



Travis County Commissioners Court Agenda Request

Meeting Date: May 15, 2012

Prepared By/Phone Number: Belinda Powell, Strategic Planning Manager
(512) 854-9506

Elected/Appointed Official/Dept. Head: Leslie Browder, County Executive, PBO, (512) 854-9106 / Roger Jefferies, County Executive, JPS, (512) 854-4759

Commissioners Court Sponsor:  County Judge Samuel T. Biscoe

AGENDA LANGUAGE:

CONSIDER AND TAKE APPROPRIATE ACTION REGARDING A NEW CIVIL AND FAMILY COURT HOUSE, INCLUDING BUT NOT LIMITED TO:

- A. APPOINTMENT OF A COURT HOUSE COMMITTEE TO RECOMMEND A DELIVERY METHOD;
- B. PROPOSED CHARGE AND INVITATION LETTERS FOR A SECOND COMMUNITY ADVISORY COMMITTEE; AND
- C. OTHER RELATED ISSUES.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

On Tuesday May 1, 2012, the Commissioners Court asked staff to prepare the attached proposed charge for a second Community Advisory Committee to participate throughout the duration of the Civil and Family Court House project. Also attached is a draft letter of invitation for membership for Community Advisory Committee.

The charge for the Citizen's Bond Advisory Committee for 2011 and the by-laws they developed for themselves are attached to assist you with the development of expectations for the Civil and Family Court House Advisory Committee.

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.

STAFF RECOMMENDATIONS:

Please see attachments.

ISSUES AND OPPORTUNITIES:

Please see attachments.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A

REQUIRED AUTHORIZATIONS:

N/A

ATTACHMENTS:

Please see attachments which include the membership to date of the Court House Committee to Recommend a Delivery Method, a proposed charge for the Civil and Family Court House Advisory Committee, a draft letter of invitation for membership for the Advisory Committee, the Charge for the Citizen's Bond Advisory Committee for 2011 and the by-laws for that committee.

Copies to:

The Honorable John Dietz, 250th District Court
The Honorable Lora Livingston, 261st District Court
The Honorable Eric Shepperd, County Court at Law #2
The Honorable David Escamilla, County Attorney
The Honorable Amalia Rodriguez-Mendoza, District Clerk
The Honorable Dana DeBeauvoir, County Clerk
Peg Liedtke, Civil Court Administrator
Cyd Grimes, Purchasing Agent
Susan Spataro, County Auditor
James Collins, First Assistant County Attorney
Roger Jefferies, County Executive Justice and Public Safety
Steven Manilla, County Executive of TNR and FMD
Roger El Khoury, Director Facilities Management
Joe Harlow, CIO ITS
John Hille, Assistant County Attorney
Tom Nuckols, Assistant County Attorney
Leslie Stricklan, Senior Project Manager, FMD

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.

May 9, 2012

Dear:

The Travis County Commissioners Court respectfully requests that you become a member of a new Community Advisory Committee to advise and make recommendations to the Commissioners Court and the Project Manager during the procurement, design, and construction of a new Civil and Family Court House.

Please see the attached charge to understand the scope of this important commitment. We anticipate the committee will be engaged over the entire span of this project which may be up to three years.

Please be mindful that you should not have a business interest in the future procurement, design, or construction of the court house as this could potentially pose a conflict of interest.

We would like to have your commitment by Tuesday, May 22th, 2012. The committee will be discussed, voted on, and receive its charge in a formal meeting of the Commissioners Court on May 29rd, 2012.

The committee will be supported by Travis County staff. Also, the committee will be expected to come before the Commissioners Court on a quarterly basis to offer their advice and recommendations, and receive direction.

Thank you for your consideration of this request. We look forward to your input on this exciting addition to our downtown campus.

Sincerely,

May 9, 2012

Dear:

The Travis County Commissioners Court is seeking membership for a new Community Advisory Committee to advise and make recommendations to the Commissioners Court during the procurement, design, and construction of a new Civil and Family Court House.

The County Judge and each Commissioner is being asked to select three Travis County residents to serve on this committee. Please see the attached charge to understand the scope of this important commitment, which may last up to three years.

To help support the charge of the committee we are looking for Travis County residents who may have a background in one or more of the following areas:

- Architecture
- Engineering
- Facilities Management
- Environmental
- Information Technology
- Security
- Legal
- Capital Project Financing
- Public Finance

There also may be residents you know of who are active leaders in our community and would be good members regardless of their background. Please include yourself if you feel you meet the criteria.

I am asking your help to identify three residents who meet one or more of the criteria outlined above. If you have a recommendation, please forward the name and a brief biography of the individual to my office by May XX, 2012.

Please be mindful that the recommended member(s) should not have a business interest in the future procurement, design, or construction of the court house as this could potentially pose a conflict of interest.

Thank you for your consideration of this request. We look forward to your input on this exciting addition to our downtown campus.

Sincerely,

DRAFT CHARGE FOR CIVIL AND FAMILY COURT HOUSE COMMUNITY ADVISORY COMMITTEE

Definition (from the E&Y report): The Community Advisory Committee is an advisory panel of external individuals and firms needed to supplement the internal advisory team and independently advise the Project Manager and the Commissioners Court. The expertise and the scope of the advisory team will depend heavily on the type of procurement being implemented. Examples of expertise needed by the individuals/firms would be:

- Architectural
- Engineering
- Facilities Management
- Environmental
- Information Technology
- Security
- Legal
- Capital Project Financing
- Public Finance

The charge of the Community Advisory Committee Travis County Civil and Family Court House is as follows:

1. The committee is to provide independent advice and recommendations to the Commissioners Court and the Project Manager for the duration of the procurement, design, and construction of the Travis County Civil and Family Court House. The advice and recommendations may come in the form of a presentation to the Commissioners Court, a written report, or other appropriate means of communication.
2. The advice and recommendations may be generated by inquiries on specific issues by the Commissioners Court and the Project Manager, and by observation of specific issues by the Committee.
3. The work of the committee should be collaborative, objective, informative, transparent, and should instill confidence in the soundness of the advice for the Travis County Commissioners Court and the residents of Travis County.
4. The committee should update the Commissioners Court on a quarterly basis regarding the status of their work and resulting recommendations, including utilization of majority and minority reports when appropriate, and to receive further direction from the Commissioners Court as needed.

CHARTER
2011 Travis County Bond Citizens Advisory Committee

This Bond Citizen's Advisory Committee shall be composed of 15 members, 3 appointed by each of the 5 Commissioners Court members. The committee will establish their own operating procedures (with the guidance of this charter) and elect their own Chairperson. All meetings will be open to the public. The role of the Committee shall be the following:

1. Establish a democratic, inclusive process to study a bond program that ensures the confidence and trust of the Travis County voters. It is a fundamental expectation of the Commissioners Court in relation to the Committee that the elements of this Charter should only be implemented by the Committee or its appointed subcommittees in a public forum. This effort should be at stated meeting times, properly called, and at which all the members of the Committee or subcommittee are given an opportunity to attend. Private communication with parties who may financially benefit from the design, construction, or implementation of a candidate bond project is prohibited and must be reported.
2. Review information from Travis County staff regarding county roles and authorities, previous bond programs, the current needs for improved or additional facilities, related maintenance and operating costs for each project, and the financial capacity of the County to assume bond debt.
3. Review demographic trends and other relevant studies to determine the impact of population growth patterns on County facilities.
4. Identify the fundamentally critical needs for Travis County capital projects including county roads and State Farm-to-Market Roads, sidewalks, bikeways, trails, parks, open space, storm water drainage, and necessary county facilities in the context of the financial impact on taxpayers along with programmatic impact and community benefits.
5. Review pertinent information and identify issues regarding how a new civil and family justice center and other necessary county facilities can be coordinated with economic development efforts, planning processes, and other redevelopment projects in the central business district.
6. Determine if project proposals meet appropriate tests for inclusion in a bond program with an affordable financial scope as will be established by Commissioners Court and are coordinated with other civic efforts. Appropriate tests shall include but not be limited to the following:
 - Optimize limited bond funding and maximize the value received for the outlay of taxpayer dollars by using creative, innovative, or heretofore unused financing vehicles or techniques and achieving economies of scale and other public benefits by partnering with public and private entities.
 - All projects should be based upon need, have a significant scale and outcome, and an expected 20-year design life or better
 - All projects must be able to be completed within seven years of the bond election.
 - All projects must be consistent with County adopted plans and policies
 - All projects must demonstrate value and affordability and should include a fiscal impact analysis of their associated operating and maintenance costs in order to inform the voting public, and an analysis of the implications of not building the capital improvements.
 - All candidate projects should consider joint use with other jurisdictions and due consideration should be given to overlapping debt.

- All projects should reflect Travis County's statutory responsibilities and include serious consideration of citizens' previously voiced needs.
7. Conduct public meetings throughout Travis County from the beginning to the end of the Committee process to receive public input on proposed needs and related impacts.
 8. In order to avoid any perception of a conflict of interest, no Committee member may bid on a County capital project or benefit financially from any project under consideration.
 9. Advise the Travis County Commissioners Court on the need for a bond election and the prospects for conducting a successful election in November, 2011. If a bond program is warranted, advise the Court on the overall scope of a bond package, recommend a prioritized list of projects and report on the fiscal impacts to the County and to local jurisdictions. The Committee is asked to provide an initial status report to the Commissioners Court within two months after their first meeting and then every 6 to 8 weeks thereafter, with a final report due no later than July 1, 2011

**Citizens' Bond Advisory Committee 2011
Bylaws**

Article I. Creation of the Committee

The Citizens' Bond Advisory Committee (CBAC) operates under a charter that was approved by the Travis County Commissioners Court on January 18, 2011.

Article II. Roles and Responsibility of the Committee

1. This Citizens' Bond Advisory Committee shall be composed of 15 members, 3 appointed by each of the 5 Commissioner Court members. The Committee establishes its own operating procedures (with the guidance of the charter) and elects their own Chair. All meetings will be open to the public. The role of the Committee shall be the following:
 - a. Establish a democratic, inclusive process to study a bond program that ensures the confidence and trust of the Travis County voters.
 - b. Review information from Travis County staff regarding county roles and authorities, previous bond programs, the current needs for improved or additional facilities, related maintenance and operating costs for each project and the financial capabilities of the County to assume bond debt.
 - c. Review demographic trends and other relevant studies to determine the impact of population growth patterns on County facilities.
 - d. Identify the fundamentally critical needs for Travis County capital projects including county roads and right of way for State Farm-to-Market Roads, parks, open space, storm water drainage, and new Courthouse in the context of the financial impact on taxpayers along with programmatic impact and community benefits.
 - e. Review pertinent information regarding Travis County Courthouse if charged by Commissioners Court.
 - f. The Citizens' Bond Advisory Committee will normally allow up to three minutes for citizens comments, per citizen, per evening regarding the bond program. The Committee reserves the right to set a time limit, for this block of time, in interest of preserving the agenda.
 - g. Determine if project proposals meet appropriate tests for inclusion in a bond program and are coordinated with other civic efforts. Appropriate tests shall include but not be limited to the following:
 - All projects should be based upon need, and have a significant scale and outcome, and an expected 20-year design life or better

- All projects must be able to be completed within seven years of the bond election.
 - All projects must be consistent with County adopted plans and policies
 - All projects must demonstrate value and affordability and should include a fiscal impact analysis of their associated operating and maintenance costs, and an analysis of the implications of not building the capital improvements.
 - All candidate projects should consider joint use with other jurisdictions and private entities and due consideration should be given to overlapping debt.
 - All projects should reflect Travis County's statutory responsibilities and include serious consideration of citizens' previously voiced needs.
4. The Committee shall conduct public meetings throughout Travis County from the beginning to the end of the Committee process to receive public input on proposed needs and related impacts.
 5. In order to avoid any perception of a conflict of interest, no Committee member may bid on a County capital project or benefit financially from any project under consideration.
 6. The Committee will advise the Travis County Commissioners Court on the need for a bond election and the prospects for conducting a successful election on November 8, 2011. If a bond program is warranted, the Committee shall advise the Court on the overall scope of a bond package, recommend a prioritized list of projects and report on the fiscal impacts to the County and to local jurisdictions.
 7. The Committee will provide an initial status report to the Commissioners Court within two months after their first meeting and then every 6 to 8 weeks thereafter, with a final report due no later than July 12, 2011.

Article III. Election of Officers

The Committee shall elect a Chair and a Vice-Chair who will serve until the charter is fulfilled. Such other officers may be elected as necessary to carry out the business of the Committee.

Article IV. Chair and Vice Chair

The Chair shall be the principal officer of the Committee and shall preside at all meetings of the Committee. In the absence of the Chair, the Vice-Chair shall preside at such meetings. The Chair shall be responsible for appointing all sub-committee Chairs, and may serve as an ex-officio member of any sub-committee. In the event an Officer is unable to fulfill his/her term, the Committee shall elect a replacement, at a regular or specially called meeting, who serves for the remainder of the unexpired term. In case the Chair and Vice-Chair are absent or unable to perform their duties, the Committee may appoint a Chair pro tem.

Article V. Quorum and Action

Eight (8) members of the Committee shall constitute a quorum for the transaction of business at any meeting of the Committee. A majority vote of the members present at a meeting at which a quorum is present is necessary for action by the Committee. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring a Committee vote or action must be postponed until the next scheduled meeting at which a quorum is established.

Article VI. Creation of Sub-Committees

The Committee may designate one or more sub-committees, as it becomes necessary.

Article VII. Attendance

Members are expected to attend all meetings. TNR staff will maintain attendance records documenting Committee member absences. If a member is unable to attend a scheduled meeting, notification must be provided to the Chair and Staff two (2) days prior to the meeting. A member's seat on the Committee shall be considered abandoned after four (4) unexcused Committee meeting absences and the Committee would then recommend that the Court replace the member.

Article VIII. Regular Meetings

The Committee shall meet regularly, twice per month on Thursdays and on such other dates or at such other locations as is specified by the Chair.

Article IX. Special Meetings

Special meetings of the Committee may be called by or at the request of the Chair.

Article X. Open Meetings

All meetings of the Committee shall be open to the public and are subject to the Texas Open Meetings Act.

Article XI. External Communications and Public Involvement

1. Document Releases

Any document representing the official position or policy of Travis County, which is to be distributed to the public, shall be reviewed and approved by the Travis County Commissioners Court.

2. Web Page

Travis County will maintain a web page that will contain information about the bond program such as meeting dates, agendas, minutes of meetings and project lists.

3. Public Meetings and Forums

Public meetings are defined within the scope of this bond program as the meetings where the Citizens Bond Advisory Committee conducts its regular business. Public

forums are defined as those meetings that will take place in the precincts where the setting is more conducive to public attendance and input.

4. Public Hearings

These hearings are defined within the scope of this bond program as meetings set by the Travis County Commissioners Court that have been legally advertised as public hearings and where citizens can testify on subject matters before the Citizens Bond Advisory Committee or Commissioners Court.

5. Procedures for Handling Citizen's Comments

a. *Oral Comments Made at Public Meetings and at Hearings*

These comments are recorded on tape and then transcribed either by TNR Staff or by Commissioners Court staff and are found in the minutes of the meeting/hearing.

b. *Written Comments*

These comments will come in either through the TNR P.O. Box number or via the County's Web Site that will contain an email link. Comments will be received by TNR Administrative Staff, forwarded to TNR Planning Staff who will share them with the Committee Members at the next CBAC meeting.

c. *Phone Calls*

These comments will primarily come to Travis County Commissioners Offices or through the 2011 Bond Hotline. Those comments coming from Commissioners Offices will be forwarded to TNR Planning either by email or voice mail. TNR Staff will transcribe comments received from the Voice-Mail Hotline. All comments will be shared with the Committee Members at the next CBAC meeting.

Article XII. Internal Communications Between Staff and Committee

1. Single-Point-of-Contact for the Committee

This contact will be Carol B. Joseph for TNR or her designee.

2. Document Organization and Formats

Where appropriate, all documents, including maps and cost estimates will be marked "Draft Subject to Change" on every page. Project lists **shall always** be marked "Draft Subject to Change" until such list is given final approval by the Commissioners Court.

Article XIII. Role of Transportation and Natural Resources (TNR) Staff as Administrative Support

TNR staff will serve as administrative support to the Committee and to its members, posting notices when appropriate, keeping minutes and records of meetings, supplying information, making project presentations, performing technical analysis, and various other tasks as assigned. TNR shall keep tape recordings of all Committee meetings for a

period of five (5) years after each meeting. Printed copies of summary minutes for each meeting shall be permanently maintained on file. These materials are available for public view, at the TNR offices, upon receipt of a written request by the interested party.

Article XIV. Robert's Rules of Order

Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of Committee meetings.

Article XV. Amendment of Bylaws

These Bylaws may be altered or amended by a majority vote of the Committee at any regular meeting of the Committee at which a quorum is present.

Bylaws History

Adopted _____