

Item C3



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Gillian Porter, Commissioners Court Specialist, 512-854-4722

Elected/Appointed Official/Dept. Head: Dana DeBeauvoir, Travis County Clerk

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: Approve the Commissioners Court Minutes for the Special Voting Session of November 19, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



Minutes for the Travis County Commissioners Court Monday, November 19, 2012 Special 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 19, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, 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	Absent

Agenda Items

1. Consider and take appropriate action on order canvassing election returns in Travis County for the November 6, 2012 Joint General and Special Election for Federal, State, District and County officeholders and local County-ordered propositions.

Members of the Court heard from:

Dana DeBeauvoir, Travis County Clerk

Michael Winn, Division Director, Elections, Travis County Clerk's Office

MOTION: Waive the reading of the tally precinct by precinct and accept the summary, with the understanding that the results are available to all residents.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

MOTION: Approve the canvass.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Gillian Porter, Commissioners Court Specialist, 512-854-4722

Elected/Appointed Official/Dept. Head: Dana DeBeauvoir, Travis County Clerk

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: Approve the Commissioners Court Minutes for the Voting Sessions of November 13, 20, 27 and December 4, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



Minutes for the Travis County Commissioners Court Tuesday, November 13, 2012 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 13, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, 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 regarding a request to authorize the filing of an instrument to vacate a 7.5 foot wide public utility easement located along the rear lot line of Lot 105, Block 1 of Steiner Ranch, Phase One, Section Two, in Precinct Two. (Commissioner Eckhardt) (Action Item # 9)

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

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: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

2. Receive comments regarding a request to authorize the filing of an instrument to release the non-disturbance easements located over and across several sections of the Overlook Estates, Phase 1 subdivision; replace them by separate instrument at the same time the vacation is recorded – Precinct Three. (Commissioner Huber) (Action Item # 10)

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

Members of the Court heard from:
Anna Bowlin, Division Director, Engineering Services, TNR

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

Citizens Communication

Members of the Court heard from:
Gus Peña, Travis County Resident
Clay Defoe, Travis County Resident
Will McCloud, Travis County Resident
Dr. John K. Kim, Travis County Resident

Special Items

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, Fire Marshall

MOTION: Prohibit outdoor burning in unincorporated areas until December 12, 2012.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Resolutions and Proclamations

4. Approve Proclamation regarding Hunger and Homelessness Awareness Week to be held November 10 through November 17, 2012 at various locations throughout Travis County.

Members of the Court heard from:
Sherri Fleming, County Executive, Health and Human Services Department, (HHSD)
Anne Howard, Executive Director, Ending Community Homelessness Coalition, (ECHO)
Liz Irey, ECHO Volunteer
Gus Peña, Travis County Resident

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

5. Approve Resolution declaring the month of November 2012 as, "Pancreatic Cancer Awareness Month" in Travis County. (Commissioner Eckhardt)

MOTION: Approve the month of November 2012 as "Pancreatic Cancer Awareness

Month".
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Purchasing Office Items

6. Approve Modification No. 10 to Interlocal Contract No. 4400000350 (H.T.E. Contract No. IL030285LC), City of Austin, for the operation and maintenance of the Combined Transportation, Emergency & Communications Center (CTECC).

RESULT: ADDED TO CONSENT

7. Declare certain items surplus property and sell at public auction, pursuant to Section 263.151.

RESULT: ADDED TO CONSENT

8. Approve Contract Award for cabling installation services, time and materials, Contract No. 4400001201, to the lowest responsive bidder, ACS Dataline, LP d/b/a Black Box Network Services.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

9. Consider and take appropriate action regarding a request to authorize the filing of an instrument to vacate a 7.5 foot wide public utility easement located along the rear lot line of Lot 105, Block 1 of Steiner Ranch, Phase One, Section Two, in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on a request to authorize the filing of an instrument to release the non-disturbance easements located over and across several sections of the Overlook Estates, Phase 1 subdivision; replace them by separate instrument at the same time the vacation is recorded – Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on a Cash Security Agreement with Butterfield Custom Homes, LLC., for sidewalk fiscal for the Preserve at Lost Gold Cave Phase 2 for Lot 12, Block A, in Precinct Three. (Commissioner Huber)

Members of the Court heard from:

Will McCloud, Travis County Resident
Steven Manilla, County Executive, TNR

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action on the following requests:
 - a. Web-based opinion survey on water supply issues; and

- b. A formal request by Commissioners Court for local agencies to participate in the web-based survey.

Members of the Court heard from:

Steven Manilla, County Executive, TNR
Clay Defoe, Travis County Resident

MOTION: Approve the use of a web based opinion survey in order to broaden the outreach effort and for the Court to see a draft survey for approval

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

- 13. Consider and take appropriate action on a Plat for recording in Precinct One: Lakeside at Blackhawk Section 3 final plat (Long Form Final Plat -54 total lots -27.6 acres -Winding Shore Lane -City of Pflugerville ETJ); and a Travis County Subdivision Construction Agreement between Travis County and Rowe Lane Development, Ltd. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

- 14. Consider and take appropriate action on a Transportation Enhancement Program Project (Decker Lane/FM 3177 sidewalk) submittal located in Precinct One. (Commissioner Davis)

MOTION: Approve Item 14.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 15. Consider and take appropriate action on the following requests in Precinct Three: (Commissioner Huber)

- a. An exemption from platting requirements for Southwest Hills Condominiums – 7 commercial units; and

- b. A Condominium Construction Agreement.

RESULT: **ADDED TO CONSENT**

Planning and Budget Dept. Items

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

RESULT: **ADDED TO CONSENT**

- 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 \$503,241.66, for the period of October 26 to November 1, 2012.

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 the draft economic development incentive policy for Travis County. (May also be taken into Executive Session pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

Members of the Court heard from:

Leslie Browder, County Executive, Planning and Budget Office, (PBO)
Mary Etta Gerhardt, Assistant County Attorney
Katie Peterson, Senior Budget Analyst, PBO
Joanne Robinson, Travis County Resident
Dave Porter, Greater Austin Chamber of Commerce
Greg Casar, Workers Defense Project
Aaron Chappell, Laborers International Union of North America (LUNA)
Philip Lawhon, Representative, International Brotherhood of Electrical Workers (IBEW)
Jeremy Martin, Greater Austin Chamber of Commerce

Clerk's Note: The Court discussed whether to adopt a rebate process or an abatement policy.

MOTION: Indicate the Court's intention to adopt the rebate process.
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner

FRIENDLY

AMENDMENT: Include an option for tax abatement in the policy.
MOVER: Sarah Eckhardt, Commissioner
RESULT: **FRIENDLY NOT AMENDMENT ACCEPTED**

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

RESULT: **APPROVED [4 TO 1]**
AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez
NAYS: Sarah Eckhardt

Clerk's Note: The Court discussed whether a supermajority of the Court be required to either waive an element of the policy or amend the policy.

MOTION: Not require a supermajority on any decisions related to the economic development policy.
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

Clerk's Note: The Court discussed whether leasehold improvements should be eligible for incentives.

MOTION: Approve Staff recommendations to accept leasehold improvements as eligible for incentives and that the term of the lease be equal to or exceed the term of the incentive agreement.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed whether to approve a \$25M minimum for capital investment and the creation of 50 new jobs or higher.

MOTION: Approve Staff recommendation of \$25M minimum for capital investment and

creation of at least 100 new jobs.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed health benefit requirements.

MOTION: Approve Staff recommendation as well as adding to the language, state and federal requirements including a level of provision of benefits that meets or exceeds the Affordable Care Act requirements in place at the time of the policy.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed whether location should be a baseline requirement.

MOTION: Approve making location a baseline requirement rather than a preference
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed setting as a preference that the applicant could earn up to 5% additional rebate if they fill 50% of new jobs from Travis County Residents.

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

Clerk's Note: The Court discussed whether there should be mandatory recapture provisions.

MOTION: Approve the mandatory recapture language by striking the words "if appropriate".
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner

WITHDRAWAL

OF MOTION: **MADE BY:** Sarah Eckhardt, Commissioner
RESULT: **NO VOTE TAKEN**

MOTION: Strike the first clause of 28.008 (b) (5).
RESULT: **APPROVED [3 TO 2]**
MOVER: Sarah Eckhardt Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Margaret J. Gómez
NAYS: Samuel T. Biscoe, Karen L. Huber

Clerk's Note: The Court discussed whether a \$1,000.00 application fee should be required.

MOTION: Approve the \$1,000.00 fee and that we revisit this based on the City of Austin policy revisions.

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

Clerk's Note: The Court discussed that the duration of the incentive agreement term would be 10 years.

MOTION: Accept the Staff recommendation for the limit of 10 years.
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

Clerk's Note: The Court discussed whether a living wage will be a requirement, including for construction workers.

MOTION: Approve the draft language in 28.004 (a) (IX)
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner

WITHDRAWAL

OF MOTION **MADE BY:** Sarah Eckhardt, Commissioner
RESULT: NO VOTE TAKEN

MOTION: Approve amending the language in 28.004 (a) (ix) to read: "Provide salaries to all employees including contract employees and employees hired by contractors for construction of the company's facilities related to incentive agreements at an hourly wage that equals or exceeds the County's established minimum wage."

RESULT: APPROVED [3 TO 1]
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Margaret J. Gómez
NAYS: Samuel T. Biscoe
ABSENT: Karen L. Huber

Clerk's Note: The County Judge requested a clean copy with the changes by Tuesday, November 20, 2012.

Other Items

20. Consider and take appropriate action on reappointment of Melvin Wrenn to the Strategic Housing Finance Corporation Board of Directors for a term effective immediately through December 31, 2014. (Commissioner Davis)

Items 20 and 21 are associated with one another and were called for concurrent discussion.

Members of the Court heard from:

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

MOTION: Approve reappointment of Melvin Wrenn to serve through December 31, 2014.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

21. Consider and take appropriate action on reappointment of Richard Moya to serve on the Strategic Housing Finance Corporation Board of Directors with a term to expire December 31, 2018. (Commissioner Gomez)

Items 20 and 21 are associated with one another and were called for concurrent discussion.

Members of the Court heard from:
Deece Eckstein, Coordinator, IGR

MOTION: Approve Richard Moya to serve on the board of Strategic Housing Finance Corporation through December 31, 2018.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Consider and take appropriate action regarding Travis County and joint Travis County-City of Austin appointments to the Central Health Board of Managers.

Members of the Court heard from:
Deece Eckstein, Coordinator, IGR

MOTION: Send out the call for applications, approve the process and time table for applications to be due December 1, 2012, and substitute the conflict of interest affidavit.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

MOTION: Approve Staff recommendations in the reappointment of Anthony Haley
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

23. Consider and take appropriate action on Travis County appointment to the Travis Central Appraisal District Board of Directors.

Members of the Court heard from:
Deece Eckstein, Coordinator, IGR

MOTION: Approve to reappoint Michelle DeGrant for an additional term to end on December 31, 2014.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

24. Consider and take appropriate action on transportation related issues at the Formula I event from November 16 through 18, 2012.

Members of the Court heard from:

Steven Manilla, County Executive, TNR
David Greear, Senior Engineer, TNR
Mike Hemby, Planning Manager, Travis County Sheriff's Office, (TCSO)

RESULT: DISCUSSED

25. Consider and take appropriate action on acceptance of a donation of \$10,000 from Paul Larkin for the benefit of the 403rd District Court Youthful Offender Program.

Members of the Court heard from:

Clay Defoe, Travis County Resident
Daniel Bradford, Assistant County Attorney

MOTION: Approve application to CAMPO for transportation and enhancement monies.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

26. Consider and take appropriate action on request to consider and approve findings and Resolutions for adoption by the Commissioners Court of Travis County, Texas related to issuance of the City of Newark, Texas Cultural Education Facilities Finance Corporation Revenue Bonds for the benefit of Goodwill Industries of Central Texas and Goodwill Temporary Services, Inc.

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

27. Receive briefing and take appropriate action regarding report of eminent domain authority required by Section 2206.101 of the Texas Government Code. (May also be taken into Executive Session Pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

RESULT: POSTPONED **Reset for: 11/20/2012**

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. Consider and take appropriate action on a counter-offer received by Travis County from Quarry Lot 8, Ltd. for sale of various parcels of property needed for right-of-way and associated

easements, and required for transportation-related improvements planned as part of the Slaughter Lane (East) Roadway Improvement Project in Precinct Four. (Commissioner Gomez) ²

Judge Biscoe announced that Item 28 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: Reject counter offer.
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

29. Consider and take appropriate action on a counter-offer received by Travis County from Dannelly Tract, Ltd. for sale of various parcels of property needed for right-of-way and associated easements, and required for transportation-related improvements planned as part of the Slaughter Lane (East) Roadway Improvement Project in Precinct Four. (Commissioner Gomez) ²

Judge Biscoe announced that Item 29 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: Reject counter offer.
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

30. Consult with County Attorney and take appropriate action regarding requirements of Internal Revenue Code related to reporting income related to benefits for certain dependents. ¹

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **DISCUSSED**

31. Consider and take appropriate action on an offer from the City of Austin to acquire an electric transmission easement across the East Command Center tract in Precinct One. ^{1 and 2}

RESULT: **POSTPONED** **Reset for: 11/20/2012**

32. Consult with County Attorney and take appropriate action regarding the appeal of the Texas Commission on Environmental Quality's decision to issue a permit to Waste Management of Texas, Inc. for the expansion of the Austin Community Landfill. ¹

Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **DISCUSSED**

33. Consultation with County Attorney and take appropriate action regarding roles and responsibilities of County Auditor and Commissioners Court on accounting and audit services and County programs, including a revised job description. ¹

Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: POSTPONED

34. Consider and take appropriate action on a request from Texas Department of Transportation for County to become a participating agency in the development of the EIS on U.S. Highway 290/State Highway 71 West from State Loop 1 (Mopac) to Ranch-to-Market Road 1826 in Travis County, Texas. ¹

Judge Biscoe announced that Item 34 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: Approve the request and designate Jon White, Natural Resource Environmental Quality Division Director, TNR and Steve Manilla, County Executive, TNR as the County representatives.

RESULT: APPROVED [3 TO 0]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSTAIN: Margaret J. Gómez

ABSENT: Karen L. Huber

35. Consult with County Attorney and take appropriate action in cause No. D-1-GN-11-001312, Merilee Peterson v. Travis County, Texas, et al., in the 250th Judicial District, Travis County Texas. ¹

Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve a settlement offer of a top number of \$100,000 and the authorization for the County Attorney's Office to begin the hiring process of experts.

RESULT: APPROVED [3 TO 0]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSTAIN: Margaret J. Gómez

ABSENT: Karen L. Huber

36. Consider and take appropriate action regarding amendments to real estate contract with D2000. ^{1 and 2}

Judge Biscoe announced that Item 36 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: Approve the amendments to the contract proposed and recommended by Staff.

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

37. Consult with County Attorney and take appropriate action on amendments to Slaughter Lane Participation Agreement. ¹

RESULT: NOT NEEDED

38. Consider and take appropriate action regarding security coverage at 5501 Airport Boulevard, Austin. ^{1 and 4}

Judge Biscoe announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.076, Security.

MOTION: Approve the recommended temporary resolution at a cost of \$137,560 funded from the Allocated Reserve.

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

Consent Items

Members of the Court heard from:

Will McCloud, Travis County Resident

Steven Manilla, County Executive, TNR

MOTION: Approve the following Consent Items: C1–C2, 6, 7, 8, 9, 10, 11, 13, 15.a–b, 16, 17, 18, A1.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

1. Receive bids from County Purchasing Agent.
2. Approve payment of claims and authorize County Treasurer to invest County funds.

Added Items

1. Consider and take appropriate action to approve Amendment Number One to Decker Lake Road amended and restated Participation Agreement. (Commissioner Davis)

RESULT: ADDED TO CONSENT

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, November 20, 2012 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 20, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, 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	Absent

Citizens Communication

Members of the Court heard from:

Kristina Kubeck, Walnut Place Neighborhood Association
Joyce Thoreson, President, Walnut Place Neighborhood Association
Stacey Scheffel, Program Manager, On-site Sewage Facilities, Transportation and Natural Resources (TNR)
Anna Bowlin, Program Manager, Planning and Engineering, TNR

Clerk's Note: Commissioner Eckhardt noted that the Save Barton Creek Association presented Travis County TNR with a "Public Servants Protecting Our Water" award.

Special Item

1. 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 remains in place.

Resolutions and Proclamations

2. Consider and take appropriate action on Resolution recognizing the Simpson United Methodist Church for 16 years of dedicated service, mentoring and support of Travis County and the Adult Drug Diversion Program.

Members of the Court heard from:

Dr. Geraldine Nagy, Community Supervision and Corrections Director, Adult Probation

Sharon Caldwell-Hernandez, Program Administrator, Social Services. Pretrial Services
Irma Valdez, Former program participant

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

Transportation and Natural Resources Dept. Items

3. Consider and take appropriate action on the acceptance of the dedication of the public street and drainage facilities within Gaston-Sheldon Subdivision, Section Five in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

4. Consider and take appropriate action on the satisfactory completion of construction of the private streets in Tierra Vista, in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

5. Consider and take appropriate action on a request for a variance to County on-site sewage facility regulations to allow a second single family residence to be placed on less than two acres at 9415 Rodriguez Road, Austin. (Commissioner Gómez)

Judge Biscoe announced that Item 5 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Stacey Scheffel, Program Manager, On-site Sewage Facilities, TNR
John Hille, Assistant County Attorney
Brandon Couch, Engineering Associate, TNR
Toby Rocha, Engineer representing the applicants

MOTION: Follow Staff recommendations and grant the request and authorize Staff to further negotiate with the homeowners on an acceptable volume of sewage.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

Planning and Budget Dept. Items

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

RESULT: ADDED TO CONSENT

7. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
 - a. Annual Contract with the University of North Texas to continue the Seniors and Volunteers for Childhood Immunization Program in Health and Human Services and Veterans Service Department;
 - b. Annual Contract with the Corporation for National and Community Service with funds originating from the Texas Department on Aging and Disability Services for Health and Human Services and Veterans Service to receive operating resources to continue the Coming of Age Program;
 - c. Annual contract with the Texas Department of Housing and Community Affairs to receive U.S. Department of Energy funds for the Weatherization Assistance Program in the Health and Human Services Department; and
 - d. Annual contract with Atmos Energy Corporation to continue the Share the Warmth Program through the Health and Human Services Department.

RESULT: ADDED TO CONSENT

8. 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 \$2,004,819.80 for the period of November 2 to November 8, 2012.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on proposed defeasance of County debt related to Proposition Three – SH45 North and FM 1826 right-of-way projects approved as part of the 2001 bond election.

Members of the Court heard from:

Jessica Rio, Budget Director, Planning and Budget Office (PBO)
 Glen Opel, Bond Counsel, Bracewell & Giuliani
 Ladd Pattillo, Travis County Financial Advisor
 Steve Manilla, County Executive, TNR

MOTION: Authorize Staff to work with the appropriate individuals at the County and outside, including the engagement of a verification agent and an escrow agent, to put together an appropriate order for the Court to consider Tuesday, November 27, 2012, which will allow Travis County to defease part of the debt.

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

11. Consider and take appropriate action on request to approve broker/dealer applicants for conducting investment business with Travis County.

Members of the Court heard from:

Debbie Laudermilk, Investment Manager, Cash/Investment Management

MOTION: Approve Item 11.
RESULT: **APPROVED [2 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt
ABSTAIN: Ron Davis
ABSENT: Karen L. Huber, Margaret J. Gómez

12. Consider and take appropriate action regarding the draft economic development incentive policy for Travis County. (May also be taken into Executive Session pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

Members of the Court heard from:

Leslie Browder, County Executive, PBO
Paul Saldano, Minority Trade Association
Phil Thoden, President, Austin Chapter, Associated General Contractors of America
Phillip Lawhon, Electrician's Union
Juanna Silva, Construction Worker
Gregorio Casar, Workers Defense Project
Brian Gassaro, Construction Worker
Dave Porter, Greater Austin Chamber of Commerce
Mary Etta Gerhardt, Assistant County Attorney

RESULT: **DISCUSSED**

Reset for: 11/27/2012

Purchasing Office Items

13. Approve order exempting the purchase of Honda motorcycle OEM parts and service from Kent Powersports of Austin from the competitive procurement process pursuant to Section 262.024 (A)(7)(D) and Section 262.024 (A)(11) of the County Purchasing Act.

RESULT: **ADDED TO CONSENT**

14. Approve order exempting the purchase of Allis Chalmers construction equipment, Fiat-Allis, Bomag, Hyster compaction equipment, Tiger Mowers, Laymor, Cedarapids, Liu Gong, Grove Cranes, National Boom Trucks and Kobelco Crane, original equipment manufacturer (OEM) parts and service from Anderson Machinery Austin, Inc. from the competitive procurement process pursuant to Section 262.024 (A)(7)(D) and Section 262.024 (A)(11) of the County Purchasing Act.

RESULT: **ADDED TO CONSENT**

15. Approve contract awards for sheriff uniforms, IFB No. 120219-LD, to the low responsive bidders:
 - a. Miller Uniforms, all line items in Groups A through M, V, X, Z, AA, BB, Line Items 33-01, 33-02; and
 - b. GT Distributors, Groups S, T, U, W and Line Item 34-01.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent

Maria Wedhorn, Financial Analyst, Travis County Sheriff's Office (TCSO)
Eric Miller, Sales Representative, Fechheimer
Samantha Peterman, Accounting Clerk, TCSO

RESULT: DISCUSSED

Reset for: 11/27/2012

Other Items

16. Consider and approve authorizing Travis County Sheriff to sign and execute a Memorandum of Understanding with the Texas A&M Forest Service relating to participation in the state-wide Regional Incident Management Team.

RESULT: ADDED TO CONSENT

17. Receive briefing and take appropriate action regarding report of eminent domain authority required by Section 2206.101 of the Texas Government Code. (May also be taken into Executive Session Pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

Judge Biscoe announced that Item 17 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
Kevin Morse, Assistant County Attorney

MOTION: Authorize the County Judge to sign and send to the appropriate State agency on behalf of the Commissioner Court the requested form regarding eminent domain authority at Travis County pursuant to State law.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

18. Consider and take appropriate action on changes to the conflict of interest statement required of applicants for the Travis County appointment to the Central Health Board of Managers.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Approve Item 18.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

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

19. Consider and take appropriate action regarding roles and responsibilities of County Auditor and Commissioners Court on accounting and audit services and County programs, including a revised job description. ¹

RESULT: NOT NEEDED

20. Consider and take appropriate action regarding:

- a. Requirements of the Internal Revenue Code related to reporting income related to benefits for certain dependents; and

Judge Biscoe announced that Item 20.a 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: Authorize the County Attorney to negotiate an appropriate contract with the attorney Robert Reetz, with funding to come from the Allocated Reserve if the County Attorney does not have the necessary funds in his budget.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

- b. The amount at which non-monetary compensation is valued pursuant to Texas Government Code Section 841.001(6) in relation to the contributions by employees with imputed income to the Texas County and District Retirement System. ¹

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

RESULT: DISCUSSED

Reset for: 11/27/2012

21. Consider and take appropriate action on amendments to Slaughter Lane Participation Agreement, and 2011 Bond Project guidelines for public/private partnerships. ¹

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

Members of the Court heard from:
Tom Nuckols, Assistant County Attorney

MOTION: Approve the proposed amendment which is a Performance Deed of Trust on the construction of Vertex Boulevard and the performance deed be substituted for what is usually is fiscal security. Authorize the County Judge to sign the papers when ready. In lieu of the foregoing cost sharing, the County and a private or public partner may agree that the County will make certain improvements to County maintained transportation facilities in

exchange for the partner making certain improvements to related non-county public transportation facilities. The improvements must combine to provide enhanced level of service, safety, congestion relief, or access to schools, parks, affordable housing, transit oriented development, alternative transportation modes, or similar community benefits. The level of each party's contribution to the project must be proportionate to the level of enhancement it contributes to overall project functionality. The private or public partner's improvements need not be to facilities in the current CAMPO Plan.

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

Clerk's Note: The Court that noted by approving the above Motion the Court has amended the 2011 guidelines for public/private partnerships for transportation projects.

22. Consider and take appropriate action in Lippincott Capital. Ltd. vs. Travis County, et al; cause No. D-1-GN-12-003224. ¹

Judge Biscoe announced that Item 22 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Accept settlement offer by Plaintiff Lippincott (as memorialized in the proposed settlement agreement). where the plaintiff agrees to:

- o Pay to Travis County \$2,400.00 in application fees
- o Pay to Travis County \$5,000.00 in costs
- o File the Restated or Amended declaration with agree terms including the OSSFs sewage licenses being maintained and controlled by the Association and notice to Travis County of any relevant amendments to the Declaration
- o Plaintiff will non-suit of Travis County, and
- o Travis County will file a Release of Notice

The Motion also:

- o Authorizes County Judge Biscoe to sign the settlement agreement on behalf of Travis County, and
- o Authorizes Stacey Scheffel, Program Manager, On-site Sewage Facilities, TNR to sign the Release of Notice filed on behalf of Travis County.

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

23. Consider and take appropriate regarding lease agreement with Bruce Lipshy for 700 Lavaca, Suite 405. ^{1 and 2}

Judge Biscoe announced that Item 23 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: Authorize the filing of an appropriate lawsuit, and taking the appropriate steps to collect on any judgment.
RESULT: APPROVED [UNANIMOUS]
MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

24. Receive briefing and take appropriate action regarding Travis County Chapter 9 and 10 – Investigation – HRMD. ¹

Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

Consent Items

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 3, 4, 6, 7.a–d, 8, 9, 13, 14, and 16.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. 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



Minutes for the Travis County Commissioners Court Tuesday, November 27, 2012 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 27, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputy Chasity Sandoval.

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:

Charlotte Ready, Granada Hills Resident
Bruce Felder, Developer, Granada Hills Subdivision
Bill Staten, Travis County Resident
Patricia Garrett, Travis County Resident
Steve Manilla, County Executive, Transportation & Natural Resources (TNR)
Gus Peña, Travis County Resident
Anna Bowlin, Engineering Services Director, TNR
Stacey Scheffel, Permit Program Manager, TNR
Dr. John K. Kim, Travis County Resident
Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)

Special Item

1. 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 remains in place.

Health and Human Services Dept. Items

2. Consider and take appropriate action on items related to the Program Year 2011 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant provided by HUD:
 - a. Summary of the Annual Performance Report; and

- b. Draft of the Program Year 2011 Consolidated Annual Performance Evaluation Report to post for public comment.

Members of the Court heard from:

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

MOTION: Approve the draft Annual Performance Evaluation Report in Item 2.b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

3. Receive update on Children's Optimal Health and take appropriate action.

Members of the Court heard from:

Maureen Britton, Executive Director, Children's Optimal Health (COH)
Sherri Fleming, County Executive, TCHHS&VS
Dr. Susan Millea, Community GIS Facilitator, COH
Ashton Cumberbatch, Jr., Vice President, Advocacy and Community Relations, Seton Healthcare Family
Gus Peña, Travis County Resident

RESULT: **DISCUSSED**

Planning and Budget Dept. Items

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

Members of the Court heard from:

Jessica Rio, Budget Director, Planning and Budget Office (PBO)

MOTION: Approve Item 4 A1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

MOTION: Approve Item 4 T1.
RESULT: **ADOPTED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

MOTION: Approve Item 4 O1.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

Clerk's Note: Please note that for this Item, references to A1, T1, and O1 refer to numbered items in separate budget document, not these minutes. See supporting documentation.

5. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- a. Annual application to the Task Force on Indigent Defense to continue the Formula Grant – Indigent Defense Grant Program in the criminal courts;

RESULT: ADDED TO CONSENT

- b. New application to the Meadows Foundation for a Juvenile Probation Pre-Doctoral Psychology Internship Program;

RESULT: POSTPONED **Reset for: 12/4/2012**

- c. Annual Contract with the Department of Health and Human Services for Substance Abuse and Mental Health Services Administration to continue the federally funded portion of the Driving While Intoxicated Court Program managed by the Community Supervision and Corrections Department;

RESULT: ADDED TO CONSENT

- d. Annual Contract with the United States Department of Justice, Bureau of Justice Assistance, to continue the State Criminal Alien Assistance Program in the Travis County Sheriff's Office; and

Members of the Court heard from:
Travis Gatlin, Senior Budget Analyst, PBO

Clerk's Note: The Court approved Item 5.d without objection, with Commissioner Margaret J. Gómez abstaining. The Court also noted that Commissioner Margaret J. Gómez objects to the use of the word "alien" in the grant paperwork.

- e. New Contract to accept the "2012 Remembering When" grant from the National Fire Protection Association for the Fire Marshall's Office in Emergency Services.

RESULT: ADDED TO CONSENT

6. 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 \$856,605.61 for the period of November 9 through November 15, 2012.

RESULT: ADDED TO CONSENT

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

- a. Proposed routine personnel amendments;
- b. Non-routine request from Tax Assessor-Collector's Office for a variance to Travis County Code Section 10.03009, Voluntary Job Change; and
- c. Non-routine request from Constable Precinct Two for a variance to Travis County Code Section 10.0295, Peace Officer Pay Scale.

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on an order authorizing the defeasance of certain outstanding tax-supported bonds issued by Travis County, Texas; authorizing the execution and delivery of an escrow agreement; and enacting other provisions relating thereto.

RESULT: POSTPONED

Reset for: 12/4/2012

9. Consider and take appropriate action regarding the draft economic development incentive policy for Travis County.

Members of the Court heard from:

Leslie Browder, County Executive, PBO
Mary Etta Gerhardt, Assistant County Attorney
Philip Lawhon, Representative, International Brotherhood of Electrical Workers (IBEW)
Unidentified speaker
Dave Porter, Greater Austin Chamber of Commerce
Gus Peña, Travis County Resident
Daniel Bradford, Assistant County Attorney

MOTION: Approve Item 9.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Purchasing Office Items

10. Approve Modification No. 5 to Contract No. 4400000094 (H.T.E. Contract No. 10T00142NB), Garratt Callahan Company for additional water treatment services to the SMART Facility.

RESULT: ADDED TO CONSENT

11. Approve Contract Awards for drug and alcohol testing services, RFS# 1208-005-ML, to the following:
- a. Arcpoint Labs of Austin;
 - b. Phamatech Laboratories;
 - c. Source 1 Solutions;
 - d. Promed Medical Care Center;
 - e. Concentra Health Services, Inc; and
 - f. Proresults.

RESULT: ADDED TO CONSENT

12. Approve Contract Award for Travis County Correctional Complex Building 140 roof replacement, IFB No. 1210-001-PS, to the low bidder, QA Construction Services, Inc.

RESULT: ADDED TO CONSENT

13. Approve Contract Award for Slaughter Lane Goodnight Phase I Project, IFB No. B1208-004-JW, to the low bidder, DNT Construction, LLC.

RESULT: ADDED TO CONSENT

14. Authorize Purchasing Agent to commence negotiations with the most highly qualified firm, LJA Engineering, Inc. for engineering services in response to RFQ No. Q120156-JW, FM 969 Improvements Project.

RESULT: ADDED TO CONSENT

15. Authorize Purchasing Agent to commence negotiations with the most highly qualified firm, Klotz Associates, Inc. for engineering services in response to RFQ No. Q120157-JW, FM 1626 Improvements Project.

RESULT: ADDED TO CONSENT

16. Approve FY2013 Renewal (Modification No. 8) to Interlocal Agreement No.4400000367 (H.T.E. Contract No. IL060040RE), Austin Community College, for early childhood mentoring (Teacher TRAC).

RESULT: ADDED TO CONSENT

17. Approve twelve-month extension (Modification No. 12) to Contract No. 4400000011 (H.T.E. Contract No. 03T00058OJ), Alliance Work Partners, for the employee assistance program for Travis County employees.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

18. Consider and take appropriate action on requests to approve the following:
- a. An Advance Funding Agreement with Texas Department of Transportation for Circle Drive at US 290 Intersection Improvements Project; and
 - b. A Resolution supporting the Advance Funding Agreement with Texas Department of Transportation for intersection improvements at Circle Drive at US 290. (Commissioner Huber)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on the following requests:
- a. Web-based opinion survey on water supply issues; and
 - b. A formal request by Commissioners Court for local agencies to participate in the web-based survey.

Members of the Court heard from:
Steve Manilla, County Executive, TNR

RESULT: DISCUSSED

Other Items

20. 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

21. Consider and take appropriate action regarding the transfer of District Attorney's Office and County Attorney's Office Family Violence Protection Team Grant Positions to the general fund.

Members of the Court heard from:

Rosemary Lehmborg, Travis County District Attorney
David Escamilla, Travis County Attorney
Katie Peterson, Senior Budget Analyst, PBO
Jessica Rio, Budget Director, PBO

MOTION: Approve Item 21.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Consider and take appropriate action on the Chapter 59 Asset Forfeiture Report by Law Enforcement Agency (Texas Office of Attorney General Filing). (Sheriff's Office)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action on the Equitable Sharing Program Compliance Notice for Federal Forfeitures (U.S. Department of Justice Filing) (Sheriff's Office)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action regarding the following Phase II SAP implementation recommendations:

- a. Change in timekeeping process for exempt employees; and
- b. Timing of employee payroll deductions for health and other insurance.

Members of the Court heard from:

Nicki Riley, Travis County Auditor
Diane Poirot, Director, Human Resources Management Department (HRMD)
Christina Adair, Project Manager, SAP Implementation

MOTION: Approve Items 24.a–b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

25. Consider and approve reimbursement of actual moving expenses of up to \$5,000 for the new employee who will fill slot 138 in ITS Department (SAP developer)

Members of the Court heard from:

Christina Adair, Project Manager, SAP Implementation
Diane Poirot, Director, HRMD
Katie Peterson, Senior Budget Analyst, PBO

MOTION: Approve Item 25.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

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. Consider and take appropriate action on an offer from the City of Austin to acquire an Electric Transmission Easement across the East Command Center Tract in Precinct One.
(Commissioner Davis) ^{1 and 2}

Judge Biscoe announced that Item 26 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 and grant easement in exchange for \$48,312.00 paid to Travis County.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

27. Consider and take appropriate action regarding:
- a. Requirements of the internal revenue code related to reporting income related to benefits for certain dependents; and
 - b. The amount at which non-monetary compensation is valued pursuant to Texas Government Code Section 841.001(6) in relation to the contributions by employees with imputed income to the Texas County and District Retirement System.

Judge Biscoe announced that Item 27 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

RESULT: POSTPONED

Reset for: 12/4/2012

28. Consider and take appropriate action on an offer-to-sell parcels #4 and #4e from Butler Broadcasting Co., Ltd. for right-of-way in the Wells Branch Parkway Improvement Project (CIP Bond Program) located in Precinct Two. (Commissioner Eckhardt)^{1 and 2}

Judge Biscoe announced that Item 28 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 from Butler Broadcasting Co., Ltd. to sell the two parcels for \$2,250.00.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Ron Davis Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

29. Receive briefing from County Attorney in Travis County, et al v. Mozell Swist (Ira Strange, Jr. resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Ira Strange, Jr. who has paid Travis County the sum of \$6,200.00, in cash.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

30. Receive briefing from County Attorney in Travis County, et al v. Roy G. and Vivian F. Forte (Debra Dozier resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Debra Dozier who has paid Travis County the sum of \$2,500.00 for lot 3306 Bar K Ranches Plat Number 3.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

31. Receive briefing from County Attorney in Travis County, et al v. Debra Ford and Joseph Reid (Debra Dozier resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Debra Dozier who has paid Travis County the sum of \$4,500.00 for lot 3269 Bar K Ranches Plat Number 3.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

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

32. Receive briefing from County Attorney in Travis County, et al v. James Capital Corp. (Debra Dozier resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Debra Dozier who has paid Travis County the sum of \$2,500.00 for lot 3008 Bar K Ranches Plat Number 3.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

33. Receive briefing from County Attorney in Travis County, et al v. Juan Vasquez and Bicenta Vasquez (Candelaria Calderon resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Candelaria Calderon who has paid Travis County the sum of \$11,777.00, in cash.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

34. Consider and take appropriate action on economic development agreement with Austin Executive Airport.¹

Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **POSTPONED**

Reset for: 12/4/2012

Consent Items

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 5.a, 5.c, 5.e, 6, 7.a–b, 10, 11.a–f, 12, 13, 14, 15, 16, 17, 18.a–b, 20, 22, 23.

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, December 18, 2012 to 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 1471 and 1472 of Apache Shores, Section Three amended -Precinct Three. (Commissioner Huber)

- C4. Approve setting a public hearing on Tuesday, December 18, 2012 to 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 43 and 44 of Cardinal Hills Estates Unit 14 -Precinct Three. (Commissioner Huber)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, December 4, 2012 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 December 4, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputies Gillian Porter and Robert Resnick

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 public comments regarding the Program Year 2011 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant Provided by HUD.

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

Members of the Court heard from:
Christy Moffet, Planning Project Manager, Travis County Health and Human Services
(TCHHS)

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

Citizens Communication

Members of the Court heard from:
Gus Peña, Travis County Resident
Robert Teaford, Travis County Resident
Dr. John K. Kim, Travis County Resident
Donna Stirman, Senior Risk Safety Specialist, Human Resources Management Department
(HRMD)
Zetta Garnet, Senior Benefits and Wellness Specialist, HRMD

Special Items

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

RESULT: DISCUSSED

Reset for: 12/11/2012

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

Planning and Budget Dept. Items

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

RESULT: ADDED TO CONSENT

4. Consider and take appropriate action on an order authorizing the defeasance of certain outstanding tax-supported bonds issued by Travis County, Texas; authorizing the execution and delivery of an escrow agreement; and enacting other provisions relating thereto.

Members of the Court heard from:

Jessica Rio, Budget Manager, Planning and Budget Office (PBO)

Glenn Opel, Bracewell & Giuliani, Travis County Bond Counsel

MOTION: Approve Item 4.

RESULT: **APPROVED [4 TO 0]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

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

ABSTAIN: Ron Davis

5. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- a. New application to the Meadows Foundation for a Juvenile Probation Pre-Doctoral Psychology Internship Program;

- b. Contract amendment to the Texas Department of Housing and Community Affairs to amend the budget for the Comprehensive Energy Assistance Program in Health and Human Services Department;

- c. Grant Contract amendment with the Texas Department of Agriculture for the National School Lunch/School Breakfast Program managed by the Juvenile Probation Department to add a new authorized representative to the grant's certificate of authority.

RESULT: ADDED TO CONSENT – is this an orphan?

6. 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 \$1,140,771.38 for the period of November 16 to November 22, 2012.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on request to proceed with the demolition of the building and associated underground storage tanks at 5325 Airport Boulevard, Austin. (Facilities)

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

9. Consider and take appropriate action on the Mutual Agreements to terminate the 1992 Mutual Aid Agreements between Travis County and the cities of Creedmoor and Sunset Valley.

RESULT: ADDED TO CONSENT

Purchasing Office Items

10. Approve contract awards for sheriff uniforms, IFB No. 120219-LD, to the low responsive bidders:
 - a. Miller Uniforms, all line items in Groups A through M, V, X, Z, AA, BB, Line Items 33-01, 33-02; and
 - b. GT Distributors, Groups S, T, U, W and Line Item 34-01.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Paul Matthews, Financial Manager, Travis County Sheriff's Office (TCSO)
Darren Long, Major, TCSO
Jim Sylvester, Chief Deputy, TCSO
Bonnie Alcorn, Supply Officer, TCSO

MOTION: Approve Staff recommendations in Items 10.a–b.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

11. Approve Contract No. 4400001197, Chardonnay Poole, PsyD., CCTP, to provide trauma focused therapy for youth referred from the COPE Mental Health Court and Crossover Unit.

RESULT: ADDED TO CONSENT

12. Approve Contract No. 4400001198, Sylvan J. Fluharty, MS-ATR, to provide art therapy for youth referred from the COPE Mental Health Court and Crossover Unit.

RESULT: ADDED TO CONSENT

13. Approve Contract No. 4400001200, Orion Research and Management Services, for wildlife management services.

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)

MOTION: Approve Item 13.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Transportation and Natural Resources Dept. Items

14. Consider and take appropriate action to approve a Possession and Use Agreement between Frederic A. Bittner, owner, and Travis County regarding Parcel 2 of the Jesse Bohls Road and Bridge Improvement Project. (Commissioner Davis)

RESULT: ADDED TO CONSENT

15. Consider and take appropriate action to approve a Possession and Use Agreement between Allen Wayne Vorwerk, owner, and Travis County regarding Parcels 1 and 1E of the Jesse Bohls Road and Bridge Improvement Project. (Commissioner Davis)

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action to approve a License Agreement for Violet Crown Sports Association to hold a bike race at Webberville Park. (Commissioner Davis)

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action on proposed revisions to the 2005 Guidelines for Public/Private Partnerships. (Commissioner Gómez)

Members of the Court heard from:
Steve Manilla, County Executive, TNR

MOTION: Approve Item 17.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

18. Consider and take appropriate action on the following requests:

- a. Web-based opinion survey on water supply issues; and
- b. A formal request by Commissioners Court for local agencies to participate in the web-based survey.

Members of the Court heard from:
Steve Manilla, County Executive, TNR
Tom Weber, Environmental Program Manager, TNR

MOTION: Conduct a hybrid survey.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed conducting a "hybrid" survey, with the option to answer specific or general questions.

19. Consider and take appropriate action on various issues pertaining to County transportation facilities in the vicinity of Circuit of the Americas, including an amendment to the Kellam Road real estate contract and acceptance of Kellam Road for County maintenance in Precinct Four. (Commissioner Gómez)

Judge Biscoe announced that Item 19 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Tom Nuckols, Assistant County Attorney
David Greear, Senior Engineer, TNR
Jerry Harris, Circuit of the Americas (COTA)

MOTION: Approve Issues 1-5, as set forth in the memo from TNR Staff, and draft a contract as prepared by the County Attorney's office.
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner

Clerk's Note: The Court did not take a Vote on the Standing Motion at this time.

FRIENDLY

AMENDMENT: Accept the part of Kellam Road as discussed and to authorize the County Judge to sign an agreement plus an acceptance document on behalf of the Commissioners Court.

MOVER: Samuel T. Biscoe, Judge

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

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

Add space

RESULT: **APPROVED [UNANIMOUS]**

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Health and Human Services Dept. Items

20. Consider and take appropriate action on request from Travis County Health and Human Services and Veterans Services to pay a \$500 invoice for training.

RESULT: **ADDED TO CONSENT – is this an orphan**

21. Consider and take appropriate action regarding a request to appoint Travis County residents to the Joint Subcommittee's Family and Children School Task Force.

Members of the Court heard from:

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

MOTION: Approve Item 21.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Other Items

(This item to be taken up at 1:30 p.m.)

22. Consider and take appropriate action on request from Travis County District and County Judges to support the creation of two additional criminal courts in the upcoming 83rd legislative session, including
- a. A report on projected need for additional criminal courts; and
 - b. A report on the fiscal impact of additional criminal courts.

Members of the Court heard from:

The Honorable Julie Kocurek, Judge, 390th District
Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Tonya Mills, Planning Manager, JPS
Leslie Browder, County Executive, PBO
Debra Hale, Court Coordinator, Criminal Courts
Leroy Nellis, Transition Budget Director, PBO
Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
John Hille, Assistant County Attorney
Susan Spataro, Travis County Resident

MOTION: Ask (reformat)The Honorable Julie Kocurek, Judge, 390th Districtand Deece Eckstein, Intergovernmental Relations Officer, IGR to meet with State Senator Kirk Watson and Representative Elliot Naishtat and inform them that the Commissioners Court is considering the creation of two new Criminal Courts, and try to figure out the best language for possible legislation to give Travis County complete discretion over implementation and bring it back to the Court for review, The Court is seeking language that ties implementation to the availability of funds.

MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner

MOTION

CLARIFICATION: This decision would be made in the light of all the County's mandated programs.

BY: Samuel T. Biscoe, Judge

RESULT: **APPROVED [4 TO 0]**

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

ABSTAIN: Margaret J. Gómez

Clerk's Note: The Court noted that this item will be brought back for consideration on Tuesday, December 11, 2012.

23. Receive update and take appropriate action on appointments to the following boards:
- a. Housing Authority of Travis County Board of Commissioners; and
 - b. Strategic Housing Finance Corporation Board of Directors.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Approve Staff recommendations for Item 23.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

24. Consider and take appropriate action on the non-disclosure agreement with the Conference of Urban Counties (CUC) Techshare for the Juvenile Case Management System.

MOTION: Approve Item 24.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

25. Approve extension of Bond from November 7 to December 31, 2012 for Judge of County Court at Law No. 8, the Honorable Carlos Humberto Barrera.

RESULT: **ADDED TO CONSENT**

26. Consider and take appropriate action regarding a contract for a disparity study to enforce Travis County Historically Underutilized Business Program policies. (Commissioner Davis and Commissioner Eckhardt) (This item may be taken into Executive Session under the Consultation with Attorney exception 551.071)

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:

Cyd Grimes, Travis County Purchasing Agent
Sylvia Lopez, Program Coordinator, HUB Program, Purchasing
Diana Ramirez, Budget Analyst, PBO

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

27. Consider and take appropriate action on economic development agreement with Austin Executive Airport.

Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann 551.087, Economic Development Negotiations.

MOTION: Reject the Economic Development Agreement with Austin Executive Airport.
RESULT: **APPROVED [3 TO 2]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Karen L. Huber
NAYS: Samuel T. Biscoe, Margaret J. Gómez

28. Consider and take appropriate action on an exemption to subdivision platting for a 1.156 acre tract in Precinct Three.

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

MOTION: Deny the request for an exemption.
RESULT: **APPROVED [4 TO 0]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

29. Receive briefing from County Attorney and take appropriate action regarding claim by Sadd Jackson against Travis County.

Judge Biscoe announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Reject the offer to settle.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

30. Consider and take appropriate action regarding:

- a. Requirements of the internal revenue code related to reporting income related to benefits for certain dependents; and
- b. The amount at which non-monetary compensation is valued pursuant to Texas Government Code Section 841.001(6) in relation to the contributions by employees with imputed income to the Texas County and District Retirement System.

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve a one-time compensation adjustment for employees affected by dependent benefits income in 2012 and that the source of funding would be from Allocated Reserve.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 3, 5.a–c, 6, 7, 8, 9, 11, 12, 14, 15, 16, 20, 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.

Added Items

- A1. Approve setting a public hearing on Tuesday, February 12, 2013 to consider the petition to create Travis County Emergency Services District 2A and the feasibility of the district and authorize sending the board of Travis County Emergency Services District 2 a copy of the petition.

RESULT: **POSTPONED** **Reset for: 12/11/2012**

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge