



# Minutes for the Travis County Commissioners Court Tuesday, November 15, 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 November 15, 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	Present

## Citizens Communication

Members of the Court heard from:  
Gus Peña, Travis County Resident  
Steven Turner, Texan  
Bill Bunch, Save Our Springs Alliance (SOS)  
Ronnie Gjemre, Travis County Resident

*Clerk's Note: The County Judge noted that the balloon sale by the Human Resources Management Department (HRMD) for employee appreciation continues until Thursday, November 17, 2011. Proceeds from the sale benefit the Travis County Combined Charities Campaign.*

## Introductions

1. Introduce Dolores Sandmann, new Director of Travis County Agrilife.

Members of the Court heard from:  
Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)  
Dolores Sandman, Director, Travis County Agrilife

**RESULT: DISCUSSED**

## Special Items

2. 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

**MOTION:** Approve a new burn ban through December 14, 2011.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

### Resolutions and Proclamations

3. Approve Proclamation regarding Hunger and Homelessness Awareness Week from November 11 through November 19, 2011 at various locations throughout Travis County.

Members of the Court heard from:

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

Ann Howard, Executive Director, Ending Community Homelessness (ECHO) Coalition

Liz Ihry, Vice President, Board of Directors, Front Steps

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

### Administrative Operations Items

4. 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 \$513,031.56 for the period of October 28 to November 3, 2011.

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

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

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

6. Consider and take appropriate action on claims resulting from water damage on County owned property at 1600 Smith Road on June 29, 2010.

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

### Justice and Public Safety Items

7. Consider and take appropriate action regarding request to purchase a rescue hoist for STAR Flight aircraft.

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

*Clerk's Note: The Court noted that the source of funding will be the Seton Reserve.*

8. Consider and take appropriate action regarding a proposed formula for Commissioner appointments to Emergency Service Districts based on population.

Members of the Court heard from:

Danny Hobby, County Executive, Travis County Emergency Services

**MOTION:** Approve the recommended formula.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

9. Consider and take appropriate action on the joint resolution by Travis County, Texas and The Village of Briarcliff, Texas, regarding mutual emergency management coordination and services. (Commissioner Huber)

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

#### **Purchasing Office Items**

10. Approve Interlocal Agreement No. IL120030SW, Texas Workforce Commission, for information release for Travis County Constable Precinct One.

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

11. Declare certain list of items as surplus and sell at public auction pursuant to Section 263.151 of the Texas Local Government Code.

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

12. Approve Modification No. 1 to Contract No. 11K00232JT, Tarrant Paint and Stain, for exterior cleaning and painting of 700 Lavaca building parking garage.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent  
Roger El Khoury, Director, Facilities Management

**MOTION:** Approve Item 12, and direct Facilities Management to coordinate with the Purchasing Department to minimize the number of modifications in contracts like this one.

**RESULT:** **APPROVED [UNANIMOUS]**

**MOVER:** Samuel T. Biscoe, Karen L. Huber

**SECONDER:** Margaret J. Gómez, Commissioner

**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

13. a. Approve order exempting the purchase of professional engineering services for the design of Northeast Metro Park - South Entrance Project, to CP&Y, Inc. from the competitive procurement process pursuant to Section 262.024(a)(4) of the County Purchasing Act; and
- b. Approve contract award for professional engineering design services for Northeast Metro Park - South Entrance Project, Contract No. 12AE0035LP, to CP&Y, Inc.

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

14. Approve contract award for 700 Lavaca building - levels 1 and 2 glazing replacement, IFB No. B110310-JE, to the low bidder, QA Construction Services, Inc.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent  
Roger El Khoury, Director, Facilities Management

**MOTION:** Approve Item 14.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Karen L. Huber  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

15. Approve one night hotel cost for purchasing agent to attend public-private partnership conference in Toronto, Canada.

Members of the Court heard from:  
Cyd Grimes, Travis County Purchasing Agent

**MOTION:** Approve Item 15.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Sarah Eckhardt  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

### **Transportation, Natural Resources and Facilities Dept. Items**

16. Consider and take appropriate action on request for Conservation Easement Agreement with owner of Doerfler Ranch in Precinct One. (Commissioner Davis)

Members of the Court heard from:  
Steve Manilla, County Executive, Transportation and Natural Resources (TNR)  
Wendy Scaperotta, Senior Planner, TNR  
Jessica Rio, Budget Manager, Planning and Budget Office (PBO)

**MOTION:** Approve Item 16.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Ron Davis, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

17. Consider and take appropriate action on proposed language and issues regarding Travis County water availability rules, Chapter 82, Travis County Code.

Members of the Court heard from:  
Anna Bowlin, Engineering Services Director, TNR  
Tom Weber, Environmental Quality Program Manager, TNR  
Steve Manilla, County Executive, TNR  
Tom Nuckols, Assistant County Attorney  
Steven Turner, Texan

**RESULT:** **DISCUSSED**

18. Consider and take appropriate action on the acceptance of dedication of street and drainage facilities for Hound Dog Trail, a street in Precinct One. (Commissioner Davis)

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

19. Consider and take appropriate action on a request for variance to State and County septic regulations to allow a sewer line to cross a public utility easement and water line at 9475 Hwy 290 East in Precinct One. (Commissioner Davis)

**RESULT:           ADDED TO CONSENT**

20. Consider and take appropriate action on a sidewalk variance to Title 30-3-191 (as per Section 4.2.5 - Sidewalk Omissions - Transportation Criteria Manual), which requires all new subdivisions to install sidewalks on Galeana Trace Cove in Precinct Three. (Commissioner Huber)

Members of the Court heard from:

Anna Bowlin, Engineering Services Director, TNR  
Megan Wanek, Engineer, Bury + Partners

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

21. Consider and take appropriate action on the following requests:
- a. Estancia Hill Country preliminary plan (preliminary plan - 29 total commercial lots - 593.6 acres - Old San Antonio Road); and
  - b. A phasing agreement in Precinct Three. (Commissioner Huber)

**RESULT:           ADDED TO CONSENT**

**MOTION:**           Reconsider Items 21.a–b.  
**RESULT:**           **APPROVED [4 TO 1]**  
**MOVER:**           Ron Davis, Commissioner  
**SECONDER:**       Samuel T. Biscoe, Judge  
**AYES:**           Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez  
**NAYS:**           Karen L. Huber

**MOTION:**           Approve Items 21.a–b.  
**RESULT:**           **APPROVED [4 TO 1]**  
**MOVER:**           Karen L. Huber, Commissioner  
**SECONDER:**       Margaret J. Gómez, Commissioner  
**AYES:**           Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez  
**NAYS:**           Ron Davis

22. Consider and take appropriate action regarding the first amendment to the lease agreement between Buttross Properties and Travis County for space located at 8011-A Cameron Road in Austin, Texas in Precinct One. (Commissioner Davis)

**RESULT:           ADDED TO CONSENT**

**Health and Human Services Dept. Items**

23. Consider and take appropriate action on items related to the Homebuyer Assistance Program, related to the Community Development Block Grant Program available through funds from HUD:
- a. Update on the Request For Services (RFS); and

- b. Overview of the scope of services to be included in the RFS.

Members of the Court heard from:

Christy Moffett, Social Services Manager, TCHHS

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

24. Consider and take appropriate action to approve the awarding of three grant sub-contracts with a start date of October 1, 2011, as part of the program design for a \$550,000 grant award from the U.S. Department of Justice to enhance the operation of the Travis County Family Drug Treatment Court.

**RESULT: ADDED TO CONSENT**

### Planning and Budget Dept. Items

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

**RESULT: ADDED TO CONSENT**

### Other Items

26. Consider and take appropriate action on recommendations regarding the acceptance of Flintco Construction's guaranteed maximum price proposal for the Commissioners Courtroom and Offices Relocation Project.

**RESULT: POSTPONED** **Reset for: 11/22/2011**

27. Consider and take appropriate action on request for Travis County to appoint Steve Manilla, Randy Nicholson and Greg Chico to the Technical Advisory Group of the Waller Creek Conservancy to help evaluate design proposals.

**RESULT: ADDED TO CONSENT**

28. Consider and take appropriate action on request from the City of Rollingwood to be added to Interlocal Agreement Texas Agrilife Extension Service for wildlife damage management services.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS  
Mary Etta Gerhardt, Assistant County Attorney

**MOTION:** Authorize Staff along with Legal to negotiate an appropriate interlocal agreement with the City of Rollingwood, with, if necessary, an amendment to the current interlocal agreement with Travis County Agrilife.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Karen L. Huber, Commissioner  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

29. Consider and take appropriate action on Equitable Sharing Agreement and certification for federal forfeiture proceeds for the District Attorney's Office.

**RESULT:           ADDED TO CONSENT**

30. Consider and take appropriate action to appoint Vince Torres to County vacancy on the Austin Travis County Integral Care Board.

**RESULT:           ADDED TO CONSENT**

31. Consider and take appropriate action on request to appoint Commissioner Karen Huber to the Downtown Austin Alliance.

**RESULT:           ADDED TO CONSENT**

32. Consider and take appropriate action on an update from staff and charge regarding the Integrated Justice System Committee:

- a. Briefing on Electronic Disposition Reporting (EDR) Stakeholder Committee recommendations and actions taken to date; and
- b. Creating an Office of Court Administration (OCA) Subcommittee of stakeholders, utilizing the EDR Committee as a model, and receive briefing on OCA reporting status. (Commissioner Eckhardt)

Members of the Court heard from:

Steve Cappell, Assistant County Attorney and Chair, Electronic Disposition Reporting Committee  
Rod Brown, Information Technology Director, Information and Technology Services (ITS)  
Janice Brown, Division Manager, Application Support, ITS  
Dana DeBeauvoir, Travis County Clerk  
Joe Harlow, Interim County Executive, ITS  
Debra Hale, Court Coordinator, Criminal Courts

**MOTION:**           Ask the existing OCA sub-committee to report to the Commissioners Court on the results of a performance audit, steps taken to address results of the audit, and report on improvements that result from the steps taken. The Committee will report back in 90 days.

**RESULT:           APPROVED [UNANIMOUS]**

**MOVER:**           Sarah Eckhardt, Commissioner

**SECONDER:**       Margaret J. Gómez, Commissioner

**AYES:**            Biscoe, Davis, Eckhardt, Huber, Gómez

33. Receive briefing on Information Technology Assessment and Chief Information Officer Transition Services for Information and Technology Services Department. (Commissioner Eckhardt)

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent  
Joe Harlow, Interim County Executive, ITS  
Dana DeBeauvoir, Travis County Clerk

**RESULT:           DISCUSSED**

## 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*

34. Consider and take appropriate action on the acquisition of approximately 30 acres of land in Northwest Travis County in connection with the Balcones Canyonlands Conservation Plan. (Commissioner Eckhardt) <sup>2</sup>

*Judge Biscoe announced that Item 34 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.*

Members of the Court heard from:

John Hille, Assistant County Attorney

**MOTION:** Approve Item 34, and purchase the 30 acres for \$1,167,500.00.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Sarah Eckhardt, Commissioner  
**SECONDER:** Karen L. Huber, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

35. Consider and take appropriate action on an offer to sell to the County approximately 3.16 acres of land near the intersection of Burluson Road and U.S. 183 South in Precinct Four for inclusion in the Onion Creek Open Space Parkland -- 2005 Bond Program. (Commissioner Gómez) <sup>2</sup>

*Judge Biscoe announced that Item 35 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**

36. Consider and take appropriate action on Settlement Agreement with SR Development, Inc., regarding Elroy Road Construction Agreement. <sup>1</sup>

*Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.*

**MOTION:** Authorize approval of the mutual release. In exchange Travis County will pay the contractor the amount of \$32,000.00 that was retainage.  
**RESULT:** **APPROVED [UNANIMOUS]**  
**MOVER:** Samuel T. Biscoe, Judge  
**SECONDER:** Margaret J. Gómez, Commissioner  
**AYES:** Biscoe, Davis, Eckhardt, Huber, Gómez

37. Consider and take appropriate action on acquisition of open space land in Precinct Three. <sup>1 and 2</sup>

*Judge Biscoe announced that Item 37 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**

**Reset for: 11/22/2011**

38. Consider and take appropriate action regarding proposal for downtown office building by D2000, a turn key development company. <sup>1 and 2</sup>

**MOTION:** Indicate Travis County's willingness to negotiate further to try to reach a reasonable amount, which will be reported back to the Commissioners Court at the appropriate time.

**RESULT: APPROVED [3 TO 2]**

**MOVER:** Samuel T. Biscoe, Judge

**SECONDER:** Ron Davis, Commissioner

**AYES:** Samuel T. Biscoe, Ron Davis, Margaret J. Gómez

**NAYS:** Sarah Eckhardt, Karen L. Huber

### Consent Items

Members of the Court heard from:

Ronnie Gjemre, Travis County Resident

Steve Manilla, County Executive, TNR

**MOTION:** Approve the following Consent Items: C1–C2 and Agenda Items 4, 5, 6, 7, 9, 10, 11, 13.a–b, 18, 19, 21.a–b, 22, 24, 25, 27, 29, 30, and 31.

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Margaret J. Gómez, Commissioner

**SECONDER:** Karen L. Huber, 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.

### Minutes approved by the Commissioners Court

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

\_\_\_\_\_  
Samuel T. Biscoe, Travis County Judge