



Minutes for the Travis County Commissioners Court Tuesday, October 4, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on October 4, 2011, in the Ned Granger Building, Commissioners Courtroom, 1st Floor, 314 W. 11th St., Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Kimberlie Slade.

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 regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 1345 and 1346 of Apache Shores, Section 3 amended in Precinct Three. (Commissioner Huber) (Action Item #7)

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

Members of the Court heard from:

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

Citizens Communication

Members of the Court heard from:

Jim Sylvester, Chief Deputy Sheriff, Travis County Sheriff's Office (TCSO)
Andrea Sloan, Executive Director, Texas Advocacy Project
Ronnie Gjemre, Travis County Resident
Morris Priest, Travis County Resident
Dr. John Kim, Travis County Resident
Gus Peña, Travis County Resident

Special Items

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

Members of the Court heard from:
Hershel Lee, Travis County Fire Marshall

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

Proclamations and Resolutions

3. Approve Resolution to the Texas Department of Agriculture in support of a grant for Meals on Wheels and More.

Members of the Court heard from:
Dan Pruett, Member, Meals on Wheels and More

MOTION: Approve Resolution in Item 3.
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

4. Approve Proclamation declaring October 2011 as "Domestic Violence Awareness Month."

Members of the Court heard from:
Caryl Colburn, Director, Counseling and Education Services (CES)
Gretta Gardner, Social Services Director, CES
Diane Rhodes, Chief Program Officer, SafePlace
Dr. John Kim, Travis County Resident

MOTION: Approve Proclamation in Item 4.
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

Planning and Budget Dept. Items

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

RESULT: **NOT NEEDED**

6. Review and approve requests regarding grant programs, applications, contracts and permissions to continue:
 - a. Ratification of annual contract with the Office of the Governor, Criminal Justice Division, to continue the Drug Diversion Court Program in the Criminal Courts;

RESULT: **ADDED TO CONSENT**

- b. Ratification of annual contract with the Office of the Governor, Criminal Justice Division, to continue the Travis County Veteran's Court Program in the Criminal Courts;

Members of the Court heard from:

Paul Sullivan, Member, Veterans for Common Sense

MOTION: Approve Item 6.b.
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

- c. Ratification of annual contract with the Office of the Governor, Criminal Justice Division, to continue the Family Drug Treatment Court Program in the Civil Courts;
- d. Ratification of annual contract with the Office of the Governor, Criminal Justice Division, to continue the Driving While Intoxicated Court Program managed by the Community Supervision and Corrections Department;
- e. Contract amendment with the Texas Commission on Environmental Quality for a budget reduction in the Low-Income Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program, Local Initiative Projects Program in the Transportation and Natural Resources Department; and
- f. Request from Juvenile Probation to create a full-time attorney IV position within the Integrated Child Support System Grant Program to support program functions and provide support to Child Protective Services hearings and paternity matters.

RESULT: ADDED TO CONSENT

Transportation, Natural Resources and Facilities Dept. Items

- 7. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 1345 and 1346 of Apache Shores, Section 3 amended in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

- 8. Consider and take appropriate action on the Blake Manor Eco-Development Final Plat (short form plat - eight lots - 10.6 acres - Blake Manor Road) in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

- 9. Consider and take appropriate action on a sidewalk variance to Title 30-3-191 (as per Section 4.2.5 - Sidewalk Omissions - the Transportation Criteria Manual) which requires sidewalks on all new subdivisions on Linden Road in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 10. Consider and take appropriate action on a Cash Security Agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane IIIA Lot 41 Block M in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on a sidewalk variance to Title 30-3-191 (as per Section 4.2.5 - Sidewalk Omissions - the Transportation Criteria Manual) which requires sidewalks for all new subdivisions for D. Morgan Road in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

Administrative Operations Items

12. 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 \$569,831.34 for the period of September 16 to September 22, 2011.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

Purchasing Office Items

14. Declare vehicles as surplus and sell at public auction, pursuant to Section 263.151 of the Texas Local Government Code.

RESULT: ADDED TO CONSENT

15. Approve Modification No. 2 to Contract No. PS110249ML, Renea Hicks, for legal services.

Judge Biscoe announced that Item 15 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve the requested modification in the amount of \$100,000.00 for a total of \$150,000.00.

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

Other Items

16. Consider and take appropriate action on recommendations regarding architectural finishes, and related issues, for the second floor office suites at 700 Lavaca. (Judge Biscoe)

Members of the Court heard from:
Dave Stauch, President, HS&A
Julie Zitter, GSC Architects

MOTION: Approve Item 16.

RESULT: APPROVED [3 TO 1]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Karen L. Huber, Commissioner

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

NAYS: Ron Davis

ABSENT: Margaret J. Gómez

17. Consider and take appropriate action on the following:
 - a. Redistricting plans for the following Travis County Precincts:
 - 1) County Commissioners;
 - 2) Justices of the Peace and Constables; and
 - 3) Elections (voter tabulation districts, or VTDs); and

Members of the Court heard from:

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

MOTION: Approve the recommended changes to previously adopted voting precincts.

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

- b. Preclearance submission and/or supplement to the United States Department of Justice.

Members of the Court heard from:

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

RESULT: **DISCUSSED**

18. Consider and take appropriate action on order to direct depositing salary fund monies into the general fund of Travis County.

RESULT: **ADDED TO CONSENT**

19. Consider and take appropriate action on request from County Clerk to use records management funds to purchase document management system.

RESULT: **PULLED**

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

20. Receive briefing from the County Attorney in Travis County, et al v. Charles Edward Lincoln (Moore Capital Partners, LLC Resale Deed) and take appropriate action. ¹

Judge Biscoe announced that Item 20 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Accept the offer of \$6,599.68 from Moore Capital Partners, LLC for the property located at 6200 Valley View Drive, Lot 14, Block E, Lago Vista, Section 1.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Karen L. Huber, Commissioner

SECONDER: Sarah Eckhardt, Commissioner

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

ABSENT: Margaret J. Gómez

21. Consider and take appropriate action concerning the settlement offer regarding payment for STAR Flight services rendered to Makayla Atkins. ¹

Judge Biscoe announced that Item 21 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Take no action on this matter today. The Travis County Attorney's Office is to bring this matter back to the Commissioners Court when appropriate.

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

Consent Items

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 6.a, 6.c–f, 7, 8, 9, 10, 11, 12, 13, 14, and 18.

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.

Added Items

1. Consider and take appropriate action regarding appropriate follow-up to address damage caused by recent wildfires and injuries suffered by County residents, including remaining fire issues, clean up in Travis County, collaboration with FEMA and other relief agencies, and related issues.

Members of the Court heard from:

Steve Manilla, County Executive, TNR

Judy Wisdom, Travis County Resident
Pamela Eddy, Travis County Resident
Richard Francis, Travis County Resident
Pete Baldwin, Travis County Emergency Management Coordinator
Hershel Lee, Travis County Fire Marshall

- MOTION:**
- Partner with Fire Service providers to develop a systematic method of receiving, triaging, and acting upon information received from victims, responders, and recovery groups;
 - Set up temporary permitting operations for rebuilding permits;
 - Develop resource fact sheets for recovery-related assistance provided by FEMA, Travis County Health and Human Services, volunteer organizations, Travis County Transportation and Natural Resources, national disaster assistance organizations, etc;
 - Develop a County website or Facebook page to disseminate frequently requested information as well as daily status reports on fire fighting, evacuation, and clean-up efforts. Authorize a coordination of efforts between Danny Hobby, County Executive, Travis County Emergency Services and Pete Baldwin, Emergency Management Coordinator, Emergency Services;
 - Develop a fact sheet to explain County areas of responsibility and legal parameters and identify roles other agencies such as Texas Forest Service and LCRA may have;
 - Authorize Transportation and Natural Resources to look at the possibility of conducting a limited hazardous materials collections and disposal service event and to assess the feasibility and report the findings to Commissioners Court for review;
 - Direct Staff to explore the Risk Assessment Study and consider bringing a proposal before the Commissioners Court;
 - Develop fact sheet on the management of the Balcones Canyonlands Conservation Plan (BCP) to educate the community as to fire plans and efforts of Travis County;
 - Support Fire Service provider initiatives to educate the public, prevent fires, create or improve fire fighting buffers, and improve communications including reverse 911 notifications and evacuation planning;
 - Direct Staff to explore and bring back a plan for a Public Information Officer position to the Court.

Clerk's Note: The Court directed Staff to determine if insurance covers permit fees for rebuilding damaged or destroyed homes. The Court stated its intention to waive those permit fees if legally permitted.

Clerk's Note: The Court discussed providing printing services at no charge to provide printed information such as <http://www.wildlandfirersg.com> for guidelines on preventative measures for avoiding fire damage and for pre-disaster planning. The Court directed Pete Baldwin, Emergency Management Coordinator, Emergency Services to determine if those documents can be provided by the State and return to Court on October 11, 2011 with a recommendation;

Clerk's Note: The Court directed Steve Manilla, County Executive, TNR and Pete Baldwin, Emergency Management Coordinator, Emergency Services to prioritize the above list and report to Commissioners Court October 11, 2011 with a timeline for implementation.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Samuel T. Biscoe, Judge
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