

## **MINUTES OF MEETING MAY 14, 2010**

### **TRAVIS COUNTY COMMISSIONERS' COURT**

On Friday, the 14<sup>th</sup> day of May 2010, the Commissioners' Court convened the Special Voting Session at 11:36 AM in the Commissioners' Courtroom, 1<sup>st</sup> Floor of the Ned Granger Administration Building, 314 West 11<sup>th</sup> Street, Austin, Texas. Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

The Commissioners Court record notes that Precinct Four Commissioner Margaret Gómez was not present during this Voting Session.

The Commissioners Court adjourned the Voting Session at 11:52 AM.

### **CITIZENS COMMUNICATION**

**Members of the Court heard from:** Mandy Dealey, President, Heritage Society of Austin. (11:36 AM)

**CONSENT ITEMS**

**Members of the Court heard from:** Danny Hobby, Executive Manager, Travis County Emergency Services; Sherri Fleming, Executive Manager, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS); and Steve Capelle, Senior Chief Deputy, Travis County Attorney's Office.

**Motion by** Commissioner Davis **and seconded by** Commissioner Huber to approve the following Consent Items: C1-C3 and Items 1, 2, 3.A&B, 4, 5, 6, 7, 9.A&B, 10, 11, 12.A-C, 13, and 15. (11:38 AM)

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE MINUTES FOR VOTING SESSION OF APRIL 27, 2010.

**PLANNING AND BUDGET DEPT. ITEMS**

- 1. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS. (11:38 AM)

**Clerk's Note:** Item 1 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**ADMINISTRATIVE OPERATIONS ITEMS**

2. 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 \$576,874.07 FOR THE PERIOD OF APRIL 30 TO MAY 6, 2010. (11:38 AM)

**Clerk's Note:** Item 2 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

3. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:  
(11:38 AM)

A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND

B. NON-ROUTINE REQUEST FROM COMMISSIONER PRECINCT ONE FOR A VARIANCE TO TRAVIS COUNTY CODE CHAPTER 10.03002, GENERAL OVERVIEW FOR DETERMINING PAY POLICY.

**Clerk's Note:** Items 3.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

4. CONSIDER AND TAKE APPROPRIATE ACTION ON REQUEST FROM THE JUVENTUD MISIONERA YOUTH GROUP FOR RETURN OF THEIR DEPOSIT OF \$562.00 FOR AN EVENT THAT WAS PLANNED TO BE HELD AT THE EXPOSITION CENTER. (11:38 AM)

**Clerk's Note:** Item 4 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**JUSTICE AND PUBLIC SAFETY ITEMS**

5. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING ORDER TO ADOPT THE 2009 INTERNATIONAL FIRE CODE FOR UNINCORPORATED TRAVIS COUNTY, EFFECTIVE JUNE 1, 2010. (11:38 AM)

**Clerk's Note:** Item 5 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

## PURCHASING OFFICE ITEMS

6. REJECT PROPOSALS RECEIVED FOR RFP NO. P1000004-LC, INTERACTIVE VOICE RESPONSE SYSTEM FOR THE I-JURY OFFICE. (11:38 AM)

**Clerk's Note:** Item 6 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

7. APPROVE MODIFICATION NO. 1 TO INTERLOCAL AGREEMENT NO. IL090291RE, DEL VALLE INDEPENDENT SCHOOL DISTRICT, CARE COORDINATOR SERVICES. (11:38 AM)

**Clerk's Note:** Item 7 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

8. APPROVE EXEMPTION ORDER AND CONTRACT AWARD FOR DEPENDENT ELIGIBILITY AUDIT SERVICES TO SAGEBRUSH SOLUTIONS. (11:36 AM)

Item 8 postponed.

## TRANSPORTATION AND NATURAL RESOURCES DEPT. ITEMS

9. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING: (11:38 AM)
  - A. AMENDMENTS TO THE LEASE AGREEMENT BETWEEN TRAVIS COUNTY AND THE YMCA FOR OPERATION AND MANAGEMENT OF THE EAST METRO PARK POOL COMPLEX; AND
  - B. AMENDMENTS TO THE USE, OPERATION AND MAINTENANCE AGREEMENT BETWEEN TRAVIS COUNTY, CONTINENTAL HOMES OF TEXAS, L.P. AND THE BRIARCREEK OWNERS ASSOCIATION. (COMMISSIONER DAVIS)

**Clerk's Note:** Item 9.A&B approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

10. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE ONLY FROM TITLE 30, CITY OF AUSTIN/TRAVIS COUNTY SUBDIVISION REGULATIONS SECTION 30-3-191, SIDEWALKS (REQUIRES THE INSTALLATION OF SIDEWALKS FOR ALL NEW SUBDIVISIONS) FOR THE PARK 130 PRELIMINARY PLAN. (COMMISSIONER DAVIS) (11:38 AM)

**Clerk's Note:** Item 10 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

11. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST FOR A VARIANCE ONLY FROM TITLE 30, CITY OF AUSTIN/TRAVIS COUNTY SUBDIVISION REGULATIONS SECTION 30-3-191, SIDEWALKS (REQUIRES THE INSTALLATION OF SIDEWALKS FOR ALL NEW SUBDIVISIONS) FOR THE ELM CREEK CENTRE PRELIMINARY PLAN. (COMMISSIONER DAVIS) (11:38 AM)

**Clerk's Note:** Item 11 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

12. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS REGARDING THE PROPOSED ACQUISITION OF CERTAIN REAL PROPERTY BY AUSTIN HABITAT FOR HUMANITY PURSUANT TO A CONTRACT AS A PART OF THE TRAVIS COUNTY 2006, 2007 AND 2008 COMMUNITY DEVELOPMENT BLOCK GRANT PLAN: (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (11:38 AM)
  - A. REQUEST TO APPROVE JUNE 12, 2010 THROUGH JULY 12, 2010 AS THE 30-DAY PUBLIC COMMENT PERIOD FOR THE PUBLIC TO REVIEW THE PROPOSED LOCATION;
  - B. REQUEST TO APPROVE A PUBLIC HEARING ON JUNE 22, 2010 TO RECEIVE COMMENT ON THE PROPOSED LOCATION;
  - C. REQUEST TO APPROVE THE ADVERTISEMENTS ANNOUNCING THE PUBLIC HEARING DATE AND THE 30-DAY PUBLIC COMMENT PERIOD TO BE PLACED IN NEWSPAPERS OF GENERAL CIRCULATION; AND

**Clerk's Note:** Items 12.A-C approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

12. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS REGARDING THE PROPOSED ACQUISITION OF CERTAIN REAL PROPERTY BY AUSTIN HABITAT FOR HUMANITY PURSUANT TO A CONTRACT AS A PART OF THE TRAVIS COUNTY 2006, 2007 AND 2008 COMMUNITY DEVELOPMENT BLOCK GRANT PLAN: (THIS ITEM MAY BE DISCUSSED IN EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY) (11:43 AM)

D. OTHER RELATED ITEMS.

**Clerk's Note:** The Court discussed a request from Staff that the County Judge be given authority to sign a Certificate of Exemption from environmental review for any consulting costs that are allowable to be exempted related to predevelopment. The cost of the consultant is anticipated to be about \$25,000.00, and will be funded from the grant funds allocated to this project.

**Members of the Court heard from:** Christy Moffett, Social Services Manager, Travis County Health and Human Services (TCHHS); Sherri Fleming, Executive Manager, TCHHS&VS.

**Motion by** Commissioner Davis **and seconded by** Commissioner Eckhardt to approve Item 12.D.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

## OTHER ITEMS

13. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY DATA REPORTING IMPROVEMENT PLAN AS REQUIRED BY HOUSE BILL 2730. (11:38 AM)

**Clerk's Note:** Item 13 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.

14. CONSIDER AND TAKE APPROPRIATE ACTION ON THE APPOINTMENT OF ALTERNATES FOR THE TRAVIS COUNTY APPOINTMENTS TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO) TRANSPORTATION POLICY BOARD. (COMMISSIONER HUBER) (11:48 AM)

**Clerk's Note:** The members of the Commissioners Court on the CAMPO Board read the names of their alternates into the record along with the alternates for the Travis County Representative:

- Judge Biscoe – Commissioner Sarah Eckhardt; and Commissioner Karen Huber
- Commissioner Eckhardt – Judge Sam Biscoe; Commissioner Karen Huber; Jeff Mills, Mayor, Sunset Valley or his successor; and Chris Riley, Council member, City of Austin
- Commissioner Huber – Commissioner Sarah Eckhardt; Jeff Mills, Mayor, Sunset Valley; and Judge Sam Biscoe
- County Representative Jeff Mills, Mayor, Sunset Valley – Commissioner Sarah Eckhardt; Commissioner Karen Huber, and Judge Sam Biscoe.

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to approve Item 14.

<b>Motion carried:</b> County Judge Samuel T. Biscoe	yes
Precinct 1, Commissioner Ron Davis	yes
Precinct 2, Commissioner Sarah Eckhardt	yes
Precinct 3, Commissioner Karen Huber	yes
Precinct 4, Commissioner Margaret J. Gómez	absent

15. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ELECTION SERVICES AGREEMENT BETWEEN TRAVIS COUNTY AND AUSTIN COMMUNITY COLLEGE. (11:38 AM)

**Clerk's Note:** Item 15 approved as part of the Consent Motion. Please refer to CONSENT ITEMS for a summary of the Court's Motion and Vote.



## EXECUTIVE SESSION ITEMS

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

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.

16. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE IN CENTRAL AUSTIN. <sup>1</sup>  
(11:43 AM)

**Clerk's Note:** Judge Biscoe announced that Item 16 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Item 16 postponed until May 25, 2010.

17. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE POTENTIAL PURCHASE OF REAL ESTATE FROM TRAVIS REALTY CORP. FOR PROPERTY LOCATED AT 700 LAVACA STREET. <sup>1 AND 2</sup> (11:43 AM)

**Clerk's Note:** Judge Biscoe announced that Item 17 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.

Item 17 not needed.

## ADJOURNMENT

**Motion by** Commissioner Davis **and seconded by** Judge Biscoe to adjourn the Voting Session. (11:52 AM)

<b>Motion carried:</b>	County Judge Samuel T. Biscoe	yes
	Precinct 1, Commissioner Ron Davis	yes
	Precinct 2, Commissioner Sarah Eckhardt	yes
	Precinct 3, Commissioner Karen Huber	yes
	Precinct 4, Commissioner Margaret J. Gómez	absent

**MINUTES APPROVED BY THE COMMISSIONERS' COURT**

**Date of Approval**

**Samuel T. Biscoe, Travis County Judge**