



Travis County Commissioners Court Agenda Request

Meeting Date: April 1, 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 Corrected Commissioners Court Minutes for the Voting Session of October 29, 2013, Item 3.c.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

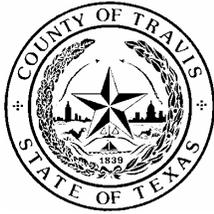
STAFF RECOMMENDATIONS:

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.



Corrected Minutes for the Travis County Commissioners Court Tuesday, October 29, 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 29, 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:
Morris Priest, Travis County resident
Gus Peña, Travis County resident
Carlos León, Travis County resident
Melissa Velasquez, Executive Assistant, County Judge's Office
Dr. John Kim, Travis County resident

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 a proposed disposition of unused and excess right-of-way comprised of a 0.135 acre (5,883 sq. ft.) parcel of land previously intended for Meister Lane near its intersection with Heatherwilde Blvd – requested by the City of Pflugerville for development of a roadway infrastructure improvement project in Precinct One. (Commissioner Davis)

Clerk's Note: Judge Biscoe noted that by approving this Item, the Commissioners Court authorizes him to sign on behalf of the Court.

RESULT: ADDED TO CONSENT

3. Revised language: Consider and take appropriate action regarding capital improvements program projects:

- a. Funding for and direction to staff to complete negotiations for the second amendment to the Braker Lane II Participation Agreement in Precinct One (Commissioner Davis);

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)
Travis Gatlin, Assistant Budget Director, Planning and Budget Office (PBO)

MOTION: Approve staff's recommendation regarding Item 3.a, which is contained on page 3 of the backup memo; to negotiate an agreement which is consistent with the backup.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Bruce Todd, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Clerk's Note: The Court noted a funding shortfall of \$3,559,709. TNR has proposed that the source of funding would be surplus Precinct One bonds.

Judge Biscoe announced that Item 3.a would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Upon returning from Executive Session, no further action was taken on Item 3.a.

- b. Funding for and direction to staff to complete negotiations for the first amendments to the Parmer Lane Participation Agreement and City of Austin Interlocal Agreement in Precinct One (Commissioner Davis); and

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Travis Gatlin, Assistant Budget Director, PBO
Pete Dwyer, President, Dwyer Realty Companies
Steve Sun, Assistant Public Works Director, TNR

MOTION: Approve Item 3.b and direct staff to negotiate with the City of Austin regarding their cost share amount.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Bruce Todd, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Judge Biscoe announced that Item 3.a would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Upon returning from Executive Session, no further action was taken on Item 3.b.

- c. Source of funding for The Wells Branch Parkway Project in Precinct Two. (Commissioner Todd)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Travis Gatlin, Assistant Budget Director, PBO
Tom Nuckols, Assistant County Attorney

MOTION: Approve staff's recommendation regarding Item 3.c.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bruce Todd, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

4. Consider and take appropriate action on the following request:
- A plat for recording: Sweetwater Ranch Section Two Village F2 final plat (long form final plat – 25 total lots – Pedernales Summit Parkway – no ETJ); and
 - A Travis County subdivision construction agreement between Travis County and WS-COS Development, LLC in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

5. Consider and take appropriate action on a request to transplant a 30-inch diameter oak tree or replace it with an equivalent diameter of oaks to facilitate the completion of improvements to Frate Barker road in Precincts Three and Four. (Commissioners Daugherty and Gómez)

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Marvin Brice, Assistant Purchasing Agent
Chiddi N'Jie, Senior Engineer, TNR
Michael Fossum, Executive Director, Austin Heritage Tree Foundation
Zoila Vega-Marchera, Austin Heritage Tree Foundation
Brooke Huguley, Travis County resident
Cathy (last name unintelligible), Travis County resident
Jessie Rainwater, Travis County resident
Brittany Huguley, Travis County resident
Tracy Huguley, Travis County resident
Vikki Goodwin, Travis County resident
Pam Baggett, Travis County resident
Cynthia Wilcox, Travis County resident
Peggy Maceo, Travis County resident

Clerk's Note: The Court directed Staff to look at the two estimates for the tree removal and try to figure out a way to legally come in at the lower estimate. The Court also requested a breakdown of what is contained in the two estimates and communicate with the low-bid contractors about pulling the tree planting cost from the bid, communicate with TxDOT, and be prepared to update the Court on Tuesday, November 5, 2013. Further, the Purchasing Department is directed to meet with the County Attorney's Office and the Transportation and Natural Resources Department regarding this issue.

RESULT: DISCUSSED

Reset for: 11/5/2013

6. Consider and take appropriate action regarding a license agreement with the Circuit of the Americas for the use of Richard Moya Park as a bicycle staging area for cyclists who will ride shuttle buses to the F1 races on November 15 through 17, 2013 in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on a request for variance to County on-site sewage facility regulations to allow a second single family residence to be placed on less than two acres at 16409 Jacobson Road in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

8. Consider and take appropriate action regarding the following fire record management project interlocal agreements between Travis County and emergency services districts and mutual business associate agreements between Travis County and emergency services districts:
 - a. Emergency Services District Number 1;
 - b. Emergency Services District Number 3;
 - c. Emergency Services District Number 4;
 - d. Emergency Services District Number 5;
 - e. Emergency Services District Number 10;
 - f. Emergency Services District Number 12; and
 - g. Emergency Services District Number 14.

RESULT: ADDED TO CONSENT

Health and Human Services Dept. Items

9. Consider and take appropriate action on a request to continue the administration and planning project, social work project and fair housing project of the Community Development Block Grant for the 2013 Program Year with internal Health and Human Services and Veterans Service Department resources until a decision regarding the Program Year 2013 CDBG grant is received and a fully executed contract is obtained from HUD.

MOTION: Approve Item 9.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

10. Consider and take appropriate action on items related to the Program Year 2012 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant provided by HUD:
 - a. Request to approve November 25 through December 9, 2013 as the 15-day public comment period for the public to review and comment on the draft;
 - b. Request to approve a public hearing date on December 3, 2013, at 9:00 a.m. in the Travis County Commissioners Courtroom to receive public comment; and

RESULT: ADDED TO CONSENT

- c. Request to approve the advertisement announcing the public hearing date and 15 day public comment period in newspapers of general circulation: Austin Chronicle, Pflugerville Pflag, Hill Country News, Lake Travis View, Oak Hill Gazette, Westlake Picayune, The Villager, Ahora Si, and El Mundo.

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)
Christy Moffett, Planning Project Manager, TCHHS&VS

MOTION: Approve Item 10.c
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Planning and Budget Dept. Items

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

RESULT: ADDED TO CONSENT

12. Approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
 - a. Annual contract with the Office of the Governor, Criminal Justice Division, to continue the Trauma Informed Assessment and Response Program in Juvenile Probation Department;
 - b. New contract with the Office of the Governor, Criminal Justice Division, to continue the Eagle Soars program in Juvenile Probation Department; and
 - c. New contract with the Office of the Governor, Criminal Justice Division, to continue the Enhancing Services for Victims of Crime In Juvenile Probation Department.

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action on the following for the Human Resources Management Department:
 - a. Proposed routine personnel amendments; and
 - b. Non-routine salary adjustment from Constable Precinct Two office for a variance to Travis County Code Section 10.03002, Salary Adjustment Greater than 10% Above Midpoint.

Clerk's Note: Judge Biscoe noted that in Item 13.a, the Human Resources Department (HRMD) requested that Position 30003127 be pulled from consideration.

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 \$701,263.92 for the period of October 11 to October 17, 2013.

RESULT: ADDED TO CONSENT

21. Approve contract award for engineering design services for the Bee Creek Road at Bee Creek Bridge project, RFQ No. Q110243-LP, to the highest qualified firm, Klotz Associates, Inc.

RESULT: ADDED TO CONSENT

22. Approve Modification No. 2, an assignment of Contract No. 4400000545 (H.T.E. Contract No. MA120135SW) from 8x8, Inc. to the IRC Company, Inc. (dba Black Lotus Communications, Inc.).

RESULT: ADDED TO CONSENT

23. Authorize Purchasing Agent to commence negotiations with the most highly qualified firm, Binkley-Barfield Inc., for engineering services in response to RFQ No. Q1306-018-LP, Hamilton Pool Road safety improvements.

Members of the Court heard from:

Steve Manilla, County Executive, TNR

RESULT: DISCUSSED

Reset for: 11/5/2013

24. Approve modification No. 14 to Contract No. 4400000074 (H.T.E. Contract No. 10K00250LP), STR Constructors, for Milton Reimers Ranch Park.

RESULT: ADDED TO CONSENT

25. Approve contract award for mechanical, electrical, plumbing engineering services for domestic water boiler replacement at Travis County Correctional Complex Building 400 (12) to Encotech Engineering Consultants, Inc.

RESULT: ADDED TO CONSENT

26. Approve Modification No.10 to Interlocal Agreement No. 4400000354, Austin Independent School District, for afterschool care.

RESULT: ADDED TO CONSENT

Other Items

27. Consider and take appropriate action on reappointment Ofelia Elizondo to Place Three on the Strategic Housing Finance Corporation Board of Directors for a term to run from January 1, 2014 to December 31, 2019. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action regarding a joint election agreement for the November 5, 2013 Joint General and Special Elections with Travis County and 13 participating entities:

- a. City of Austin;
- b. City of Bee Cave;
- c. City of Jonestown
- d. City of Leander;
- e. City of Rollingwood;

- f. City of Round Rock;
- g. City of Sunset Valley;
- h. Village of Point Venture;
- i. Village of the Hills;
- j. Village of Volente;
- k. Marble Falls Independent School District;
- l. Pilot Knob Municipal Utility District #4 (establishing election); and
- m. Travis County Emergency Services District #4.

RESULT: ADDED TO CONSENT

29. Consider and take appropriate action regarding the appointment of presiding judge, alternate presiding judge, manager, assistant manager and tabulation supervisor of the Central Counting Station and presiding judge and alternate presiding judge, and members of the Early Voting Ballot Board for the November 5, 2013 General and Special Elections.

RESULT: ADDED TO CONSENT

30. Consider and take appropriate action regarding the appointment of presiding judge, alternate presiding judges to fill vacancies for the November 5, 2013 Joint General and Special Elections.

RESULT: ADDED TO CONSENT

31. Receive Fiscal Year 2014 State Forfeited Property Account budget from the 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

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

32. Consultation with County Attorney and take appropriate action concerning the extension of administrative leave with pay for Health and Human Services employee, Slot 30005370. ^{1 and 3}

Judge Biscoe announced that Item 32 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: Approve the request for 38 days of leave with pay, 28 of which have already occurred.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

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

RESULT: POSTPONED **Reset for: 11/5/2013**

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

RESULT: POSTPONED **Reset for: 11/5/2013**

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

RESULT: POSTPONED **Reset for: 11/5/2013**

36. Consider and take appropriate action concerning the settlement offer regarding payment for Star Flight services rendered to Julia Courtney. ¹

RESULT: POSTPONED **Reset for: 11/5/2013**

37. Consider and take appropriate action regarding the use of the Exposition Center as remote parking lots for the Circuit of the Americas for the November 14, 15 and 16, 2013 Formula One events. ²

Judge Biscoe announced that Item 37 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.

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

Consent Items

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 2, 4.a–b, 6, 7, 8.a–g, 10.a–b, 11, 12.a–c, 13.a–b, 14, 15.a–b, 17, 20, 21, 22, 24, 25, 26, 27, 28.a–m, 29, 30, 31, and A1.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

- 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 October 15, 2013.
- C4. Approve setting a public hearing on Tuesday, November 19, 2013 to receive comments regarding a request to authorize the filing of an instrument to vacate the five-foot wide public utility easements located along the rear lot lines of lots 3 through 8, block D of the re-subdivision of Baldwin's Point in Precinct Two. (Commissioner Todd)

Added Items

- A1. Consider and take appropriate action on memorandum of understanding with St. Edwards University for the placement of social work interns in the Travis County Health and Human Services and Veterans Service Department.

RESULT: ADDED TO CONSENT

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge