



Minutes for the Travis County Commissioners Court Tuesday, December 6, 2011 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on December 6, 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

Public Hearings

1. Receive comments on the potential sale of a 0.092 acre (3,990 square feet) easement area to the Pflugerville Community Development Corporation requested and needed for construction of a wastewater line to serve property adjacent to the County's Northeast Metropolitan Park. (Commissioner Eckhardt) (Action Item #12)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
Greg Chico, Right-of-Way Manager, TNR
Floyd Akers, Executive Director, Pflugerville Community Development Corporation

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

2. Receive public comments regarding the Program Year 2010 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant provided by HUD.

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

Members of the Court heard from:

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

Ronnie Gjemre, Travis County Resident

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

Citizens Communication

Members of the Court heard from:

Gus Peña, Travis County Resident

Christal Bustillos, Analyst, Human Resources Management Department (HRMD)

Dr. John K. Kim, Travis County Resident

Ronnie Gjemre, Travis County Resident

Mark Sawa, Travis County Sheriff's Office (TCSO)

Nailah Sankofa, Travis County Resident

Special Item

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, Travis County Fire Marshal

Danny Hobby, County Executive, Emergency Services

RESULT: DISCUSSED

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

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 \$1,045,944.29 for the period of November 18 to November 24, 2011.

RESULT: ADDED TO CONSENT

5. Consider and take appropriate action on the following items for Human Resources Management Department:
 - a. Proposed routine personnel amendments; and
 - b. Non-routine request from juvenile probation for a variance to Travis County Code § 10.03008, Promotion.

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

6. Consider and take appropriate action on the approval of the Travis County Criminal Justice Community Plan due to the Capital Area Council of Governments (CAPCOG).

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Cynthia Finnegan, Senior Planner, Criminal Justice Planning (CJP)
Cathy McClaugherty, Senior Planner, CJP

MOTION: Approve the plan in Item 6 and submit it to CAPCOG.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

7. Consider and take appropriate action on request to appoint the Office of Emergency Management's Assistant Emergency Management Coordinator position to serve as the donation coordinator during times of disaster.

RESULT: **ADDED TO CONSENT**

Clerk's Note: The County Judge requested that the order accompanying this request be amended to say the agreement may be terminated by the Commissioners Court not either party.

Purchasing Office Items

8. a. Approve order exempting the purchase of building automation system from Computrols, Inc. from the competitive procurement process pursuant to Section 262.024 (a) (2) of the County Purchasing Act; and
b. Approve contract award for the purchase of a building automation system and maintenance services from Computrols, Inc and authorize County Purchasing Agent to sign.

Members of the Court heard from:

Bonnie Floyd, Assistant Purchasing Agent, Purchasing

MOTION: Approve items 8.a–b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Karen L. Huber, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez
ABSENT: Sarah Eckhardt

9. Approve contract award for guardrail and bridgerail installation, removal and replacement, IFB No. B120020LD, to the low bidder, H and H Fence.

RESULT: **ADDED TO CONSENT**

10. Approve Assignment of Contract No. 11C00180LD, police motorcycles, from Beaudry Motors to Big Sky BMW Kawasaki, Inc.

RESULT: **ADDED TO CONSENT**

Health and Human Services Dept. Items

17. Consider and take appropriate action on request to post notice of public hearing to receive comments regarding proposed amendments to Chapter 57 (Travis County Smoking Policy) of the Travis County Code.

Members of the Court heard from:

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

Mary Etta Gerhardt, Assistant County Attorney

MOTION: Set the Public Hearing for January 24, 2012, and authorize posting of the notice after Commissioners Court approval of an appropriate draft.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Planning and Budget Dept. Items

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

MOTION: Approve Item 18.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

19. Review and approve the annual application to the Emergency Food and Shelter Board for Health and Human Services and Veterans Service to continue to provide emergency utility assistance to qualified Travis County residents under the Emergency Food and Shelter Program – Phase 30.

RESULT: **ADDED TO CONSENT**

20. Consider and take appropriate action on request to approve creation of a non-interest bearing account for the Travis County Treasurer's Office.

RESULT: **ADDED TO CONSENT**

Other Items

21. Consider and take appropriate action on receiving employee input regarding the proposed parking policy, including section on zoned parking.

Members of the Court heard from:

Daniel Bradford, Assistant County Attorney

MOTION: Set the employee public hearing for Tuesday, January 17, 2011, and distribute information regarding the hearing to County Employees as soon as possible.

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 Court noted that County employees will be able to submit comments in writing if they are not able to attend the public hearing.

22. Receive revenue and expenditure reports for the month of October 2011.

RESULT: **ADDED TO CONSENT**

23. Consider and take appropriate action on Sheriff's Office request for additional employee training funds.

RESULT: **ADDED TO CONSENT**

Clerk's Note: The County Judge noted that the request was to cover State cuts. The \$70,000.00 would be from Allocated Reserve.

24. Consider and take appropriate action on Travis County appointments to the Central Texas Regional Mobility Authority Board of Directors, including;

- a. Reappointment of Charles Heimsath;

Members of the Court heard from:

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

John Hille, Assistant County Attorney

Ronnie Gjemre, Travis County Resident

MOTION: Approve the reappointment of Charles Heimsath.

RESULT: **APPROVED [4 TO 1]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez

NAYS: Sarah Eckhardt

- b. Acknowledgement of Henry Gilmore's decision to step down and expression of appreciation for his service; and

MOTION: Approve Item 24.b.

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

- c. Issuance of call for applications to interested Travis County residents.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

John Hille, Assistant County Attorney

Justine Blackmore-Hlista, Capital Metro Representative on CAMPO

MOTION: Approve Item 24.c, including the draft packet.

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

FRIENDLY

AMENDMENT: Move forward with this process and, to the extent it is inconsistent with Commissioners Court polices, the Court will approve Tuesday, December 13, 2011, to modify it.

MOVER: Sarah Eckhardt, Commissioner

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

Clerk's Note: A Vote on the Standing Motion was taken.

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 25. Consider and take appropriate action on the appointment of Adam King to fill the unexpired term of Shirene Garcia to the Sustainable Food Policy Board, effective immediately through February 28, 2013. (Judge Biscoe)

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

- 26. Receive briefing and take appropriate action in Regina Jackson and Rudolf Williamson, individually, and on behalf of the estate of Rachel Jackson, deceased v. John A. Ford, M.D., and Travis County, Texas; Action No. A-10-CA-522-SS.¹

Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

John Hille, Assistant County Attorney

MOTION: Amend the previously approved Offer of Judgment to add an expiration date of December 13, 2011.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 27. Receive legal briefing and take appropriate action regarding Travis County involvement in legal action objecting to congressional redistricting by the Texas legislature.¹

Members of the Court heard from:

John Hille, Assistant County Attorney

RESULT: NOT NEEDED

Consent Items

Members of the Court heard from:
Ronnie Gjemre, Travis County Resident

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 4, 5.a–b, 7, 9, 10, 11, 13, 15, 19, 20, 22, 23, and 25.
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 setting a public hearing on Tuesday, January 10, 2012 to receive comments regarding plat for recording: Raceway single family subdivision section two final plat (a small lot subdivision) (resubdivision of lots 16, 17, 24, and 25 Northridge Acres number two subdivision - 69 lots - Travesia Way - City of Austin ETJ) in Precinct Two.
- C4. Approve setting a public hearing on Tuesday, February 7, 2012 to receive comments regarding the adoption of proposed changes to the Travis County Code to update and strengthen water quality protection requirements, including the repeal of Chapter 108, the repeal of various provisions in Chapter 82, the revision of certain provisions in Chapters 82 and 64, the addition of new subchapters h through k to Chapter 82, and the addition of new Chapter 104.

Added Items

- A1. Consider and take appropriate action on redistricting plans for the following Travis County Precincts:
 - a. County Commissioners;
 - b. Justices of the Peace and Constables; and
 - c. Elections (voter tabulation districts).

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, IGR

RESULT: **DISCUSSED**

Reset for: 12/13/2011

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, December 6, 2011
Voting Session**

**Minutes Prepared by the Travis County Clerk
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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

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: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge