

# Travis County Commissioners Court

SAMUEL T. BISCOE  
County Judge

RON DAVIS  
Commissioner, Pct. 1

SARAH ECKHARDT  
Commissioner, Pct. 2

KAREN L. HUBER  
Commissioner, Pct. 3



MARGARET J. GÓMEZ  
Commissioner, Pct. 4

Travis County Administration Building, 314 W. 11<sup>th</sup>, Commissioners Courtroom, 1st Floor, Austin, Tx 78701

## AGENDA VOTING SESSION, TUESDAY, NOVEMBER 29, 2011 9:00 A.M.

It is the practice of the Travis County Commissioners Court to allow the public to testify before the Commissioners Court on any item listed on this agenda whether it is posted formally as a public hearing or not.

### PUBLIC HEARINGS

1. RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 29,283 SQUARE FOOT SECTION OF THE CYPRESS RANCH BOULEVARD RIGHT-OF-WAY LOCATED IN WEST CYPRESS HILLS PHASE ONE, SECTION ONE IN PRECINCT THREE. (COMMISSIONER HUBER) (ACTION ITEM #18)
2. 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 14 AND 15 OF HIDDEN HILLS 1 IN PRECINCT THREE. (COMMISSIONER HUBER) (ACTION ITEM #19)

### CITIZENS COMMUNICATION

### CONSENT ITEMS (SEE LIST OF CONSENT ITEMS)

### SPECIAL ITEM

3. CONSIDER AND TAKE APPROPRIATE ACTION ON AN ORDER CONCERNING OUTDOOR BURNING IN THE UNINCORPORATED AREAS OF TRAVIS COUNTY.

### PLANNING AND BUDGET DEPT. ITEMS

4. CONSIDER AND TAKE APPROPRIATE ACTION ON BUDGET AMENDMENTS, TRANSFERS AND DISCUSSION ITEMS.

5. REVIEW AND APPROVE REQUESTS REGARDING GRANT PROGRAMS, APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE:
  - A. ANNUAL CONTRACT WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, TO CONTINUE THE LEADERSHIP ACADEMY DUAL DIAGNOSIS UNIT - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM THAT PROVIDES SERVICES TO JUVENILES WITH CO-OCCURRING MENTAL HEALTH AND SUBSTANCE ABUSE ISSUES IN JUVENILE PROBATION;
  - B. 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;
  - C. 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;
  - D. AMENDMENT TO THE CONTRACT WITH THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE TO EXTEND THE GRANT TERM BY AN ADDITIONAL THREE MONTHS FOR PERSONNEL AND OPERATING RESOURCES FOR THE COMING OF AGE PROGRAM IN HEALTH AND HUMAN SERVICES AND VETERANS SERVICE; AND
  - E. REQUEST FROM THE TRAVIS COUNTY SHERIFF'S OFFICE TO REALLOCATE 2010 STATE ALIEN ASSISTANCE PROGRAM PROJECT SAVINGS.

#### **ADMINISTRATIVE OPERATIONS ITEMS**

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 \$757,171.26 FOR THE PERIOD OF NOVEMBER 11 TO NOVEMBER 17, 2011.
7. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING ITEMS FOR HUMAN RESOURCES MANAGEMENT DEPARTMENT:
  - A. PROPOSED ROUTINE PERSONNEL AMENDMENTS; AND
  - B. NON-ROUTINE REQUEST FROM PRETRIAL SERVICES FOR A VARIANCE TO TRAVIS COUNTY CODE §10.03002, GENERAL OVERVIEW FOR DETERMINING PAY POLICY.

#### **JUSTICE AND PUBLIC SAFETY ITEMS**

8. RECEIVE AN UPDATE ON BUREAU OF JUSTICE ASSISTANCE JUSTICE REINVESTMENT INITIATIVE GRANT APPLICATION.

#### **PURCHASING OFFICE ITEMS**

9. APPROVE TERMINATION OF CONTRACT NO. 09T00174OJ, U.S. EXTRADITION SERVICES, FOR EXTRADITION AND TRANSPORTATION SERVICES.

10. DECLARE ITEM AS SURPLUS AND SELL AT PUBLIC AUCTION PURSUANT TO SECTION 263.151 OF THE TEXAS LOCAL GOVERNMENT CODE.
  
11. APPROVE CONTRACT AWARD FOR PAINTING SERVICES, IFB NO. B120008-JT, TO THE FOLLOWING LOW BIDDERS:
  - A. GG'S CONSTRUCTION, LLC (PRIMARY CONTRACTOR); AND
  - B. JNA PAINTING AND CONTRACTING COMPANY, INC. (SECONDARY CONTRACTOR).
  
12. APPROVE MODIFICATION NO. 1 TO JOB ORDER NO. 19, CONTRACT NO. 10K00268RV, FORE CONSTRUCTION, FOR MINOR CONSTRUCTION SERVICES-GRANGER BUILDING, 4<sup>TH</sup> FLOOR REMODEL.
  
13. APPROVE CONTRACT NO. PS120011DW, SOUTHWEST KEY PROGRAMS, INC., FOR CASE MANAGEMENT SERVICES.
  
14. APPROVE MODIFICATION NO. 6, AN ASSIGNMENT OF CONTRACT NO. PS100010ML, FROM ACCUDIAGNOSTICS TO ARCPPOINT LABS OF AUSTIN.
  
15. APPROVE RESOLUTION APPROVING CONTINUED FUNDING FOR VICTIMS' SERVICES CONTRACTS FOR 2012:
  - A. SAFEPLACE;
  - B. LIFEWORKS;
  - C. FOR THE LOVE OF CHRISTI;
  - D. CENTER FOR CHILD PROTECTION;
  - E. CASA;
  - F. AUSTIN TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION – AUSTIN TRAVIS COUNTY INTEGRAL CARE;
  - G. TEXAS RIOGRANDE LEGAL AID;
  - H. AUSTIN CHILD GUIDANCE CENTER;
  - I. AUSTIN ACADEMY ;
  - J. VOLUNTEER LEGAL SERVICES;
  - K. JUVENILE PROBATION: POT OF GOLD; AND
  - L. YWCA.

16. APPROVE CONTRACT AWARD FOR RESIDENTIAL HVAC SERVICES, IFB NO. B120034-NB, TO THE LOW BIDDERS:
  - A. MCCULLOUGH HEATING AND AIR CONDITIONING (PRIMARY CONTRACTOR); AND
  - B. GG'S CONSTRUCTION, LLC, (SECONDARY CONTRACTOR).
  
17. APPROVE MODIFICATION NO. 1 TO CONTRACT NO. 11K00231RV, FLINTCO, LLC, CONSTRUCTION MANAGER/GENERAL CONTRACTOR FOR THE REMODEL OF 700 LAVACA BUILDING: 1<sup>ST</sup> AND 2<sup>ND</sup> FLOORS.

**TRANSPORTATION, NATURAL RESOURCES AND FACILITIES DEPT. ITEMS**

18. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE A 29,283 SQUARE FOOT SECTION OF THE CYPRESS RANCH BOULEVARD RIGHT-OF-WAY LOCATED IN WEST CYPRESS HILLS PHASE ONE, SECTION ONE IN PRECINCT THREE. (COMMISSIONER HUBER)
  
19. CONSIDER AND TAKE APPROPRIATE ACTION ON 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 14 AND 15 OF HIDDEN HILLS 1 IN PRECINCT THREE. (COMMISSIONER HUBER)
  
20. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING PROPOSED MOTION TO APPROVE LICENSE AGREEMENT FOR SETON BRAIN AND SPINE CYCLING TO HOLD A BIKE RACE AT RICHARD MOYA PARK. (COMMISSIONER GÓMEZ)
  
21. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO ENTER INTO AN ALTERNATIVE FISCAL AGREEMENT FOR LOPEZ-MCKENZIE SUBDIVISION, A RESUBDIVISION OF THE THOMAS C. TAYLOR SUBDIVISION - A SUBDIVISION IN PRECINCT FOUR. (COMMISSIONER GÓMEZ)
  
22. CONSIDER AND TAKE APPROPRIATE ACTION ON A REQUEST TO APPROVE ENTERING INTO AN ADVANCE FUNDING AGREEMENT WITH TXDOT FOR US 290W/SH 71 INNOVATIVE INTERSECTION IMPROVEMENTS IN PRECINCT THREE. (COMMISSIONER HUBER)
  
23. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING THE FOLLOWING REQUESTS IN PRECINCT ONE:
  - A. APPROVE PROVIDER/FIRST RESPONDER AGREEMENT BETWEEN CITY OF AUSTIN THROUGH ITS EMERGENCY MEDICAL SERVICES DEPARTMENT AND TRAVIS COUNTY, AN AUSTIN-TRAVIS COUNTY FIRST RESPONDER ORGANIZATION IN THE TRAVIS COUNTY PARKS DIVISION OF THE TRANSPORTATION AND NATURAL RESOURCES DEPARTMENT; AND
  
  - B. AUTHORIZE COUNTY ADMINISTRATOR OF FIRST RESPONDER PROGRAM (CURRENTLY CHARLES BERGH/PARKS DIVISION DIRECTOR) TO SIGN THE APPLICATION TO RENEW FIRST RESPONDER ORGANIZATION REGISTRATION AT TEXAS DEPARTMENT OF STATE HEALTH SERVICES. (COMMISSIONER DAVIS)

24. CONSIDER AND TAKE APPROPRIATE ACTION REGARDING NOTIFYING PARKING OPERATORS OF THE COUNTY INTENT TO EXERCISE AVAILABLE OPTIONS TO EXTEND PARKING FOR THE RENEWAL TERMS AS PROVIDED IN THE LEASE AGREEMENTS:
  - A. CENTRAL PARKING SYSTEM OF TEXAS, INC. AT THE 812 SAN ANTONIO GARAGE;
  - B. CENTRAL PARKING SYSTEM OF TEXAS, INC. AT 1250 GUADALUPE; AND
  - C. TEXAS OIL AND GAS ASSOCIATION AT 1300 GUADALUPE.
  
25. CONSIDER AND TAKE APPROPRIATE ACTION ON SECOND AMENDMENT TO LEASE AGREEMENT WITH RIGGS, ALESHIRE AND RAY, P.C., AT 700 LAVACA BUILDING.

**HEALTH AND HUMAN SERVICES DEPT. ITEMS**

26. CONSIDER AND TAKE APPROPRIATE ACTION ON ITEMS RELATED TO THE PROGRAM YEAR 2010 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROVIDED BY HUD:
  - A. RECEIVE A SUMMARY OF THE ANNUAL PERFORMANCE REPORT; AND
  - B. APPROVE THE DRAFT OF THE PROGRAM YEAR 2010 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT TO POST FOR PUBLIC COMMENT.

**OTHER ITEMS**

27. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FISCAL YEAR 2011 CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY PURSUANT TO TEXAS CHAPTER 59.06 CODE OF CRIMINAL PROCEDURE.
  
28. APPROVE ORDER AMENDING THE ANNUALLY DETERMINED CONTRIBUTION RATE PLAN SELECTIONS TO MAINTAIN BENEFITS OF RETIREES UNDER TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM.
  
29. CONSIDER AND TAKE APPROPRIATE ACTION ON TRAVIS COUNTY APPOINTMENTS TO THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY BOARD OF DIRECTORS.
  
30. CONSIDER AND TAKE APPROPRIATE ACTION ON REDISTRICTING PLANS FOR THE FOLLOWING TRAVIS COUNTY PRECINCTS:
  - A. COUNTY COMMISSIONERS;
  - B. JUSTICES OF THE PEACE AND CONSTABLES; AND
  - C. ELECTIONS (VOTER TABULATION DISTRICTS).

31. CONSIDER AND TAKE APPROPRIATE ACTION ON LETTER TO MEMBERS OF THE SENATE COMMERCE, SCIENCE AND TECHNOLOGY COMMITTEE REGARDING FEDERAL TRUCKING WEIGHT LIMIT LEGISLATION.
32. CONSIDER AND TAKE APPROPRIATE ACTION ON LEASE AGREEMENT AT 700 LAVACA WITH AUSTIN SUITES MANAGEMENT, LTD. (THIS ITEM MAY BE TAKEN INTO EXECUTIVE SESSION PURSUANT TO GOV'T. CODE ANN. 551.071, CONSULTATION WITH ATTORNEY AND GOV'T. CODE ANN. 551.072, REAL PROPERTY)

### **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**

**Note 4 Gov't Code Ann 551.076, Security**

**Note 5 Gov't Code Ann 551.087, Economic Development Negotiations**

**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.**

33. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. QUANTUM INVESTMENTS (JULES ALAN CAPLAN RESALE DEED) AND TAKE APPROPRIATE ACTION.<sup>1</sup>
34. RECEIVE BRIEFING FROM THE COUNTY ATTORNEY IN TRAVIS COUNTY, ET AL V. PAULINO MARTINEZ AND CARMEN MARTINEZ (MALCOLM GUNNELL RESALE DEED) AND TAKE APPROPRIATE ACTION.<sup>1</sup>
35. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN REGINA JACKSON AND RUDOLF WILLIAMSON, INDIVIDUALLY, AND ON BEHALF OF THE ESTATE OF RACHEL JACKSON, DECEASED V. JOHN A. FORD, M.D., AND TRAVIS COUNTY, TEXAS; ACTION NO. A-10-CA-522-SS).<sup>1</sup>
36. RECEIVE BRIEFING AND TAKE APPROPRIATE ACTION IN VALDEZ V. CITY OF AUSTIN, TEXAS ET AL.; ACTION NO. A-11-CA-615-LY).<sup>1</sup>
37. RECEIVE LEGAL BRIEFING AND TAKE APPROPRIATE ACTION REGARDING TRAVIS COUNTY INVOLVEMENT IN LEGAL ACTION OBJECTING TO CONGRESSIONAL REDISTRICTING BY THE TEXAS LEGISLATURE.<sup>1</sup>
38. RECEIVE BRIEFING FROM COUNTY ATTORNEY AND TAKE APPROPRIATE ACTION CONCERNING THE EXTENSION OF ADMINISTRATIVE LEAVE WITH PAY FOR JUVENILE PROBATION EMPLOYEE, SLOT 360.<sup>1 AND 3</sup>

**CONSENT ITEMS**

- C1. RECEIVE BIDS FROM COUNTY PURCHASING AGENT.
- C2. APPROVE PAYMENT OF CLAIMS AND AUTHORIZE COUNTY TREASURER TO INVEST COUNTY FUNDS.
- C3. APPROVE THE COMMISSIONERS COURT MINUTES FOR THE VOTING SESSION OF NOVEMBER 15, 2011.
- C4. APPROVE THE COMMISSIONERS COURT MINUTES FOR THE SPECIAL VOTING SESSION OF NOVEMBER 17, 2011.
- C5. APPROVE SETTING A PUBLIC HEARING ON TUESDAY, DECEMBER 20, 2011 TO RECEIVE COMMENTS REGARDING A REQUEST TO AUTHORIZE THE FILING OF AN INSTRUMENT TO VACATE TWO FIVE FOOT WIDE DRAINAGE EASEMENTS LOCATED ALONG THE NORTH AND SOUTH LOT LINES OF LOT 7, BLOCK 48 OF AUSTIN LAKE HILLS, SECTION THREE IN PRECINCT THREE. (COMMISSIONER HUBER)
- C6. APPROVE SETTING A PUBLIC HEARING ON TUESDAY, DECEMBER 20, 2011 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 39 AND 40, BLOCK H OF HIGHLAND CREEK LAKES, SECTION 1 IN PRECINCT THREE. (COMMISSIONER HUBER)

**ADJOURN**

**AGENDA  
TRAVIS COUNTY HOUSING FINANCE CORPORATION  
VOTING SESSION  
TUESDAY, NOVEMBER 29, 2011, AT 1:30 P.M. OR  
UPON ADJOURNMENT OR RECESS OF COMMISSIONERS COURT**

- 1. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE TRANSFER OF MOUNTAIN RANCH APARTMENTS FROM COLLIER RANCH LIMITED PARTNERSHIP TO POST INVESTMENT GROUP, LLC.

**ADJOURN**

**AGENDA  
HEALTH FACILITIES DEVELOPMENT CORPORATION  
VOTING SESSION  
TUESDAY, NOVEMBER 29, 2011, AT 1:30 P.M. OR  
UPON ADJOURNMENT OR RECESS OF COMMISSIONERS COURT**

**9:00 A.M. – PUBLIC HEARING ONLY**

1. RECEIVE COMMENTS REGARDING ISSUANCE OF THE CORPORATION'S FIRST MORTGAGE REVENUE REFUNDING BONDS (LONGHORN VILLAGE PROJECT) SERIES 2012.

**1:30 P.M.**

2. CONSIDER AND TAKE APPROPRIATE ACTION ON THE FOLLOWING:
  - A. THE ISSUANCE OF REVENUE REFUNDING BONDS FOR THE BENEFIT OF LONGHORN VILLAGE, A CONTINUING CARE RETIREMENT COMMUNITY LOCATED AT 501 NORTH QUINLAN PARK ROAD;
  - B. A RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE REFUNDING BONDS FOR THE BENEFIT OF LONGHORN VILLAGE; AND
  - C. AUTHORIZE THE EXECUTION AND DELIVERY OF ALL FINANCING DOCUMENTS RELATED TO THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS.

**ADJOURN**

**AGENDA  
CAPITAL INDUSTRIAL DEVELOPMENT CORPORATION  
VOTING SESSION  
TUESDAY, NOVEMBER 29, 2011, AT 1:30 P.M. OR  
UPON ADJOURNMENT OR RECESS OF COMMISSIONERS COURT**

1. CONSIDER AND TAKE APPROPRIATE ACTION TO APPROVE RESOLUTION CONSENTING TO THE APPOINTMENT OF A SUCCESSOR REMARKETING AGENT FOR THE CORPORATION'S SOLID WASTE DISPOSAL REVENUE BONDS (TEXAS DISPOSAL SYSTEMS, INC. PROJECT) SERIES 2011.

**ADJOURN**

**TRAVIS COUNTY PUBLIC MEETING  
REGARDING A PROPOSED OPEN-SPACE ACQUISITION AND DEVELOPMENT AGREEMENT  
WITH TRAVIS COUNTY, TXI AND CITY OF AUSTIN  
TRAVIS COUNTY EAST SERVICE CENTER  
6011 BLUE BLUFF ROAD, AUSTIN, TEXAS  
THURSDAY, DECEMBER 1, 2011, 6:00 P.M.**

**A QUORUM OF THE COMMISSIONERS COURT MAY ATTEND**

**AUSTIN HABITAT FOR HUMANITY BUILDING A BETTER AUSTIN EVENT  
INTERCONTINENTAL STEPHEN F. AUSTIN HOTEL  
701 CONGRESS AVENUE, AUSTIN, TEXAS  
TUESDAY, DECEMBER 6, 2011, 11:30 A.M. – 1:00 P.M.**

**A QUORUM OF THE COMMISSIONERS COURT MAY ATTEND**