



Minutes for the Travis County Commissioners Court Tuesday, October 11, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on October 11, 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	Present

Citizens Communication

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident
Margaret J. Gómez, Commissioner, Precinct 4
Dr. John Kim, Travis County Resident
Tony Calloway, Travis County Fire Marshall's Office
Gus Peña, Travis County Resident

Special Items

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

Members of the Court heard from:
Tony Calloway, Travis County Fire Marshall's Office

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

2. 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. (This item may be taken in Executive Session pursuant to Gov't. Code Ann 551.071, Consultation with Attorney)

Members of the Court heard from:
Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
Stacey Scheffel, Onsite Sewage Facilities Program Manager, TNR
Pete Baldwin, Travis County Emergency Management Coordinator
Melinda Mallia, Environmental Project Manager, TNR
Jon White, Natural Resources Environmental Quality Division Director, TNR
Ronnie Gjemre, Travis County Resident

MOTION: Waive permit fees in appropriate circumstances if residents are not reimbursed by insurance.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Proclamations and Resolutions

3. Approve Resolution recognizing the Central Texas Chapter of the National Forum for Black Public Administrators for hosting the State of Texas' Regional Conference, Leadership Summit 2011, in Travis County.

Members of the Court heard from:

Deborah Britton, President, Central Texas Chapter of the National Forum for Black Public Administrators (NFBPA)
Mallinee Smith-Diggs, Co-Chair, Planning Committee, NFBPA
Latonya Pegues, Chair, Public and Media Relations Committee, NFBPA

MOTION: Approve Resolution in Item 3.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

4. Approve Proclamation honoring Lake Travis Independent School District on its 30th anniversary. (Commissioner Huber)

Members of the Court heard from:

Susan Bohn, Interim Superintendent, Lake Travis Independent School District (ISD)
Karen Miller-Kopp, Principal, Lake Travis Elementary
Fred Goff, Trustee, Lake Travis Board of Trustees
Marco Alvarado, Director of Communications, Lake Travis ISD
Ronnie Gjemre, Travis County Resident

MOTION: Approve Proclamation in Item 4.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Health and Human Services Dept. Items

5. Consider and take appropriate action on the request to continue the administration and planning project of the Community Development Block Grant for the 2011 Program Year with departmental resources until a fully executed contract is obtained from the U.S. Department of Housing and Urban Development.

RESULT: **ADDED TO CONSENT**

6. Consider and take appropriate action on a request to approve the Certificates of Exemption from environmental assessment for three Community Development Block Grant projects with funding provided by the U.S. Department of Housing and Urban Development:
 - a. Family Support Services social work services expansion;
 - b. Lake Oak Estates Road improvements, Phase 1 design services; and
 - c. Administrative and planning expenses.

RESULT: ADDED TO CONSENT

Planning and Budget Dept. Items

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

Members of the Court heard from:

Leroy Nellis, Interim County Executive, Planning and Budget Office (PBO)

MOTION: Approve Item 7.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

8. Approve new contract with 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.

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

MOTION: Approve Item 8.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

9. Discuss and take appropriate action on the work to date by Broaddus & Associates on the Central Campus Master Plan refinement and give direction regarding additional work.

Members of the Court heard from:

Belinda Powell, Strategic Planning Manager, PBO
 Stephen Coulson, Vice President, Planning, Broaddus and Associates
 Rob Fisch, Ricci Greene Associates
 Andrew Roderick, Broaddus and Associates
 Leslie Stricklan, Project Manager, Facilities Management

RESULT: DISCUSSED

Administrative Operations Items

10. 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 \$1,028,817.44 for the period of September 23 to September 29, 2011.

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on the following items for Human Resources Management Department:

- a. Proposed routine personnel amendments;

MOTION: Approve Item 11.a.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- b. Non-routine request for Justice of Peace Precinct Three personnel action under Travis County Code § 10.03002, General Overview for Determining Pay Policy

Members of the Court heard from:
Honorable Susan Steeg, Justice of the Peace, Precinct 3
Honorable Yvonne Williams, Justice of the Peace, Precinct 1
Diana Ramirez, Budget Analyst Senior, PBO
Todd Osburn, Compensation Manager, Human Resources Management Division (HRMD)

MOTION: Approve Item 11.b.
RESULT: **APPROVED [3 TO 2]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez
AYES: Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
NAYS: Samuel T. Biscoe, Ron Davis

Purchasing Office Items

12. Approve Contract No. PS110282DW, Rhonda Hohmann, to provide Professional Visitation Services for the Domestic Relations Office.

RESULT: ADDED TO CONSENT

13. Approve Contract No. PS110165DW, Austin Recovery Center, Inc., to provide Professional Counseling Services.

RESULT: ADDED TO CONSENT

14. Declare List of Surplus Property And Authorize Same To Be Disposed Of Through Dell, Inc. Pursuant To Section 263.152 of the Texas Local Government Code.

RESULT: ADDED TO CONSENT

15. Consider and take appropriate action regarding procurement card policies and procedures for use by the Travis County Purchasing Office.

RESULT: ADDED TO CONSENT

16. Approve Modification No. 7 to Contract 02C00166LC, Hart Intercivic, Inc., for the Direct Recording Electronic Voting System.

RESULT: ADDED TO CONSENT

Transportation, Natural Resources and Facilities Dept. Items

17. Consider and take appropriate action on the following requests in Precinct Two:

- a. An exemption from platting requirements for Steiner Ranch, Phase One, Section 10A, Lot 413 Condominium Project – Ten (10) separate structures with a total of 20 single-family units (16.38 acres, University Club Drive); and
- b. A condominium construction agreement. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on a cash security agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane, IIIA, Lot 13, Block K, in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on a cash security agreement with Highland Homes, Austin for sidewalk fiscal for Commons at Rowe Lane, IIIA, Lot 31, Block M, in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action related to completion of the SMART Building B located at 3404 South FM 973:

- a. Approve the SMART Building B dedication plaque; and
- b. Request to set November 17, 2011, at 9:00 A.M. as the date and time for the grand opening and dedication ceremony. (Commissioner Gómez)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
John Carr, Engineering Division Manager, Facilities Management
John Hille, Assistant County Attorney

MOTION: Approve Item 20.
RESULT: **APPROVED [3 TO 2]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez
NAYS: Sarah Eckhardt, Karen L. Huber

Other Items

21. Consider and take appropriate action regarding claims from a settlement agreement with Tecolote Farms, Inc. (This item may be taken in Executive Session Pursuant to Gov't Code Ann. 551.71, Consultation with Attorney)

Clerk's Note: The Court requested that Chris Gilmore, Assistant County Attorney, make copies of the draft settlement agreement from approximately two years ago available to members of the Court for review.

RESULT: DISCUSSED

22. Consider and take appropriate action regarding the termination of County water outlet in southeast Travis County. (This item may be taken in Executive Session Pursuant to Gov't Code Ann. 551.71, Consultation with Attorney)

Members of the Court heard from:

Don Ward, Road Maintenance Bridge Fleet Division Director, TNR
Steve Manilla, County Executive, TNR
Elena Riojas, Travis County Resident
Ms. Archer, Travis County Resident
Jeanette Parker, Travis County Resident
Belinda Soto, Travis County Resident
Darrin Lofton, Travis County Resident
Jeffrey Archer, Travis County Resident
Mary Avila, Travis County Resident
Joe Davis, Travis County Resident
Mary Elizabeth Davis, Hays County Resident
Morris Priest, Travis County Resident
Ronnie Gjemre, Travis County Resident

Clerk's Note: No action is to be taken until at least October 25, 2011, at which time, a list of specific actions is to be prepared. The Court will contact Creedmoor-Maha Water Supply Corporation to discuss the situation and provide possible assistance. Staff is to research the outlet, check security and safety concerns that need to be addressed between today and October 25, 2011, and be prepared to take specific action.

RESULT: DISCUSSED

23. Consider and take appropriate action on redistricting 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)
Daniel Bradford, Deputy County Attorney

MOTION: Approve Item 23.
RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
NAYS: Karen L. Huber

24. Consider and take appropriate action on revised agreement with Austin Community Foundation to serve as Travis County Combined Charities Campaign 2011 Fiscal Agent.

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action on proposed compensation policy changes from the Compensation Committee and related issues, including:
- a. Recommended policy language restricting raises upon reclassification to no higher than the midpoint of the new range and alternative suggestions, if appropriate; and

Members of the Court heard from:

Leroy Nellis, Interim County Executive, PBO
Todd Osburn, Compensation Manager, HRMD

MOTION: Approve Item 25.a.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- b. Recommend a performance review system in support of the recommendation to adopt a performance-based pay system.

MOTION: Approve Item 25.b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court without objection approved Item 25.b.

26. Receive Fiscal Year 2012 Forfeited Property Account budget from the Travis County District Attorney's Office in accordance with the provisions of Article 59.06(D) of the Texas Code of Criminal Procedure.

RESULT: ADDED TO CONSENT

27. Consider and take appropriate action on Amendment Number Ten between Travis County, the Travis County Juvenile Board, and the Austin Independent School District to continue the Truancy Court Project for the 2011-2012 Fiscal Year.

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action on request to approve the Memorandum of Understanding for Operation on the Travis County Juvenile Justice Alternative Education Program for the 2011-2012 school year.

RESULT: ADDED TO CONSENT

29. Consider and take appropriate action on the reappointment of Todd Crickmer to the Emergency Services District No. 10 Board of Commissioners effective immediately through December 31, 2012. (Commissioner Huber)

RESULT: ADDED TO CONSENT

30. Consider and take appropriate action on the reappointment of John Jackson to the Emergency Services District No. 10 Board of Commissioners effective immediately through December 31, 2012. (Commissioner Huber)

RESULT: ADDED TO CONSENT

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

31. Consider and take appropriate action on the sale of approximately 3.19 acres of land in Precinct Three. (Commissioner Huber)^{1 and 2}

Judge Biscoe announced that Item 31 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: Accept the offer of \$285,000.00 for the sale of the property to the buyer, the proceeds of which to go back to the Reserve Fund.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 5, 6.a–c, 10, 12, 13, 14, 15, 16, 17.a–b, 18, 19, 24, 26, 27, 28, 29, and 30.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 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 Budget Markup Voting Session of September 7, 2011.
- C4. Approve setting a public hearing on Tuesday, November 1, 2011, to receive comments regarding a plat for recording: L&I Subdivision, resubdivision of part of Lot 16, Ed Seeling's Subdivision in Precinct Four. (Commissioner Gómez)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge