



Travis County Commissioners Court Agenda Request

Meeting Date: October 29, 2013

Prepared By/Phone Number: Robert Resnick, 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 Session of October 15, 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 should be submitted as a pdf to the County Judge's office, agenda@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, October 15, 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 October 15, 2013, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Absent
Bruce Todd	Precinct 2, Commissioner	Present
Gerald Daugherty	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. Receive comments regarding contraflow operations on Pearce Lane from Ross Road to Kellam Road with regards to post-event traffic operations of the Formula One Grand Prix, November 15 through 17, 2013, in Precinct Four. (Commissioner Gómez)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

Members of the Court heard from:
Steve Manilla, County Executive, Transportation and Natural Resources (TNR)

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

2. Receive comments regarding contraflow operations on Moore Road from Burkland Farms to State Highway 130 with regards to post-event traffic operations of the Formula One Grand Prix, November 15 through 17, 2013, in Precinct Four. (Commissioner Gómez)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner

AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

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

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

Citizens Communication

Members of the Court heard from:
Carlos León, Travis County resident
Gus Peña, Travis County resident
Rick Perkins, Clean Air Force of Central Texas
Dr. John 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.

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

RESULT: DISCUSSED

4. Receive update regarding the 2013 Travis County Combined Charities Campaign.

Members of the Court heard from:
Melissa Velasquez, Executive Assistant, Travis County Judge's Office

Clerk's Note: The Court noted that anyone having questions regarding the Travis County Combined Charities Campaign should call the County Judge's Office at 512-854-5555.

RESULT: DISCUSSED

Resolutions and Proclamations

5. Approve resolution in support of the Lone Star Rail District project as part of a regional vision for high capacity transit and direct County staff to work with them on County participation. (Commissioner Todd)

Members of the Court heard from:
Joe Lessard, Senior Planning Director, Knudson and Associates

Steve Manilla, County Executive, TNR
Dr. John Kim, Travis County resident

RESULT: DISCUSSED

Reset for: 10/22/2013

Transportation and Natural Resources Dept. Items

6. Consider and take appropriate action on the following requests:
 - a. A variance to Chapter 64.121(11)(B) , Travis County Regulations for Floodplain Management, to alter a floodplain prior to receiving a conditional letter of map revision from the Federal Emergency Management Agency for Addison Section 1 subdivision; and
 - b. The use of a cash security agreement for the fiscal posting for Addison, Section 1 – in Precinct Four. (Commissioner Gómez)

Members of the Court heard from:

Stacey Scheffel, Program Manager, On-site Sewage Facilities, TNR

MOTION: Approve Item 6.a.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

MOTION: Approve Item 6.b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis, Commissioner

7. Consider and take appropriate action on a cash security agreement with Highland Homes, Ltd-Austin, for sidewalk fiscal for West Cypress Hills Phase 1 Section 1 for lot 5 block 1, in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on a cash security agreement with Highland Homes, Ltd-Austin, for sidewalk fiscal for West Cypress Hills Phase 1 Section 2 for lot 3 block 9, in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on a cash security agreement with Highland Homes, Ltd-Austin, for sidewalk fiscal for West Cypress Hills Phase 1 Section 3B for lot 62 block B, in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on a final plat for recording Vistancia Section 1 (final plat: 22 residential lots, 1 commercial lot, 1 open space lot and 2,408 linear feet of public streets on 32.772 acres on Hamilton Pool Road) in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on a request to enter into a participation agreement between Travis County and the Lake Travis Regional Reuse and Recycling Center for the design and construction of improvements to sections of Neidhardt Drive and Blanchard Drive in the Cardinal Hills Estates subdivision in western Travis County in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

12. Consider and take appropriate action on application to Manpower Demonstration Research Program to provide technical assistance and training on social impact bonds for Travis County Criminal Justice Planning Department.

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action to allow Star Flight-4 Vietnam pilot and crew member to ride during their November visit to Star Flight.

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

14. Receive briefing from Austin/Travis County Health and Human Services Department and take appropriate action of the Austin/Travis County Community Health Improvement Plan (CHIP) report and 1st year implementation strategies.

Members of the Court heard from:

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

Shannon Jones, Deputy Director, Austin-Travis County Health and Human Services (A-TCHHS)

RESULT: DISCUSSED

15. Consider and take appropriate action on an interlocal cooperation agreement between Travis County and the City of Austin Neighborhood Housing and Community Development Department for joint housing market study.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS

MOTION: Approve Item 15.

RESULT: **DEFEATED [2 TO 2]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Bruce Todd, Commissioner

AYES: Samuel T. Biscoe, Bruce Todd
NAYS: Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

16. Consider and take action on the following related to the environmental clearance for Lake Oak Estates roads improvement project with funding by the Community Development Block Grant provided by HUD:
- a. Certify the results of the environmental assessment;
 - b. Approve postings to notify the public of the certification of the environmental assessment and of the notice of intent to request release of funds;
 - c. Authorize the County Judge to sign the required forms; and
 - d. Authorize the submission to the HUD San Antonio Region VI Field Office if no comments are received during the ten day posting period.

Members of the Court heard from:
Christy Moffett, Planning Project Manager, TCHHS&VS

MOTION: Approve Items 16.a-d.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

Planning and Budget Dept. Items

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

Clerk's Note: Staff noted that in Budget Amendment A2, the receiving department is listed as Transportation and Natural Resources (TNR); it should be Facilities Management Department (FMD).

Clerk's Note: Please note that for this Item, reference to A2 is a reference to a numbered item in the supporting budget document.

RESULT: ADDED TO CONSENT

18. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
- a. Annual application to the Texas Indigent Defense Commission for the Formula Grant-Indigent Defense Program in the Criminal Courts;
 - b. Annual contract with 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. Annual contract with the Texas Division of Emergency Management for the Emergency Management Performance Grant in Emergency Services;
 - d. Contract with the Texas Department of Public Safety for the Homeland Security Grant Program, State Homeland Security Program in Emergency Services;

- e. Contract with the Texas Department of Public Safety for the Homeland Security Grant Program, State Homeland Security Law Enforcement Terrorist Prevention Activities Program, in Emergency Services; and
- f. Annual contract with the Texas Department of Family and Protective Services for the Title IV-E Child Welfare Services Grant in Health and Human Services and Veterans Service.

RESULT: ADDED TO CONSENT

- 19. Consider and take appropriate action on proposed routine personnel amendments.

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 \$885,221.27 for the period of September 27 to October 3, 2013.

RESULT: ADDED TO CONSENT

- 21. Consider and take appropriate action on revised economic development incentives agreement with National Instruments.

Members of the Court heard from:

- Leslie Browder, County Executive, Planning and Budget Office (PBO)
- John Roiko, Vice President, Finance, National Instruments

MOTION: Approve Item 21.
RESULT: **APPROVED [3 TO 1]**
MOVER: Bruce Todd, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty
NAYS: Margaret J. Gómez
ABSENT: Ron Davis

- 22. Consider and take appropriate action on request to designate two Flextronics facilities as foreign trade zone sites:
 - a. 12455 Research Boulevard in Austin, Texas; and
 - b. 900 New Meister Lane in Pflugerville, Texas.

Members of the Court heard from:

- Leslie Browder, County Executive, Planning and Budget Office (PBO)
- Ben Ramirez, Acting Economic Development Manager, City of Austin Economic Development Department
- John Schell, Flextronics Corporation
- Dave Porter, Austin Chamber of Commerce

MOTION: Approve Item 22.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bruce Todd, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

23. Consider and take appropriate action on Travis County's resolution expressing intent to finance expenditures to be incurred for the 416 West 11th Street project and to reimburse itself from certificates of obligation in the amount of \$2,500,000.

RESULT: ADDED TO CONSENT

Purchasing Office Items

24. Pursuant to Texas Local Government Code, Section 81.032 and Travis County Purchasing Policy Section 3.4.1 Donations, receive and accept equipment from Texas A&M, AgriLife Extension.

RESULT: ADDED TO CONSENT

25. Approve contract award for replacement of HVAC system Precinct 4, IFB No. 1308-001-AG, to the low bidder, Thermal Mechanical Contractors, Inc.

RESULT: ADDED TO CONSENT

26. Approve contract award for networked evidence lockers, RFP No. 1306-020-JH, to the highest qualified respondent, Southwest Solutions Group Inc.

RESULT: ADDED TO CONSENT

27. Approve contract awards for fire and smoke detection systems at Travis County Correctional Complex Building 12 and Training Academy Building 50, IFB No. 1305-018-AG, to low bidders, MCS Fire & Security Co. (Building 12); and Koetter Fire Protection of Austin, LLC (Training Academy Building 50).

RESULT: ADDED TO CONSENT

Other Items

28. Consider and take appropriate action on Travis County appointment to the Central Health Board of Managers, including changes to the application documents.

Members of the Court heard from:

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

MOTION: Approve Item 28, with the added condition that applicants provide a financial disclosure statement.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez

ABSENT: Ron Davis

29. Consider and take appropriate action on the reappointment of Willie S. Anderson, Sarah Dale Anderson and Philip W. Barnes to the Housing Authority of Travis County Board of Commissioners for terms to expire on December 31, 2015.

RESULT: ADDED TO CONSENT

30. Consider and take appropriate action on the reappointment of Dr. Dennis (Denny) Hamill to the Travis Central Appraisal District Board of Directors for a term to expire on December 31, 2015.

RESULT: ADDED TO CONSENT

31. Consider and take appropriate action regarding a proposed interlocal agreement between Del Valle Independent School District and Travis County for services provided by the Travis County Underage Drinking Prevention Program.

RESULT: ADDED TO CONSENT

32. Consider and take appropriate action regarding new election service agreements for Travis County to conduct elections for Travis County governmental entities.

RESULT: ADDED TO CONSENT

33. Consider and take appropriate action amending the list of early voting sites.

Members of the Court heard from:
Dana DeBeauvoir, Travis County Clerk

MOTION: Approve Item 33.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

34. Consider and take appropriate action on a request from the Travis County Sheriff's Office to permit Motors Unit deputies to take three assigned County vehicles to Gonzales, Louisiana for training.

RESULT: ADDED TO CONSENT

35. Consider and take appropriate action on request for County to participate in the stakeholder group for the implementation plan for I-35 improvements through Travis County.

MOTION: Appoint Commissioner Gómez to represent the Commissioners Court on the stakeholder group and notify Senator Watson of this selection.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: 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

36. Consider and take appropriate action on an offer to sell approximately 2.58 acres of land located north of U.S. 290 East - between Cameron Road and State Highway 130 for inclusion in the Eastern Creeks Open Space Project as part of the 2011 bond program in Precinct One. ² (Commissioner Davis)

Judge Biscoe announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

MOTION: Agree to settle this matter for \$10,000.00 per acre to the property owner.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

37. Consider and take appropriate action on a final counter-offer to sell approximately 20 acres of land located north of U.S 290 East – between Cameron Road and State Highway 130 – for inclusion in the Eastern Creeks Open Space Project as part of the 2011 bond program in Precinct One. ² (Commissioner Davis)

Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

MOTION: Agree to purchase this land for \$16,700.00 per acre.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

38. Consider and take appropriate action on whether to authorize the County attorney to file a brief of amici curiae in relation to appeal from the 133rd District Court, Harris County in Zachry Construction Corporation v. Port of Houston Authority of Harris County, Texas, No. 12-0772. ¹

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

MOTION: Authorize the County Attorney to file an appropriate brief on the County's behalf, and that we authorize the County Attorney to decide whether to file a full amicus brief, or whether we simply indicate our highlights and join others in roughly the same position.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

39. Receive briefing from the County Attorney and take appropriate action regarding settlement offer in Susan E. Roehm vs. Travis County; James D. Moore, individually; Greg Hamilton, individually. ¹

Judge Biscoe announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Accept a mediated settlement in the amount of \$450,000.00, and settlement of any and all claims against Travis County, as well as the two individuals, who were acting in their official capacities.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Gerald Daugherty, Commissioner

AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez

ABSENT: Ron Davis

Consent Items

Members of the Court heard from:
Travis Gatlin, Assistant Budget Director, PBO

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 7, 8, 9, 10, 11, 12, 13, 17, 18.a–f, 19, 20, 23, 24, 25, 26, 27, 29, 30, 31, 32, 34, and A1.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Gerald Daugherty, Commissioner

AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez

ABSENT: Ron Davis

- 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 Budget Markup Voting Session of September 4, 2013 and the Voting Sessions of September 17 & 24 and October 1 & 8, 2013.
- C4. Approve setting a public hearing on Tuesday, November 12, 2013 to receive comment regarding the revised plat of Travis Settlement, Section 4, lots 214Bb and 215 (two lots into one 5.53 acre lot – Evidence Cove – existing well and on-site water) in Precinct Three. (Commissioner Daugherty)

Added Items

1. Consider and take appropriate action on the following requests in Precinct Three:
 - a. Approval of a final plat Estancia Hill Country Phase I (one drainage lot and Right-of-Way – 38.998 acres – Old San Antonio Road); and
 - b. Approval of a Travis County Construction Agreement. (Commissioner Daugherty)

RESULT: **ADDED TO CONSENT**

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge