



Travis County Commissioners Court Agenda Request

Meeting Date: March 12, 2013

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 February 5 and 12, 2013.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

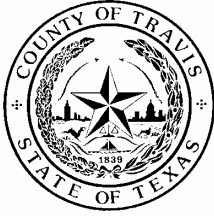
STAFF RECOMMENDATIONS:

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 David Salazar in the County Judge's office, David.Salazar@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, February 5, 2013 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 February 5, 2013, 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
Gerald Daugherty	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

At 1:30 p.m.

1. Public hearing regarding the issuance of Multifamily Housing Revenue Bonds by Strategic Housing Finance Corporation of Travis County, Multifamily Housing Revenue Bonds for the Paddock at Norwood project. (Action Item # 25)

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

Members of the Court heard from:

Cliff Blount, General Counsel, Naman, Howell, Smith & Lee, LLP
Craig Alter, Executive Vice President, Travis County Strategic Housing Finance Corporation
Justin Hartz, representing LDG Development, LLC

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

Citizens Communication

Members of the Court heard from:

Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR)
Stacey Scheffel, Program Manager, On-site Sewage Facilities, TNR
Zoltan Papp, President, Travis Settlement Homeowners Associations (HOA)

Hazel Sanchez, Travis County Resident
Ronnie Gjemre, Travis County Resident

Special Items

2. 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.

3. Receive update on the budget for the Better Enterprise Financial Information for Travis County (BEFIT) initiative. (Judge Biscoe)

Members of the Court heard from:

Christina Adair, Project Manager, SAP Implementation, Travis County Auditor's Office

RESULT: DISCUSSED

Resolutions and Proclamations

4. Approve Resolution recognizing the 25th annual Blues and Jazz Festival of the Huston-Tillotson University Alumni Association – Austin Chapter on February 17, 2013.

Members of the Court heard from:

Marvin Douglas, Huston-Tillotson University
Ronnie Gjemre, Travis County Resident

MOTION: Approve the Resolution in Item 4.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

Justice and Public Safety Items

5. Receive an update on the Travis County Justice and Mental Health Collaboration Program, a Bureau of Justice Assistance grant.

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)
The Honorable Nancy Hohengarten, Judge, County Court at Law Number Five
Tonya Mills, Planning Manager, JPS
Debra Hale, Court Coordinator, Criminal Courts

RESULT: DISCUSSED

Purchasing Office Items

6. Approve Modification No. 7 to renew FY2013 Interlocal Agreement No. 440000379 (HTE Contract No. IL080042RE) for the provision of public health services and new Interlocal Agreement No. 4400001169 for the provision of animal control services with the City of Austin.

RESULT: ADDED TO CONSENT

7. Approve Contract No. 4400001293, Spirit Reins, Inc., to provide trauma focused equine assisted therapy for youth referred from the COPE Mental Health Court and Crossover Unit.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

At 10:00 a.m.

8. Consider and take appropriate action on the 2011 Bond Program El Rey Boulevard sidewalk project, in Precinct Three. (Commissioner Daugherty)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
David Greear, Senior Engineer, TNR
Lee Turner, Senior Engineer, TNR
Ronnie Gjemre, Travis County Resident
Charlotte Ready, Granada Hills Resident
Rick Perkins, Granada Hills Resident
John Markward, Granada Hills Resident
Melissa Maynard, Granada Hills Resident
Mike Ready, Granada Hills Resident
Jaime Anderson, Granada Hills Resident

MOTION: Move forward with building the sidewalks.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

9. Consider and take appropriate action on acceptance of a donation of \$21, 500 from TXI Operations, LP for the benefit of the Colorado River Corridor Environmental Monitoring Initiative.

Members of the Court heard from:

Steve Manilla, County Executive, TNR

MOTION: Approve Item 9.

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

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Samuel T. Biscoe, Sarah Eckhardt, Gerald Daugherty, Margaret J. Gómez

ABSTAIN: Ron Davis

10. Consider and take appropriate action on the following requests:
 - a. Variance from Travis County Code, Section 82.941(I), to allow the Lake Travis ISD to construct a storm sewer outlet headwall within a waterway setback;
 - b. A variance from Travis County Code, Section 82.943(A), to allow the Lake Travis ISD to place fill material and cut excavations in excess of eight vertical feet; and
 - c. A variance from Travis County Code, Sections 82.401(A) and 82.920, to allow the Lake Travis ISD to proceed with a construction plan for the new middle school without filing fiscal security. (Commissioner Daugherty)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
 Tom Weber, Environmental Program Manager, TNR
 Hazel Sanchez, Travis County Resident
 David Fowler, Senior Engineer, TNR
 Jim Ratcliffe, Senior Director, Facilities and Construction, Lake Travis Independent School District (ISD)
 Teresa Calkins, Senior Engineer, TNR

RESULT: DISCUSSED **Reset for: 2/12/2013**

Health and Human Services Dept. Items

11. Consider and take appropriate action to authorize Texas Agrilife Extension Service – Travis County to accept the donation of computer equipment from Texas A&M University System for use by Texas Agrilife.

RESULT: POSTPONED

Planning and Budget Dept. Items

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

Members of the Court heard from:

Travis Gatlin, Senior Budget Analyst, Planning and Budget Office (PBO)

MOTION: Approve O1 from Item 12.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Gerald Daugherty, Margaret J. Gómez
ABSTAIN: Ron Davis

Clerk's Note: Please note that for this Item, references to O1 are references to numbered items in the supporting budget document.

MOTION: Approve the remainder of the items in Item 12.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

13. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
 - a. Annual application to the Texas Department of Public Safety, Texas Division of Emergency Management, to receive federal resources to continue the Emergency Management Performance Grant in the Emergency Services Department;
 - b. Annual application to the Office of the Governor, Criminal Justice Division, to continue the Child Abuse Victim Services Personnel Grant in the Travis County Sheriff's Office;
 - c. Application to the Texas Department of Transportation for the Travis County Sheriff's Office to continue to receive federal pass through funding for overtime resources for driving while intoxicated enforcement; and
 - d. Response to an internal control structure questionnaire required as part of the FY 2013 Title IV-E Child Welfare Services contract with the Texas Department of Family and Protective Services.

RESULT: ADDED TO CONSENT

14. 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 \$1,466,572.26 for the period of January 18 to January 24, 2013.

Members of the Court heard from:

John Rabb, Benefits Manager, Human Resources and Management Department (HRMD)

MOTION: Approve Item 14.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

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

RESULT: ADDED TO CONSENT

Other Items

At 11:00 a.m.

16. Consider and take appropriate action on legislative matters, including:
 - a. Update on legislative activities;
 - b. Resolution in opposition to House Joint Resolution 46, proposing a constitutional amendment providing for the election and staggering of terms of county commissioners following a change in boundaries of a commissioners precinct;

Clerk's Note: The Court discussed opposition to House Joint Resolution 46, proposing a constitutional amendment providing for the election and staggering of terms of Commissioners following a change of boundaries of a commissioner's precinct.

Members of the Court heard from:

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

MOTION: Oppose the legislation and execute the Resolution as prepared by staff.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

- c. **Added item: letter to members of the Senate Finance Committee regarding funding for the Low Income Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program (LIRAP) and the Local Initiative Projects (LIP).**

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

MOTION: Support sending the letter.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

- d. Creation of two additional criminal courts in the 83rd legislative session; and

Clerk's Note: The Court discussed four bills regarding the creation of additional district and criminal courts in the 83rd legislative session. The options considered are: "Contingent" bills with an effective date of either September 1 or October 1, 2015, and "clean" bills with an effective date of January 1, 2015.

Members of the Court heard from:
Deece Eckstein, Intergovernmental Relations Officer, IGR
The Honorable Julie Kocurek, Judge, 390th Criminal District Court

MOTION: Support the clean bill for the District and the County Court with an effective date of September 1, 2015.
RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Gerald Daugherty
NAYS: Margaret J. Gómez

- e. Additions to the priorities, policy positions and the positions on other proposals sections of the Travis County legislative agenda.

Clerk's Note: The Court discussed ratifying the County's legislative Agenda regarding the actions previously approved by the Court including:

- *Update to the Open Meetings Act to remove references to tape recording*
- *Deferred compensation bill*
- *Clarify the extent of an Ad Valorem Tax lien on business and personal property*

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

MOTION: Include the three in the Court's platform
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

Clerk's Note: The Court discussed taking the policy positions adopted by the Court and adding them to the legislative agenda as a general policy position.

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

17. Consider and take appropriate action on the proposed Civil and Family Court House project, including:

- a. Timeline of work completed and Commissioners Court actions taken to date;
- b. Document and affirm current and future needs for additional space for Civil and Family Court proceedings;
- c. Proposed scope of work for the procurement of program management services;

Members of the Court heard from:

Leslie Browder, County Executive, PBO
Belinda Powell, Capital Planning Coordinator, PBO
Cyd Grimes, Travis County Purchasing Agent
John Hille, Assistant County Attorney

RESULT: **DISCUSSED** **Reset for: 2/12/2013**

d. Proposed staff evaluation team for the procurement of program management services;

Clerk's Note: The Court discussed the members of the staff evaluation team:

- o Leslie Browder, County Executive, PBO
- o Roger Jefferies, County Executive, JPS
- o Roger El Khoury, Director, Facilities Management
- o Belinda Powell, Capital Planning Coordinator, PBO
- o Peggy Liedtke, Court Administrator, Civil Courts

MOTION: Approve the team.
RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
NAYS: Gerald Daugherty

e. Appointment of executive sponsors for the project;

Clerk's Note: The Court discussed the reappointment of Leslie Browder, County Executive, PBO and Roger Jefferies, County Executive, JPS as the executive sponsors.

MOTION: Reappoint the Executive Sponsors.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

- f. Charge for the expanded Citizens Advisory Committee; and
- g. Proposed membership for the expanded Citizens Advisory Committee. (Judge Biscoe and Commissioner Eckhardt)

RESULT: DISCUSSED Reset for: 2/12/2013

- 18. Consider and take appropriate action on the reappointment of Sandra Igau to the Emergency Services District #1 Board of Directors effective immediately until December 31, 2014. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

- 19. Consider and take appropriate action on the reappointment of Greg Johnston to the Emergency Services District #1 Board of Directors effective immediately until December 31, 2014. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

- 20. Consider and take appropriate action on the reappointment of Paula Barr to the Emergency Services District #6 Board of Directors effective immediately until December 31, 2014. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

- 21. Consider and take appropriate action on the reappointment of Barker Keith to the Emergency Services District #6 Board of Directors effective immediately until December 31, 2014. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

- 22. Consider and take appropriate action on the reappointment of Ken Beck to the Emergency Services District #14 Board of Directors effective immediately until December 31, 2014. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

Clerk's Note: The County Judge noted that this item should be an appointment of Mr. Beck, not a reappointment.

- 23. Consider and take appropriate action on the reappointment of Tom Stevenson to the Emergency Services District #14 Board of Directors effective immediately until December 31, 2014. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

- 24. Consider and take appropriate action on the appointment of Brooke Son as a representative of Travis County to the City of Austin Early Childhood Council effective immediately until July 31, 2015. (Judge Biscoe)

RESULT: ADDED TO CONSENT

- 25. Approve issuance of Multifamily Housing Revenue Bonds by Strategic Housing Finance Corporation of Travis County Multifamily Housing Revenue Bonds for the Paddock at Norwood project.

MOTION: Approve Item 25.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, 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

26. Evaluate current applications and take appropriate action on process to select County Executive, Technology Services. ^{3and1} (Judge Biscoe)

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. 551.074, Personnel Matters.

MOTION: Schedule an interview with the top candidate.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

Clerk's Note: The County Judge noted that the Court hopes to interview the candidate next week.

27. Receive briefing and take appropriate action regarding Braker Lane Participation Agreement with Austin Boise Joint Ventures, LP, Wild Horse Investments, Ltd., and J&T Development Group. ¹ (Commissioner Davis)

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

RESULT: **DISCUSSED**

Consent Items

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

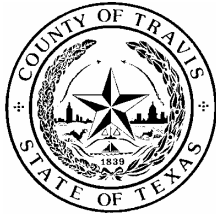
MOTION: Approve the following Consent Items: C1–C3 and Agenda Items 6, 7, 13.a–d, 15, 18, 19, 20, 21, 22, 23 and 24.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

- C1. Receive bids from County Purchasing Agent.
- C2. Approve payment of claims and authorize County Treasurer to invest County funds.
- C3. Consider and take appropriate action on the appointment of Jeannette Schaleben Cook to the Travis County Historical Commission, correcting the term of her appointment to begin on February 1, 2013 through January 31, 2015. (Commissioner Eckhardt)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, February 12, 2013 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 February 12, 2013, 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
Gerald Daugherty	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. Public Hearing to receive comments on the petition to create Emergency Services District Number 2A and all issues related to the creation of this district.

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

Members of the Court heard from:

Kelly Carlton, Representative for Pflugerville Professional Firefighters Association Local 4137
George Hyde, City Attorney, City of Pflugerville
Ron Moellenberg, Fire Chief, Emergency Services District #2 (ESD #2)
Ronald Cunningham, ESD #2 Resident and member, Pflugerville Professional Firefighters Association Local 4137
Melanie Ryan, ESD #2 Resident
Jeff Coleman, Mayor of Pflugerville
Justin LeBlanc, Travis County Resident
Rodney Blackburn, Travis County Resident
Willard Hebbe, Travis County Resident

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

Citizens Communication

Members of the Court heard from:

Stacey Scheffel, Program Manager, On-site Sewage Facilities, Transportation and Natural Resources (TNR)
Anna Bowlin, Program Manager, Planning and Engineering, TNR

Special Items

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

Members of the Court heard from:

Hershel Lee, Travis County Fire Marshal

RESULT: DISCUSSED

Reset for: 2/19/2013

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

Resolutions and Proclamations

3. Approve Resolution declaring Travis County's intent to join with other central Texas counties to re-task the Coalition of Central Texas Utilities Development Corporation. (Judge Biscoe)

Members of the Court heard from:

Pix Howell, Program Manager and Community Planner

MOTION: Approve the Resolution in Item 3.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Sarah Eckhardt, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

4. Consider and take appropriate action on Resolution creating a Targeted Employment Area (TEA) within Travis County that is comprised of a portion of the City of Pflugerville and its extraterritorial jurisdiction. (Judge Biscoe)

Members of the Court heard from:

Floyd Akers, Executive Director, Pflugerville Community Development Corporation

Jaime Martinez, Director, Center for International Trade, University of Texas San Antonio

MOTION: Approve the Resolution in Item 4.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

Purchasing Office Items

5. Pursuant to Texas Local Government Code, Section 263.152(A)(1), declare certain items surplus property and sell at public auction.

RESULT: ADDED TO CONSENT

6. Approve Modification No. 2 to Contract No. 4400000072 (HTE Contract No. 10AE0198JE), AECOM Technical Services, Inc. for design services, Arterial "A".

RESULT: ADDED TO CONSENT

7. Approve Contract award for grease and lint trap pump-out service, IFB No. B1210-006-NB, to the low bidder, Liquid Environmental Solutions, LLC.

RESULT: ADDED TO CONSENT

8. Approve Assignment of Contract No. 4400000797 (HTE Contract No. PS100145ML), Modification No. 4, from Mitotyping Technologies to American International Biotechnology Services.

RESULT: ADDED TO CONSENT

9. Approve Termination of Contract No. 4400000086 (HTE Contract No. 10T00098LD), FEB Contractors LLC, for demolition services.

RESULT: ADDED TO CONSENT

10. Approve Modification No. 1 to Contract No. 4400000223 (HTE Contract No. 12T00174LD), KBRO Sports Field Management LLC, sports field turf maintenance.

RESULT: ADDED TO CONSENT

11. Discuss and take appropriate action on request for services and scope of work for program manager/owner's representative for new civil and family courthouse project.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Belinda Powell, Capital Planning Coordinator, Planning and Budget Office (PBO)
The Honorable Lora Livingston, Judge, 261st Judicial District Civil Court
John Hille, Assistant County Attorney

MOTION: Move forward with the Request For Services (RFS) in Item 11.

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

MOVER: Gerald Daugherty, Commissioner

SECONDER: Sarah Eckhardt, Commissioner

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

NAYS: Margaret J. Gómez

Health and Human Services Dept. Items

12. Consider and take appropriate action on the policy and planned implementation strategies for Chapter 57 – Travis County Tobacco-Free Campus/Worksite Policy.

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)
Dr. Phil Huang, Medical Director, Austin Travis County Health and Human Services (A-TCHHS)
Dr. Lynn Stewart, Physician, Travis County Wellness Clinic
Ana Almaguel, Planning Project Manager, TCHHS&VS
Josie Pena, Health Services Supervisor, Travis County Wellness Clinic

MOTION: Keep the policy in place and remove e-cigarettes.
RESULT: **DEFEATED [2 TO 3]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Sarah Eckhardt, Gerald Daugherty
NAYS: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez

Transportation and Natural Resources Dept. Items

13. Consider and take appropriate action on the following requests:
- a. Variance from Travis County Code, Section 82.941(I), to allow the Lake Travis ISD to construct a storm sewer outlet headwall within a waterway setback;
 - b. A variance from Travis County Code, Section 82.943(A), to allow the Lake Travis ISD to place fill material and cut excavations in excess of eight vertical feet; and
 - c. A variance from Travis County Code, Sections 82.401(A) and 82.920, to allow the Lake Travis ISD to proceed with a construction plan for the new middle school without filing fiscal security. (Commissioner Daugherty)

Clerk's Note: The Court discussed a list of requests from Travis Settlement Homeowners Associations (HOA) for Lake Travis Independent School District (ISD).

Members of the Court heard from:

Steve Manilla, County Executive, TNR
David Fowler, Senior Engineer, TNR
Tom Weber, Environmental Program Manager, TNR
Jim Ratcliffe, Senior Director, Facilities and Construction, Lake Travis ISD
Hazel Sanchez, Travis Settlement Resident
Tom Nuckols, Assistant County Attorney
Zoltan Papp, President, Travis Settlement HOA
Teresa Calkins, Senior Engineer, TNR
Anna Bowlin, Program Manager, Planning and Engineering, TNR

MOTION: Enforce the installation of double silt fencing where needed as an additional condition to the permit.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

MOTION: That erosion control be via mat or sod unless the County requires both.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

MOTION: Grant the requested variances, and authorize Steve Manilla, County Executive, TNR, to sign the permit once agreement has been reached between the parties; if agreement is not reached, the permit is to be brought back to the Commissioners Court for action.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

14. Consider and take appropriate action on a plat for recording in Precinct Three: Sola Vista Section 2 Final Plat (Long form plat -29 single family residential lots -37.04 acres – Cypress Ranch Boulevard). (Commissioner Daugherty)

RESULT: **ADDED TO CONSENT**

15. Consider and take appropriate action on the acceptance of the dedication of the public street and drainage facilities within Lakeside at Blackhawk, Section 3 subdivision, in Precinct One. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

16. Consider and take appropriate action on the following requests in Precinct One:
- a. Termination of a Participation Agreement between Travis County and private developers ; and
 - b. Termination of the Interlocal Cooperation Agreement with the City of Austin for improvements to Braker Lane. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

17. Consider and take appropriate action on the following:
- a. The use of FY2013 Local Initiative Projects Program Grant funds to provide continued support for the Downtown Austin Transportation Management Association (DATMA); and
 - b. Amendment One to the agreement between DATMA and Travis County.

MOTION: Approve Item 17.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Sarah Eckhardt, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

Planning and Budget Dept. Items

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

RESULT: **ADDED TO CONSENT**

19. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
- a. Contract Amendment with the Texas Department of Public Safety to close out the 2010 Urban Area Security Initiative Grant Program in the Travis County Sheriff's Office; and

- b. Contract Amendment with the Texas Department of Public Safety to close out the 2010 Hazardous Material Detection and Decontamination Equipment and Related Maintenance Grant in the Emergency Services Department.

RESULT: ADDED TO CONSENT

- 20. 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 \$569,238.61 for the period of January 25 to January 31, 2013.

RESULT: ADDED TO CONSENT

- 21. 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 the Travis County Clerk for a variance to Travis County Code §10.0155, Employment of Special Project Employees.

RESULT: ADDED TO CONSENT

Other Items

- 22. Consider and take appropriate action on the following matters related to the Strategic Housing Finance Corporation Board of Directors, including:

- a. Proposed questions for interviews with candidates; and
- b. Interview schedule and other related issues.

Members of the Court heard from:

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

RESULT: DISCUSSED

- 23. **At 11:00 a.m.** Consider and take appropriate action on legislative matters, including:

- a. Update on legislative activities;
- b. Letter to members of the House Appropriations Committee regarding funding for the Low Income Repair Assistance, Retrofit and Accelerated Vehicle Retirement Program (LIRAP) and the Local Initiative Projects (LIP);

Clerk's Note: The Court discussed sending a letter to the members of the House Appropriations Committee regarding funding for LIRAP and LIP.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Approve sending the letter.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

- c. Legislation to create a civil courts filing fee not to exceed \$15 to help fund improvements to courthouse facilities in Travis County; and

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR
The Honorable Lora Livingston, Judge, 261st Judicial District Civil Court
Eric Behrens, Austin Bar Association

MOTION: Support the creation of civil courts filing fee.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

- d. Additions to the priorities, policy positions and the positions on other proposals sections of the Travis County legislative agenda.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Add the proposed addition of two new courts to the County's legislative agenda and priority list.
RESULT: **APPROVED [4 TO 1]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Gerald Daugherty
NAYS: Margaret J. Gómez

- 24. Consider and take appropriate action regarding the D2000 project.

RESULT: POSTPONED **Reset for: 2/26/2013**

- 25. Receive Fiscal Year 2013 State Forfeited Property Account Budget from Travis County Sheriff's Office in accordance with the provisions of Article 59.06(D) of the Texas Code of Criminal Procedure.

RESULT: ADDED TO CONSENT

- 26. Consider and take appropriate action on the designation of a County Court at Law Judge as a member of the Travis County Bail Bond Board.

RESULT: ADDED TO CONSENT

Clerk's Note: The County Judge noted that Judge Carlos Barrera will be appointed to the Travis County Bail Bond Board.

- 27. Consider and take appropriate action to reappoint Michelle Murphy Smith to the Sustainable Food Policy Board effective immediately until February 28, 2015. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

- 28. Consider and take appropriate action to reappoint Paula McDermott to the Sustainable Food Policy Board effective immediately until February 28, 2015. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Executive Session Items

The Commissioners Court will consider the following items in Executive Session. The Commissioners Court may also consider any other matter posted on the agenda if there are issues that require consideration in Executive Session and the Commissioners Court announces that the item will be considered during Executive Session.

Note 1: Gov't Code Ann 551.071, Consultation with Attorney

Note 2: Gov't Code Ann 551.072, Real Property

Note 3: Gov't Code Ann 551.074, Personnel Matters

Note 4: Gov't Code Ann 551.076, Security

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

29. Receive legal briefing and take appropriate action regarding possible litigation involving Mortgage Electronic Registration System (MERS) and others. ¹

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

RESULT: DISCUSSED **Reset for: 2/26/2013**

30. Consider and take appropriate action for economic development incentive agreement with Project Foxtrot. ⁵

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann 551.087, Economic Development Negotiations.

RESULT: DISCUSSED

31. Consultation with County Attorney, receive briefing and take appropriate action regarding settlement counter offer in Melanie Boyte vs. Travis County, Texas, Greg Hamilton, Cynthia Schantz, Julie Martinets and Jane Doe II; A-12-CV-00181-LY. ¹

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

MOTION: Counter the counter-offer and offer to settle the matter in the amount of \$10,000.00, and authorize staff to hire appropriate experts in this matter. If the \$10,000.00 is not accepted, this matter will be headed to litigation.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

32. **Canceled** Interview candidates for the County Executive, Technology Services position and take appropriate action. ³

RESULT: POSTPONED **Reset for: 2/26/2013**

33. Consider and take appropriate action regarding value and future use of the Executive Office Building. ^{1 and 2}

Judge Biscoe announced that Item 33 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.

RESULT: DISCUSSED

Reset for: 2/26/2013

Consent Items

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 5, 6, 7, 8, 9, 10, 14, 15, 16.a–b, 18, 19.a–b, 20, 21.a–b, 25, 26, 27 and 28.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Daugherty, Gómez

- C1. Receive bids from County Purchasing Agent.
- C2. Approve payment of claims and authorize County Treasurer to invest County funds.
- C3. Receive revenue and expenditure reports for the months of September, October and November, 2013.
- C4. Receive state required racial profiling report for Calendar Year 2012 from Precinct Five.

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge