that Travis County will receive \$22,224.00 through the Texas Commission on Environmental Quality (TCEQ) Local Initiative Grant.

10. Consider and take appropriate action regarding the acceptance of dedication of street and drainage facilities for the Lakes at Northtown, Section Four in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

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

MOTION: Approve the Resolution and approve the request for \$12,000.00 to be funded from the TNR budget.

RESULT: APPROVED [2 TO 0]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Samuel T. Biscoe, Margaret J. Gómez

ABSTAIN: Ron Davis

ABSENT: Sarah Eckhardt, Karen L. Huber

Clerk's Note: The County Judge noted that this item will be placed on the Court's agenda when the Interlocal Agreement is ready for approval.

Health and Human Services Dept. Items

12. Consider and take appropriate action regarding the Travis County Indigent Burial Policy including the following:
- a. Responses to the Request for Proposal;
 - b. Recommended immediate action to increase burial capacity;
 - c. Direction regarding long-term solution;
 - d. County cremation policy; and
 - d. Source(s) of funding.

Clerk's Note: The Court discussed continuing with the current policy of contracting for burial plots as needed or purchasing land and managing a cemetery.

Members of the Court heard from:

Cyd Grimes, Purchasing Agent

Don Ward, Director, Road Maintenance and Fleet Services, TNR

Mary Etta Gerhardt, Assistant County Attorney

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

MOTION: Direct Staff to:

- Negotiate with Cook-Walden for 160 contiguous plots to use as needed,
- Compile a statement of real estate need for the possible purchase of land to be developed as a cemetery, and
- Gather information regarding Travis County's cremation policy and what is needed by the various funeral homes Travis County contracts with.

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

13. Receive update and take appropriate action on the proposed literacy campaign developed for the Travis County, City of Austin and Austin Independent School District Joint Subcommittee.

Members of the Court heard from:
 Sherri Fleming, County Executive, TCHHS&VS
 Meg Paog, Executive Director, Literacy Coalition of Central Texas

MOTION: Approve Item 13, a contribution of \$23,334.00, dependent upon the cooperation of Austin Independent School District (AISD) and the City of Austin, to be funded from the Social Services contract line item of Health and Human Services and that we commit to up to \$2,500.00 for printing from the print shop.

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

14. Consider and take appropriate action on the following items related to the Urban County Renewal Process for 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 through 2014;

RESULT: DISCUSSED

- b. Request to move forward with executing the Cooperation Agreement with Village of Webberville; and
- c. Authorize submission to the U.S. Department of Housing and Urban Development, San Antonio Field Office, Region VI.

Members of the Court heard from:
 Christy Moffett, Social Services Manager, TCHHS
 Sherri Fleming, County Executive, TCHHS&VS

MOTION: Approve Items 14.b–c.
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner

MOTION
CLARIFICATION: Adding Webberville to the Urban County for Program Years 2012 through 2014 and communicating the information to the U.S. Department of Housing and Urban Development (HUD).

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

Planning and Budget Dept. Items

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

RESULT: ADDED TO CONSENT

16. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
- a. Amended application to the Automobile Burglary and Theft Prevention Authority to continue the Combined Auto Theft Task Force Program in the Sheriff's Office; and
 - b. Amendment to the contract with the Texas Veterans Commission to extend the grant term for the Travis County Veteran's Court Program an additional four months.

RESULT: ADDED TO CONSENT

Administrative Operations Items

17. 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 \$155,879.12 for the period of June 24 to June 30, 2011.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action regarding a cafeteria at 700 Lavaca.

RESULT: POSTPONED **Reset for: 7/19/2011**

Purchasing Office Items

20. Approve Interlocal Agreement No. IL110203DW with The Capital Area Metropolitan Planning Organization to provide the coordination of transportation infrastructure activities for Travis County.

MOTION: Approve Item 20.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

21. Approve contract award for solar and aluminum screens, IFB NO. B110123-NB, to the sole bidder, Austin Custom Screens.

RESULT: ADDED TO CONSENT

22. Approve contract awards for Miscellaneous Groceries, IFB No. B110239-NB, to the qualified bidders:
- a. LaBatt Food Service Items: 1-08, 1-19, 2-02, 2-03, 2-04, 3-04, 4-03, 4-06, 4-07, 4-16, 4-17, 4-18, 4-22, 5-01, 5-02, 5-03, 5-07, 6-10, 6-13, 8-01, 8-04, 8-08, 8-10, 9-01, 9-03, 9-04, 9-05, 9-09, 10-01, 12-01, 12-03, 12-06, 12-07, 12-14, 12-18, 12-19, 12-20, 12-21, 12-23, 12-24, 12-25, 12-28, 12-30, 12-39, 12-40, 13-01, 13-02, 14-2, 14-03, 14-05
 - b. Shaver Foods LLC Items: 1-17, 3-01, 3-02, 3-03, 3-05, 3-06, 3-07, 4-08, 4-09, 4-14, 4-15, 4-19, 4-21, 5-04, 5-06, 6-05, 6-06, 6-07, 6-08, 6-09, 6-11, 6-12, 8-03, 9-06, 9-08, 12-05, 12-08, 12-09, 12-10, 12-11, 12-12, 12-16, 12-17, 12-22, 12-26, 12-31, 12-34, 12-35, 12-36, 12-37, 12-38, 13-03, 13-04, 13-05, 13-06
 - c. CSV Sales, Inc. Items: 1-12, 1-16
 - d. Heart of Texas Biscuits, Inc. Items: 7-01, 7-02, 7-03, 7-05

RESULT: ADDED TO CONSENT

23. Approve twelve-month extension (modification no. 2) to Contract No. IL040278ML, Austin State Hospital for janitorial services.

RESULT: ADDED TO CONSENT

24. Receive briefing from Purchasing Agent on procurement processes for the new Civil and Family Courthouse.

Members of the Court heard from:
Cyd Grimes, Purchasing Agent
John Hille, Assistant County Attorney

RESULT: DISCUSSED

Other Items

25. Consider and take appropriate action on redistricting plans for County Commissioner, Justice of the Peace and Constable, and voting precincts in Travis County.

RESULT: DISCUSSED

26. Consider and take appropriate action on fourth annual Travis County History Day on October 21, 2011.

Members of the Court heard from:
Steven Broberg, Director, Records Management and Communication Resources (RMCR).
Christy Moilanen, Archivist, RMCR

MOTION: Approve Item 26.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

27. Receive report from the Compensation Committee.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS
Todd Osburn, Compensation Manager, Human Resources Management Department
(HRMD)
Jim Collins, Senior Chief Deputy, County Attorney's Office

RESULT: DISCUSSED

Reset for: 7/26/2011

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

28. Receive briefing from retained outside counsel and take appropriate action in Alicia Perez v. Travis County. No. 1:11-CV-00019-LY. ¹

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

MOTION: Approve the proposed settlement agreement and complete release and authorize the County Judge to sign on behalf of the Commissioners Court.

RESULT: DEFEATED [2 TO 2]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis

NAYS: Sarah Eckhardt, Margaret J. Gómez

ABSENT: Karen L. Huber

Consent Items

MOTION: Approve the following Consent Items: C1–C3 and Agenda Items 6, 7, 8, 9, 10, 15, 16.a–b, 17, 18, 21, 22.a–d, and 23.

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.

C3. Approve the Commissioners Court Minutes for the Voting Session of June 21, 2011.

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, July 12, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Meeting called to order on July 12, 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	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Present

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

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

2. Approve the Northwest Travis County Road District No. 3 (Golden Triangle) minutes for the Voting Session of June 21, 2011.

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

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, July 12, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Meeting called to order on July 12, 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	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Present

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

MOTION: Pay the claims in Item 1.
RESULT: **APPROVED [2 TO 0]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Margaret J. Gómez
ABSTAIN: Ron Davis
ABSENT: Sarah Eckhardt, Karen L. Huber

2. Approve the Bee Cave Road District No. 1 (Galleria) minutes for the Voting Session of June 7, 2011.

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

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge