



Travis County Commissioners Court Agenda Request

Meeting Date: January 21, 2014

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 Sessions of December 17, 20 & 30, 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 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.



Minutes for the Travis County Commissioners Court Tuesday, December 17, 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 December 17, 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	Present
Bruce Todd	Precinct 2, Commissioner	Present
Gerald Daugherty	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Citizens Communication

Members of the Court heard from:
Dr. John Kim, Travis County resident
Carlos León, Travis County resident
Gus Peña, Travis County resident
Zenobia C. Joseph, Travis County resident
Jane McFarland, Travis County resident

Special Items

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

RESULT: NOT NEEDED

2. Consider and take appropriate action regarding the damage to County-owned and private properties due to recent flooding:
 - a. Authorize and fund repairs to the Onion Creek Greenway Project;
 - b. Authorize and fund repairs at Moya Park;
 - c. Authorize and fund repairs at Webberville Park;
 - d. Amendments to the Travis County Relocation Policy; and
 - e. Other related issues.

Members of the Court heard from:
Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
Christy Moffett, Social Services Manager, Travis County Health and Human Services

(TCHHS)

Cynthia McDonald, Financial Manager, TNR
Sherri Fleming, County Executive, Travis County Health and Human Services & Veterans Service (TCHHS&VS)
Charles Bergh, Division Director, Parks and Natural Resources, TNR
Pete Baldwin, Travis County Emergency Management Coordinator
Jessica Rio, Budget Director, Planning and Budget Office (PBO)
Renea Deckard, Associate Deputy, Collections, Tax Assessor Collector's Office
Bruce Elfant, Travis County Tax Assessor Collector
Melinda Mallia, Environmental Project Manager, TNR

MOTION: Approve the repair projects and the recommended sources of funding for Items 2.a, b, and c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Judge Biscoe announced that Item 2.d would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: In Item 2.d, approve an order to amend County Code Ch. 115 to provide the level of relocation assistance required by state and Federal law and to authorize the Commissioners Court to determine the level of relocation assistance on a project-by-project basis.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Bruce Todd, Gerald Daugherty, Margaret J. Gómez

MOTION: In Item 2.e, set the relocation assistance amount limit for the recent flooding event at \$22,500.00, consistent with State and Federal law, effective December 17, 2013.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez

Clerk's Note: The Court noted that persons seeking information on reappraisals of their homes should contact the Travis County Tax Office at 512-854-9473. Certain property owners may qualify for a lower appraisal for the last two months of 2013 and may be allowed to make quarterly tax payments.

Transportation and Natural Resources Dept. Items

3. Consider and take appropriate action on a cash security agreement with Grand Haven Homes, L.P., for sidewalk fiscal for Avalon Phase 2 for selected lots in Precinct One. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

4. 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 3A for lot 1 block A in Precinct

Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

5. 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 34 block 3 in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

6. Consider and take appropriate action on a cash security agreement with Paleface Ranch Estates Homeowners Association for Permit #13-1085, a site plan in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

Purchasing Office Items

7. Approve Interlocal Agreement No. 4400001725, City of Austin, for animal control and shelter services.

RESULT: ADDED TO CONSENT

8. Approve Interlocal Agreement No. 4400001726, City of Austin, for public health services.

RESULT: ADDED TO CONSENT

9. Approve contract award for Travis County Weiss Lane Bridge No. 229 improvements design project, RFQ No. Q110243-LP, to the most highly qualified firm, Atkins North America, Inc.

RESULT: ADDED TO CONSENT

10. Approve Modification No. 1 to Contract No. 4400000391, Austin-Travis County Integral Care, for psychiatric nurse practitioner (PNP) services.

RESULT: ADDED TO CONSENT

11. Approve modification No. 3 to Contract No. 4400000114, Klotz Associates, for Bee Creek road design project.

RESULT: ADDED TO CONSENT

12. Approve award of Contract No. 4400001702 for professional psychological / psychiatric services with Forensic Psychological Services, PLLC.

RESULT: ADDED TO CONSENT

13. Approve thirty eight Fiscal Year 2014 Health and Human Services and Veterans Service social service contracts and interlocal agreements (See Attachment 'A' for list of contracts).

MOTION: Approve Item 13.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Bruce Todd, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

14. Approve Interlocal Agreement No. 4400001712, Capital Area Metropolitan Planning Organization (CAMPO), to provide coordination of transportation infrastructure activities for Travis County, (STP-MM programs).

RESULT: ADDED TO CONSENT

15. Approve contract awards for miscellaneous groceries, IFB No. 1306-036-SC, to the low bidders for each line item, Labatt Foodservice and Heart of Texas Biscuits, Inc. project. (See Attachment "B")

RESULT: ADDED TO CONSENT

Planning and Budget Dept. Items

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

Members of the Court heard from:

Travis Gatlin, Assistant Budget Director, PBO
Jessica Rio, Budget Director, PBO

MOTION: Approve Item 16.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

17. Approve new grant contract with the Texas Council for Developmental Disabilities for an accessible parking awareness campaign in Constable Precinct Five's office.

RESULT: ADDED TO CONSENT

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

MOTION: Approve Item 18.
RESULT: **APPROVED [4 TO 1]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Bruce Todd, Gerald Daugherty
NAYS: Margaret J. Gómez

19. 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 \$1,212,118.51 for the period of November 29 to December 5, 2013.

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action on execution of parking leases between Travis County and others to include:

- a. Lease agreement with Central Parking System of Texas, Inc., for parking at the 812 San Antonio parking garage; and
- b. Lease agreement with the Texas Oil and Gas Association for parking at 1300 Guadalupe.

Members of the Court heard from:

Roger El Khoury, Director, Facilities Management Department (FMD)

MOTION: Approve Item 20.
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

Justice and Public Safety Items

21. Consider and take appropriate action regarding a business associate agreement between Travis County and Southwest Texas Regional Advisory Council.

RESULT: **ADDED TO CONSENT**

Health and Human Services Dept. Items

22. Consider and take appropriate action on request to use one-time resources in Fiscal Year 2014 to fund after school services through the Austin Independent School District.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS
Shirlene Justice, After School Coordinator, Austin Independent School District (AISD)
Deborah Britton, Community Services Division Director, TCHHS&VS

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

23. Consider and take appropriate action on items related to the Community Development Block Grant (CDBG) provided by the U. S. Department of Housing and Urban Development (HUD):

- a. Items related to the Program Year 2012 Consolidated Annual Performance Evaluation Report:

- i. Final draft report; and
ii. Submission to HUD, San Antonio Field Office, Region VI;

Members of the Court heard from:

Christy Moffett, Social Services Manager, TCHHS

MOTION: Approve the draft report and authorize submission of the draft to HUD.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

- b. Items related to the certificates of exemption from environmental assessment effective October 1, 2013 for the following projects:

- i. Program Year 2013 Family Support Services Social Work Services expansion;

- ii. Program Year 2013 tenant's rights & fair housing counseling; and iii. Program Year 2013 administrative & planning expenses;

Members of the Court heard from:
Christy Moffett, Social Services Manager, TCHHS

MOTION: Approve the certificates of exemption and authorize the County Judge to sign on behalf of the Commissioners Court.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

- c. Items related to the substantial amendment of the Program Years 2011, 2012 and 2013 Action Plans and Program Year 2011-2013 Consolidated Plan:

- i. January 3, 2014 through February 3, 2014 as the 30 day public comment period for the public to review and comment on the draft;
- ii. January 14, 2014 at 9:00 am as the public hearing date to receive public comment at Travis County Commissioner Court;
- iii. Advertisements announcing, in newspapers of general circulation, the public hearing date and 30-day comment period; and

Members of the Court heard from:
Christy Moffett, Social Services Manager, TCHHS

MOTION: Approve Items 23.c.i-iii.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

- iv. The public comment draft of the substantial amendment.

Members of the Court heard from:
Christy Moffett, Social Services Manager, TCHHS

MOTION: Approve the proposed substantial amendment.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

- 24. Receive update from Texas Agrilife Extension on the Master Gardener Program.

RESULT: POSTPONED

- 25. Consider and take appropriate action on request for a one-time investment of \$35,000 to Work Force Solutions for the Austin Opportunity Youth Collaborative.

Members of the Court heard from:
Sherri Fleming, County Executive, TCHHS&VS
Tamara Atkinson, Deputy Executive Director, Workforce Solutions,
Mary Ellen Pietruszynski, Executive Director, Sooch Foundation
Anna Lisa Farenthold, Director, Austin Opportunity Youth Collaborative

MOTION: Approve Item 25.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Clerk's Note: The Court noted that persons seeking information on the Austin Opportunity Youth Collaborative may contact Anna Lisa Farenthold at 512-597-7122

26. Consider and take appropriate action on request for \$25,000 in one-time funding for the Green Doors Veterans Permanent Supportive Housing Program.

Members of the Court heard from:
Sherri Fleming, County Executive, TCHHS&VS
Frank Fernandez, Executive Director, Green Doors

MOTION: Approve Item 26.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Other Items

27. Consider and take appropriate action on a Travis County organizational review and assessment for the Commissioners Court. (Commissioners Todd and Daugherty)

Members of the Court heard from:
Cyd Grimes, Travis County Purchasing Agent
John Hille, Assistant County Attorney

MOTION: Direct the Purchasing Agent to move forward with a professional services agreement and bring it back to the Court for a final decision.
MOVER: Gerald Daugherty, Commissioner
SECONDER: Bruce Todd, Commissioner

FRIENDLY AMENDMENT: Direct staff to bring back a scope of work for the Court in that agreement for the Court to approve.

MOVER: Samuel T. Biscoe, Judge
RESULT: **FRIENDLY AMENDMENT ACCEPTED.**

Clerk's Note: A Vote on the Standing Motion was taken.

RESULT: **APPROVED [3 TO 2]**
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty
NAYS: Ron Davis, Margaret J. Gómez

MOTION: Approve an exemption order, to exempt this from competition.
RESULT: **APPROVED [3 to 2]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Bruce Todd, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty
NAYS: Ron Davis, Margaret J. Gómez

Clerk's Note: The Court assigned Commissioners Todd and Daugherty to act as project managers.

28. Consider and take appropriate action regarding the memoranda of understanding, the primary elections services contracts, and the joint resolution with the Democratic and Republican Parties for the March 4, 2014, Joint Primary Election and the May 27, 2014, Joint Primary Runoff Election.

RESULT: ADDED TO CONSENT

29. Consider and take appropriate action on Compensation Committee's recommended modifications to the Travis County Compensation Policy.

RESULT: POSTPONED

30. Consider and take appropriate action on reports from Economic Development and Procurement Policies Task Force.

Members of the Court heard from:

Leslie Browder, County Executive, PBO
Cyd Grimes, Travis County Purchasing Agent
Tenley Aldredge, Assistant County Attorney
Floyd Martin Akers, Pflugerville Community Development Corporation, Task Force member
Bob Batlan, Austin Interfaith, Task Force member
Dave Porter, Greater Austin Chamber of Commerce, Task Force member
Emily Timm, Workers Defense Project
Philip Lawhon, Representative, International Brotherhood of Electrical Workers (IBEW),
Task Force member
Taylor Terkel, Four T Realty, Task Force member
Thomas Dodd, Business Manager, Plumbers and Pipefitters Union, Local 286
Marcia Zwilling, Travis County resident
Judy Cortez, American Federation of State, County, and Municipal Employees (AFSCME),
Task Force Co-Chair
Russ Hall, Workers Defense Project

RESULT: DISCUSSED

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

31. Consultation with County Attorney and take appropriate action regarding the acquisition of Parcels #1 and #2 for the Gilbert Road Improvement Project. ¹ (Commissioner Davis)

Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Attorney to proceed to condemnation.
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

32. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Orlando Oliva. ¹

RESULT: POSTPONED

33. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Neil Campbell. ¹

RESULT: POSTPONED

34. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Emmanuel Torres. ¹

RESULT: POSTPONED

35. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Luke Rowan. ¹

Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

36. Receive briefing and consultation with attorney in Travis County, et al vs. Kenneth P. Morvant (Debra Dozier resale deed) and take appropriate action. ¹

RESULT: POSTPONED

37. Receive briefing and consultation with attorney in Travis County, et al vs. Bonnie Elizabeth Ward (Debra Dozier resale deed) and take appropriate action. ¹

Judge Biscoe announced that Item 37 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Execute the proposed tax resale deed to Debra Dozier, who has paid Travis County the sum of \$3,500.00 in cash, and authorize the County Judge to sign on behalf of the Commissioners Court.

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. Receive briefing and consultation with attorney in Travis County, et al vs. Texas 12405, LLC (Hillel Davis resale deed) and take appropriate action. 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: Execute the proposed tax resale deed to Hillel Davis, who has paid Travis

County the sum of \$1,125.00 in cash, and authorize the County Judge to sign on behalf of the Commissioners Court.

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

39. Receive briefing and consultation with attorney in Travis County, et al vs. Texas 12405, LLC (Joey Sarkadi resale deed) and take appropriate action. 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: Execute the proposed tax resale deed to Joey Sarkadi, who has paid Travis County the sum of \$1,251.00 in cash, and authorize the County Judge to sign on behalf of the Commissioners Court.

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

40. Receive briefing and consultation with attorney in Travis County, et al vs. Texas 12405, LLC (Jun Zhou resale deed) and take appropriate action. ¹

Judge Biscoe announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: On Parcel 59517, execute the proposed tax resale deed to Jun Zhou, who has paid Travis County the sum of \$1,475.81 in cash, and authorize the County Judge to sign on behalf of the Commissioners Court.

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

MOTION: On Parcel 59416, execute the proposed tax resale deed to Jun Zhou, who has paid Travis County the sum of \$1,222.54 In cash, and authorize the County Judge to sign on behalf of the Commissioners Court.

RESULT: **DEFEATED [2 TO 2]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Gerald Daugherty, Margaret J. Gómez
NAYS: Samuel T. Biscoe, Bruce Todd
ABSENT: Ron Davis

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 Sessions of November 19 and 26, and December 3, 2013.

- C4. Approve setting a public hearing on Tuesday, January 7, 2014 to receive comments regarding a request to authorize the filing of an instrument to vacate a five foot wide public utility easement located along the southeasterly lot line of lot 48 of Hamilton Hills in Precinct Three. (Commissioner Daugherty)
- C5. Approve setting a public hearing on Tuesday, January 7, 2014 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 lines of lots 1042 and 1043 of Apache Shores, Section 2 in Precinct Three. (Commissioner Daugherty)
- C6. Approve setting a public hearing on Tuesday, January 21, 2014 to receive comments regarding proposed watershed protection amendments to Title 30.

MOTION: Approve Consent Items C1–C6 and Agenda Items 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, 19, 21, and 28.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Friday, December 20, 2013 Special 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

Special Voting Session called to order on December 20, 2013, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Catherine Jones.

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

Citizens Communication

Members of the Court heard from:
Adam Slosberg, Travis County resident
Gus Peña, Travis County resident

Special Items

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

RESULT: NOT NEEDED

Transportation and Natural Resources Dept. Items

2. Consider and take appropriate action on a request to use an alternative fiscal agreement for West Cypress Hills, Phase Two, Section Three in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

3. Consider and take appropriate action on the following requests:
 - a. An exemption from platting requirements for the Enclave at Estancia condominium project – 385 single-family detached units;
 - b. A condominium phasing agreement between Lennar Homes of Texas Land and Construction, Ltd. and Travis County; and

- c. A cash security agreement with SLF III Onion Creek LP in Precinct Three. (Commissioner Daugherty)

Members of the Court heard from:

Anna Bowlin, Program Manager, Planning and Engineering, Transportation and Natural Resources (TNR)

MOTION: Approve Item 3.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Purchasing Office Items

4. Approve interlocal agreement with Capital Metro for employee transit services.

Members of the Court heard from:

Tom Weber, Environmental Program Manager, TNR
Adele Noel, Environmental Project Manager, TNR

MOTION: Approve Item 4.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

5. Ratify and approve Contract Modification No. 1 to Contract No. 440000892 (HTE No. PS120192DW), Southwest Key Programs, for prevention and intervention services.

RESULT: **ADDED TO CONSENT**

6. Ratify and approve Contract No. 4400001678, Advanced Trauma Solutions to provide Trauma Affect Regulation: Guide for Education and Treatment (TARGET) Program.

RESULT: **ADDED TO CONSENT**

7. Approve interlocal agreement with Lake Travis Fire and Rescue for wildfire mitigation services.

RESULT: **ADDED TO CONSENT**

8. a. Declare two used Interactive Voice Response (IVR) servers as surplus and authorize trade-in for purchase of upgrade to Elections IVR; and
b. Approve Modification No. 3 to Contract No. 440000249 (HTE contract No. CM080170CL), Mitel Technologies, Inc. for Interactive Voice Response system.

RESULT: **ADDED TO CONSENT**

9. Approve Modification No. 1 to Contract No. 4400001633, Kiewit Building Group, for Executive Office Building (EOB) HVAC upgrades.

RESULT: **ADDED TO CONSENT**

Planning and Budget Dept. Items

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

RESULT: NOT NEEDED

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

RESULT: ADDED TO CONSENT

12. 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 \$615,656.17 for the period of December 6 to December 12, 2013.

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action regarding a license agreement for a temporary construction area located at 416 W. 11th Street between Travis County and Texas PTA.

Clerk's Note: Judge Biscoe noted that the temporary construction area would include up to 10 spaces.

RESULT: ADDED TO CONSENT

Other Items

14. Consider and take appropriate action on reports from Economic Development and Procurement Policies Task Force.

Members of the Court heard from:

Leslie Browder, County Executive, Planning and Budget Office (PBO)

Philip Lawhon, Representative, International Brotherhood of Electrical Workers (IBEW),
Task Force member

Judy Cortez, American Federation of State, County, and Municipal Employees (AFSCME),
Task Force Co-Chair

Chris Wagner, President, Central Texas Building and Construction Trades Council

Bob Batlan, Austin Interfaith, Task Force member

Jeremy Hendricks, Laborers International Movement, Task Force member alternate

Frank Fuentes, Chairman, U.S. Hispanic Contractors Association

Thomas Dodd, Business Manager, Plumbers and Pipefitters Union, Local 286

Dave Porter, Greater Austin Chamber of Commerce, Task Force member

Gus Peña, Travis County resident

Mary Etta Gerhardt, Assistant County Attorney

Cyd Grimes, Travis County Purchasing Agent

Tenley Aldredge, Assistant County Attorney

MOTION: That the economic development incentives policy be amended to provide for an additional incentive of 5 percent above the base incentive if employees hired by contractors to construct facilities related to an incentive agreement receive an hourly wage that reflects the applicable prevailing wage adopted or determined by the County, and provided that the total incentive does not exceed 80 percent.

SUBSTITUTE

MOTION: Adopt the Task Force's recommendation for the prevailing wage as a base requirement.

MOVER: Margaret J. Gómez, Commissioner

Clerk's Note: The Substitute Motion died for lack of a Second.

SUBSTITUTE

MOTION: Accept the Task Force's recommendation for the prevailing wage under economic incentive agreements.

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

Clerk's Note: The Court took a vote on whether to vote on the Substitute Motion before the Standing Motion.

MOTION: Vote on Substitute Motion before voting on initial Standing Motion.

RESULT: **DEFEATED [2 TO 3]**

AYES: Ron Davis, Margaret J. Gómez

NAYS: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty

Clerk's Note: The Court voted on the Standing Motion.

RESULT: **APPROVED [UNANIMOUS]**

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

MOTION: Direct appropriate County staff to amend the economic development incentives policy to incorporate the recommendations made by the Task Force that have been approved by the Commissioners Court.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

MOTION: Direct the Purchasing Agent to take the steps necessary to implement the Task Force's recommendations, with the assistance of the County Attorney's Office.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Clerk's Note: This item to be reposted on January 14, 2014.

15. Consider and take appropriate action regarding revisions to the Travis County Jury Selection Plan.

Members of the Court heard from:

Michelle Brinkman, Chief Deputy, District Clerk's Office

MOTION: Approve Item 15.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

16. Consider and take appropriate action on appointment of Michael R. Bessner to the Emergency Services District Number Two Board of Commissioners for the two-year term of January 1, 2014

through December 31, 2015.

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action on the appointment of Mike Howe to the Emergency Services District Number Two Board of Commissioners for the two-year term of January 1, 2014 through December 31, 2015.

RESULT: ADDED TO CONSENT

Consent Items

- C1. Receive bids from County Purchasing Agent.
- C2. Approve payment of claims and authorize County Treasurer to invest County funds.
- C3. Approve setting a public hearing on Tuesday, January 14, 2014 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility easements (PUEs) located along the common lot line of lots 346 and 347 of Apache Shores, First Installment in Precinct Three. (Commissioner Daugherty)
- C4. Approve setting a public hearing on Tuesday, January 14, 2014 to receive comments regarding a request to authorize the filing of an instrument to vacate a five foot wide public utility easement (PUE) located over and across a portion of lot 15 of Travis Vista in Precinct Two. (Commissioner Todd)

Members of the Court heard from:

Julie Joe, Assistant Travis County Attorney

MOTION: Approve Consent Items C1–C4 and Agenda Items 2, 5, 6, 7, 8.a–b, 9, 11, 12, 13, 16, and 17.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Gerald Daugherty, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Monday, December 30, 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 December 30, 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

Citizens Communication

Members of the Court heard from:
Gus Peña, Travis County resident
Pete Baldwin, Travis County Emergency Management Coordinator

Special Items

1. 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

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

RESULT: DISCUSSED

Transportation and Natural Resources Dept. Items

2. Consider and take appropriate action regarding support of the US 183 North Mobility Project as a project partner. (Commissioner Todd)

RESULT: ADDED TO CONSENT

3. Consider and take appropriate action regarding the proposal to approve license agreement for

Violet Crown Sports Association to hold a bike race at Webberville Park in Precinct One.
(Commissioner Davis)

RESULT: ADDED TO CONSENT

4. Consider and take appropriate action on request to accelerate the implementation schedule of both the Blake-Manor Road and the Taylor Lane projects of the 2011 bond program in Precinct One. (Commissioner Davis)

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)

MOTION: Approve Item 4.
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

Purchasing Office Items

5. Consider and take appropriate action on request to renew Interlocal Agreement No. 4400000375 with Austin Travis County Integral Care.

Members of the Court heard from:

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

MOTION: Approve Item 5.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSENT: Ron Davis

6. Consider and take appropriate action to ratify Modification No. 4 to Contract No. 4400000819, Workforce Solutions – Capital Area Workforce Board for child care local match transfer.

Clerk's Note: Judge Biscoe noted that by approving this item, the Court ratifies the contract from October 1, 2013 through September 30, 2014.

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on the following for property and boiler/machinery insurance:
 - a. Approve twelve-month extension (Modification No. 7) to Contract No. 4400001263 (HTE Contract No. 11T00034OJ), Higginbotham Insurance Agency, Inc. for property and boiler/machinery insurance; and
 - b. Reject terrorism coverage under the Terrorism Risk Insurance Act of 2002 (TRIA), and authorize the County Judge to sign the TRIA policy disclosure statement.

RESULT: ADDED TO CONSENT

8. 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

9. Approve contract award for the design of Old San Antonio Road at Onion Creek Bridge Project, RFQ No. Q1210-008-JW, to the most highly qualified firm, CP&Y, Inc.

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on request from Pat Ford and Associates, Inc. and others to represent Travis County in disaster mitigation consulting services and conducting appraisals and acquisitions of certain lots in the Floodplain Buyout Program.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Melinda Mallia, Environmental Project Manager, TNR
Pat Ford, Pat Ford Associates, Inc.
Candy Spitzer, CEO, Spitzer & Associates, Inc.
Julie Joe, Assistant County Attorney

Clerk's Note: Items 10 and 11 are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Item 10 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Direct Cyd Grimes, Travis County Purchasing Agent, to create an avenue for additional firms to compete.

MOVER: Gerald Daugherty, Commissioner

RESULT: DIED FOR LACK OF A SECOND

11. Approve exemption and contract award for Travis County professional disaster mitigation consulting services, Jeffrey S. Ward and Associates, Inc.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Melinda Mallia, Environmental Project Manager, TNR
Pat Ford, Pat Ford Associates, Inc.
Candy Spitzer, CEO, Spitzer & Associates, Inc.
Julie Joe, Assistant County Attorney

Clerk's Note: Items 10 and 11 are associated with one another and were called for concurrent discussion.

Judge Biscoe announced that Item 11 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve the exemption order and award the contract to Jeffrey S. Ward and Associates, Inc.; that the process for appraisals continue in an expeditious manner; and that staff report back to the Commissioners Court on this item next week, Tuesday, January 7, 2014.

RESULT: APPROVED [UNANIMOUS]

MOVER: Margaret J. Gómez

SECONDER: Gerald Daugherty, Commissioner

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

ABSENT: Ron Davis

Planning and Budget Dept. Items

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

RESULT: ADDED TO CONSENT

13. Approve new grant contract with the National Endowment for the Humanities for a Preservation Assistance Grant in Records Management and Communication Resources Department.

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action on the following items for the Human Resources Management Department:

- a. Proposed routine personnel amendments; and
- b. Non-routine request from the Sheriff's Office for a variance to Travis County Code Chapter 10.03008, Promotion.

RESULT: ADDED TO CONSENT

15. 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 \$995,001.70 for the period of December 13 to December 19, 2013.

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action on request from Golden Gloves Tournament for waiver or discount of fees to use the Travis County Exposition Center Banquet Hall with benefits from the event going to the Travis County Sheriff Law Enforcement Association's Youth Scholarship Fund.

RESULT: POSTPONED

Reset for: 1/7/2014

17. Consider and take appropriate action to authorize the Travis Central Appraisal District to reappraise property with flood damage, in the area declared to be a disaster area by the Governor, due to flooding that occurred in Travis County on October 30, 2013 to November 16, 2013.

Members of the Court heard from:

Jessica Rio, Budget Director, Planning and Budget Office (PBO)

MOTION: Approve Item 17.

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

Health and Human Services Dept. Items

18. Consider and take appropriate action regarding approval of the Program Year 2013 Community Development Block Grant Agreement provided by HUD.

Members of the Court heard from:

Christy Moffett, Social Services Manager, Travis County Health and Human Services
(TCHHS)

MOTION: Approve Item 18.
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

19. Consider a request to approve the public comment draft of the Substantial Amendments to the Program Year 2009-2013 Action Plans and Program Years 2011-2013 Consolidated Plan for the Community Development Block Grant provided by HUD.

Members of the Court heard from:
Christy Moffett, Social Services Manager, TCHHS

MOTION: Approve Item 19.
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

Other Items

20. Consider and take appropriate action to appoint Damon Moore as the Precinct Four appointee to the board of the Dispute Resolution Center term to begin January 1, 2014. (Commissioner Gómez)

RESULT: **ADDED TO CONSENT**

21. Consider and take appropriate action on acceptance of a donation of \$681.11 from Danielle Ammon (Kendra Scott Designs) for the benefit of County Court at Law #6 Project Engage Program.

RESULT: **ADDED TO CONSENT**

22. Consider and take appropriate action on a request from the Travis County Sheriff's Office to approve the renewal of an agreement between Travis County and the Texas Department of Public Safety for participation in the Texas 1033 Surplus Property Program.

RESULT: **ADDED TO CONSENT**

23. Consider and take appropriate action on submitting written comments to the Texas Department of Insurance regarding "navigator" rules.

Members of the Court heard from:
Sherri Fleming, County Executive, TCHHS&VS

MOTION: Approve Item 23.
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

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

24. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Orlando Oliva. ¹

RESULT: POSTPONED

25. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Neil Campbell. ¹

RESULT: POSTPONED

26. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Emmanuel Torres. ¹

RESULT: POSTPONED

27. Consider and take appropriate action on request from SAXET Gun Show to hold events at the Travis County Exposition Center Luedecke Arena during the period March 29, 2014 through January 25, 2015. ¹

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

Reset for: 1/7/2014

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 December 10, 2013.
- C4. Approve setting a public hearing on Tuesday, January 21, 2014 to receive comments regarding a request to authorize the filing of an instrument to vacate a portion of the two ten foot wide public utility easements (PUEs) located along the common lot line of lots 80 and 81 of Sandy Creek Ranches, Phase Four in Precinct Three. (Commissioner Daugherty)

MOTION: Approve Consent Items C1–C4 and Agenda Items 2, 3, 6, 7.a–b, 8, 9, 12, 13, 14.a–b, 15, 20, 21, and 22.
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

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge