



Travis County Commissioners Court Agenda Request

Meeting Date: October 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 September 30 and October 7, 2014.

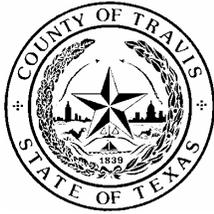
BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:



Minutes for the Travis County Commissioners Court Tuesday, September 30, 2014 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 September 30, 2014, 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:

Shaun Auckland, Environmental Specialist, Transportation and Natural Resources (TNR)
Geoff Hengsen, Program Director, Colorado River Alliance
Rebecca Saltsman, Community Programs Manager, Keep Austin Beautiful
Carlos León, Travis County resident
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: Items 1 and 34 are associated with one another and were called for concurrent discussion.

MOTION: Approve the Fire Marshal's recommendation to continue without a burn ban.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

2. Consider and take appropriate action regarding the Travis County Combined Charities Campaign, our employee giving campaign:
 - a. Greater Austin Workplace Campaign Engagement Agreement for 2014-2015 with United Way for Greater Austin;

- b. Set the official campaign dates for October 15, 2014;
- c. Print more than 5000 copies of the United Way for Greater Austin pledge forms; and
- d. Authorize the distribution of Travis County's previously approved and the City of Austin's 2014 booklet of federations and charitable organizations that are included in the City of Austin Combined Charities Campaign. (Judge Biscoe)

Members of the Court heard from:

Melissa Velasquez, Executive Assistant, County Judge's Office
 Catherine Morse, Board Chair, United Way for Greater Austin
 Debbie Bresette, President, United Way for Greater Austin

MOTION: Approve Item 2.a.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

MOTION: Approve Item 2.b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

MOTION: Approve Item 2.d.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Clerk's Note: Item 2.c was discussed.

Resolutions and Proclamations

- 3. Approve proclamation designating October 4 through 18, 2014 as the fourteenth annual "Binational Health Weeks" throughout Travis County. (Commissioner Gómez)

Members of the Court heard from:

Rosalba Ojeda, Consul General of Mexico in Austin

MOTION: Approve the proclamation in Item 3.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Bruce Todd, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

- 4. Approve proclamation declaring October 2014 as "Domestic Violence Awareness Month" in Travis County.

Members of the Court heard from:

Gretta Gardner, Social Services Director, Travis County Counseling and Education Services (TCCES), Chair, Austin-Travis County Family Violence Task Force
 Carlos Lopez, Constable, Precinct 5
 Brenda Vicars Hummel, Winner, 2nd Annual Stand Up for Safe Families Poetry Contest

Jim Sylvester, Chief Deputy, Travis County Sheriff's Office (TCSO)
Heather Bellino, Executive Director, Texas Advocacy Project
Julia Spann, Executive Director, SafePlace

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

Clerk's Note: The Court noted that victims of sexual assault or domestic or dating violence may contact SafePlace by calling 512-267-SAFE.

5. Approve proclamation recognizing October 5 through 11, 2014 as "National 4-H Week" in Travis County.

Members of the Court heard from:

Dolores Sandmann, Travis County Extension Director, Texas A&M AgriLife Extension Service
Cory Talley, County Extension Agent, 4-H and Youth Development, Texas A&M AgriLife Extension
Abigail Werchan, 4-H Participant
John Swartz, 4-H Participant
Anna Swartz, 4-H Participant
Emily Swartz, 4-H Participant
Tanja Swartz, 4-H Club Manager

MOTION: Approve the proclamation in Item 5.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Todd, Daugherty, Gómez

Clerk's Note: The Court noted that those wishing more information about 4-H may call 512-854-9600.

Planning and Budget Dept. Items

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

Members of the Court heard from:

Jessica Rio, Budget Director, Planning and Budget Office (PBO)
Travis Gatlin, Assistant Budget Director, PBO
Sherri Fleming, County Executive, Travis County Health and Human Services & Veterans Service (TCHHS&VS)

MOTION: Approve all of the budget amendments, transfers and discussion items, except budget item O2.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Bruce Todd, Gerald Daugherty, Margaret J. Gómez
ABSTAIN: Ron Davis

MOTION: Approve budget item O2.
RESULT: **APPROVED [3 TO 2]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Bruce Todd
NAYS: Gerald Daugherty, Margaret J. Gómez

Clerk's Note: For this Item, O2 is a reference to a numbered item in the supporting budget document.

7. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
 - a. Annual contract with the Office of the Attorney General to continue the other Victim Assistance Grant Program in the County Attorney's Office;
 - b. Annual contract with the Texas Department of Public Safety, Texas Division of Emergency Management to continue the emergency management performance grant in the Emergency Services Department;
 - c. Annual contract with the Office of the Governor, Criminal Justice Division to continue the Vision Summit Conference in the Travis County Sheriff's Office;
 - d. Annual contract with the Office of the Governor, Criminal Justice Division to continue the Family Drug Treatment Court Grant Program in the civil courts;
 - e. Annual contract with the Office of the Governor, Criminal Justice Division to continue the Indigent Defense System Evaluation Project in the criminal courts;
 - f. Annual contract with the Office of the Governor, Criminal Justice Division to continue the Travis County Veterans Court Program in the criminal courts;
 - g. Annual contract with the Office of the Governor, Criminal Justice Division to continue the adult probation DWI Court Grant Program in the Community Supervision and Corrections Department;
 - h. Contract amendment with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to extend the Co-Occurring Re-Entry Services Grant Program in the Community Supervision and Corrections Department; and
 - i. Contract amendment with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance to extend the Domestic Violence Accountability Management Program in the Community Supervision and Corrections Department.

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

9. 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 \$793,643.90 for the period of September 12 to September 18, 2014.

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on proposed request from the Human Resources Management Department to conduct a comprehensive classification and compensation study during FY2015.

Members of the Court heard from:

Todd Osburn, Compensation Manager, Human Resources Management Department
(HRMD)

Leroy Nellis, Interim County Executive, PBO

Debbie Maynor, Director, HRMD

MOTION: Approve the commencement of the market salary survey for classified employees, negotiating with the appropriate associations regarding methodology for POPS (Police Officer Pay Scale) compensation; and to bring this item back to Commissioners Court in 4-6 weeks for an update.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

11. Approve an order to designate the regular meeting days of Commissioners Court of Travis County.

MOTION: Continue to use Tuesday as the regular meeting day of the Travis County Commissioners Court.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

12. Consider and take appropriate action on a request from the District Attorney's Office to use the Commissioners Courtroom at 700 Lavaca on Friday, October 17, 2014 from 1:00 to 5:00 p.m. to conduct continuing legal education.

RESULT: **ADDED TO CONSENT**

13. Consider and take appropriate action on request from the National Forum for Black Public Administrators to use the Commissioners Courtroom at 700 Lavaca on Thursday, October 9, 2014 from 8:00 to 10:00 a.m. to NFBPA Regional Leadership Summit Public Administration Day.

RESULT: **ADDED TO CONSENT**

Purchasing Office Items

14. Ratify and approve Contract Modification No. 4 to Contract No. 4400001163, Texas Energy Engineering Services, Inc., for professional mechanical, electrical and plumbing services for HVAC system upgrade at the Executive Office Building.

RESULT: **ADDED TO CONSENT**

15. Approve order exempting the purchase of security guard services from Blue Shield Security and Protection Inc. from the competitive procurement process pursuant to Section 262.024(a)(2) of the County Purchasing Act.

RESULT: **ADDED TO CONSENT**

16. Approve list of auto-renewal interlocal agreements and contracts (250 total) for various services. (See Attachment A)

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action on request to renew certain health and human services and veterans services social service contracts that expire on September 30, 2014.

RESULT: ADDED TO CONSENT

18. Approve contract award for psychological/psychiatric services to Dr. Brian A. Falls.

RESULT: ADDED TO CONSENT

19. Approve Modification No. 8 to Contract No. 4400001068, ImageSoft Inc., for imaging and document management system and maintenance.

RESULT: ADDED TO CONSENT

20. Approve contract award for iManage upgrade implementation services to Younts Consulting, Inc.

RESULT: ADDED TO CONSENT

21. Approve Modification No. 7 to Contract No. 44000000257 (HTE Contract No. CM090255IC), SAP Public Sector, Inc., for BEFIT software and maintenance support.

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

22. Consider and take appropriate action on the interlocal agreement with Capital Area Communications District for supplemental funding of ongoing public safety answering point maintenance, equipment and training for FY2015.

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action on amendment one to Frequency Reconfiguration Agreement with Nextel of Texas, Inc., a wholly-owned indirect subsidiary of Sprint Corporation.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

24. **Will be pulled:** Consider and take appropriate action on a plat for recording: Rowe Lane Estates Section Two amended plat of lots 19 and 20 (amended plat – two total lots – Hodde Lane – City of Pflugerville ETJ) in Precinct One. (Commissioner Davis)

RESULT: PULLED

25. Consider and take appropriate action on a request to use an alternative fiscal agreement for Avalon, Phase 15B in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

26. Consider and take appropriate action regarding a license agreement with Tracy Limon for exclusive use of Webberville Park to host the annual Limon Family Reunion from October 9 through 12, 2014. (Commissioner Davis)

RESULT: ADDED TO CONSENT

27. Consider and take appropriate action on the following:

- a. Easton Park Section 1A preliminary plan (preliminary plan – 194 total lots (176 single-family residential lots and 18 drainage/greenbelt/open space lots) – 54.91 acres – City of Austin ETJ);
- b. Phasing agreement between Carma Easton, LLC and Travis County; and
- c. Alternative fiscal agreement for Easton Park Section 1A final plat in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action on a request for a reimbursement resolution expressing Travis County's intent to finance expenditures to be incurred for the design and construction of State Highway 45 Southwest between Loop 1 (Mopac) and FM 1626 in the amount of \$12,500,000 and to reimburse itself from state highway bonds.

Members of the Court heard from:

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

MOTION: Approve Item 28.

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

MOVER: Gerald Daugherty, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

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

NAYS: Ron Davis

29. Consider and take appropriate action on requested license agreement for Willis of Texas, Inc. to hold bike races at East Metropolitan Park from Saturday October 4, 2014 through Sunday October 5, 2014.

RESULT: ADDED TO CONSENT

30. Consider and take appropriate action on changes to the membership and scope of the Bicycle Safety Task Force to address bicycle safety on Travis County roads in unincorporated areas.

Members of the Court heard from:

Steve Manilla, County Executive, TNR

MOTION: Approve the current membership of the Bicycle Safety Task Force, as well as the Task Force's scope of work, with the caveat that, if there are any changes to the scope of work, staff will bring this item back to Court.

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

31. Consider and take appropriate action regarding approval of a medical supply agreement between Travis County and the City of Austin Emergency Medical Services Department for the purchase of medical supplies for the Travis County Parks First Responder organization. (Commissioner Todd)

RESULT: ADDED TO CONSENT

Other Items

32. Consider and take appropriate action to appoint Belinda Ruiz to the Emergency Services District Number Eleven board effective immediately through December 31, 2014. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

33. Consider and take appropriate action to appoint Steven Reveile to the Emergency Services District Number Eleven board effective immediately through December 31, 2014. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

34. Consider and take appropriate action on proposed pilot program for video conferencing in Commissioners Court. (Commissioner Todd)

Members of the Court heard from:

Tanya Acevedo, Chief Information Officer, Information Technology Services (ITS)
Nyralin Kline, Project Manager, ITS
Hershel Lee, Travis County Fire Marshal

Clerk's Note: Items 34 and 1 are associated with one another and were called for concurrent discussion.

RESULT: DISCUSSED

Reset for: 10/14/2014

35. Consider and take appropriate action on the continuation of the Sheriff's Office dispatch interlocal agreements with municipalities for the next fiscal year.

RESULT: ADDED TO CONSENT

36. Consider and take appropriate action on seventh annual Travis County History Day, October 24, 2014.

Members of the Court heard from:

Steven Broberg, Director, Records Management and Communications Resources (RMCR)
Christy Moilanen, Travis County Archivist, RMCR

MOTION: Approve staff's recommendations, as listed in the backup documentation.

RESULT: APPROVED [UNANIMOUS]

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Biscoe, Davis, Todd, Daugherty, Gómez

37. Receive the fiscal year 2015 overtime payout schedule from the County Auditor.

Members of the Court heard from:
Nikki Riley, Travis County Auditor

RESULT: DISCUSSED

38. Consider and take appropriate action regarding agreement for assessment and collection services between Travis County and the Round Rock Independent School District.

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

39. Receive briefing and authorize County Attorney to enter into a contract for expert study and witness for possible tax challenge.¹

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

RESULT: DISCUSSED

Reset for: 10/14/2014

40. **Revised language:** Receive legal briefing and take appropriate action on the Conference of Urban Counties TechShare Criminal Courts project **and related matters.**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: Create a subcommittee consisting of the following persons to discuss this matter:

- Samuel Biscoe, Travis County Judge
- Margaret Gómez, Commissioner, Precinct 4
- Roger Jefferies, County Executive, Justice and Public Safety (JPS)
- Leroy Nellis, Interim County Executive, Planning and Budget Office (PBO)
- Dana DeBeauvoir, Travis County Clerk
- Nikki Riley, Travis County Auditor
- Cyd Grimes, Travis County Purchasing Agent
- Tanya Acevedo, Chief Information Officer, Information Technology Services (ITS)
- Daniel Bradford, Assistant County Attorney (assisted by anyone he deems appropriate)

Judge Biscoe recommended that the subcommittee meet twice between now

and October 7, 2014, and produce a document for the Commissioners to discuss in open Court.

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

41. Consultation with attorney in Travis County, et al v. Lawrence R, Trahan (Bradley T. Tolocko resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 41 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 Bradley T. Tolocko who has paid Travis County the sum of \$8,005.00 in cash, and authorize Judge Biscoe to sign on behalf of the Commissioners Court.

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

42. Consultation with attorney in Travis County, et al v. J.W. Small (Trucha Grande Lots LLC resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 42 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 Trucha Grande Lots LLC, who have paid Travis County the sum of \$5,558.00 in cash, and authorize Judge Biscoe to sign on behalf of the Commissioners Court.

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

43. **Revised language:** Consultation with attorney in Travis County, et al v. Terra Properties (Equity Trust Company custodian FBO Erick Beechum IRA 50% undivided interest and Earl Beechum III 50% undivided interest resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 43 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 Equity Trust Company Custodian FBO Erick Beechum IRA 50% Undivided Interest and Earl Beechum III 50% Undivided Interest, who have paid Travis County the sum of \$5,447.00 in cash, and authorize Judge Biscoe to sign on behalf of the Commissioners Court.

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

44. **Revised language:** Consultation with attorney in Travis County, et al v. the Hollow, Inc. (**Equity Trust Company custodian FBO Erick Beechum IRA 50% undivided interest and Earl Beechum III 50% undivided interest resale deed**) and take appropriate action. ¹

Judge Biscoe announced that Item 44 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 Equity Trust Company Custodian FBO Erick Beechum IRA 50% Undivided Interest and Earl Beechum III 50% Undivided Interest who have paid Travis County the sum of \$4,373.00 in cash for Building #495543, \$3,784.00 in cash for Building #495549, and \$3,784.00 in cash for Building #495550, and authorize Judge Biscoe to sign on behalf of the Commissioners Court.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Gerald Daugherty, Commissioner

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

ABSENT: Bruce Todd

45. Consultation with attorney in Travis County, et al v. Texas 12405, LLC (Rebecca Ruth Campos resale deed) and take appropriate action. ¹

Judge Biscoe announced that Item 45 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 Rebecca Ruth Campos, who has paid Travis County the sum of \$1,655.16 in cash, and authorize Judge Biscoe to sign on behalf of the Commissioners Court.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

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

ABSENT: Bruce Todd

46. Receive briefing from County Attorney concerning whether to file suit against Susanne Gattilia to recover damages to a County-owned guardrail and take appropriate action.

Judge Biscoe announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney. ¹

Clerk's Note: Items 46, 47, and 48 are associated with one another and were called for concurrent discussion.

MOTION: Authorize the County Attorney to file suit against Susanne Gattilia, Roxanne Habbit and Krystal Weaver to recover damages.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

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

ABSENT: Bruce Todd

47. Receive briefing from County Attorney concerning whether to file suit against Roxanne Habbit to recover damages to a County-owned guardrail and take appropriate action. ¹

Judge Biscoe announced that Item 47 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Items 46, 47, and 48 are associated with one another and were called for concurrent discussion. Please refer to Item 46 for a summary of the action taken by the Court.

48. Receive briefing from County Attorney concerning whether to file suit against Krystal Weaver to recover damages to a County-owned guardrail and take appropriate action.¹

Judge Biscoe announced that Item 48 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: Items 46, 47, and 48 are associated with one another and were called for concurrent discussion. Please refer to Item 46 for a summary of the action taken by the Court.

49. Consider and take appropriate action regarding an encroachment agreement with the City of Austin for the new Ronald Earle building at 416 W. 11th Street.^{1 and 2}

Judge Biscoe announced that Item 49 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 amount of \$56,520.00 for this encroachment on a City of Austin road.
RESULT: **APPROVED [3 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Gerald Daugherty, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Gerald Daugherty
ABSTAIN: Margaret J. Gómez
ABSENT: Bruce Todd

Consent Items

MOTION: Approve Consent Items C1–C2 and Agenda Items 7.a–i, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27.a–c, 29, 31, 32, 33, 35, and 38.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, 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. **Will be pulled:** Approve setting a public hearing on Tuesday, October 14, 2014, to receive comments regarding a request to temporarily close Steeds Crossing and Windmill Ranch Avenue in Precinct One. (Commissioner Davis)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Minutes for the Travis County Commissioners Court Tuesday, October 7, 2014 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 7, 2014, 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	Absent
Gerald Daugherty	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. Receive comments regarding the application for a Texas Mass Gathering Act Permit under Chapter 751 of the Texas Government Code From Pay it Forward Entertainment Group for the Mud Volleyball Tournament and related issues, including but not limited to the following:
 - a. Event: Mud Volleyball Tournament
Place: Bloor Ranch
12000 Blue Bluff Road
Austin, TX 78653
Date: October 18, 2014
from 9:00 a.m. to 6:00 p.m.;
 - b. Proposed public safety plan, including reports from:
 - i. Austin/Travis County Health Authority;
 - ii. Travis County Fire Marshal; and
 - iii. Travis County Sheriff;
 - c. Proposed traffic management plan; and
 - d. All related issues. (Action Item #31)

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

Members of the Court heard from:
Hershel Lee, Travis County Fire Marshal
Julie Joe, Assistant County Attorney
Dr. John Kim, Travis County resident

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

2. Receive comments regarding the application for a Texas Mass Gathering Act permit under Chapter 751 of the Texas Government Code from Odyssey BMX for the Texas Toast BMX (Bicycle Motocross) event and related issues, including but not limited to the following:

a. Event: Texas Toast Bicycle Motocross Event
Place: Quest ATX
10815 FM 1625
Austin, TX 78747
Date: October 17 through 19, 2014
from 10:00 a.m. to 6:00 p.m.;

- b. Proposed public safety plan, including reports from:

- i. Austin/Travis County Health Authority;
ii. Travis County Fire Marshal; and
iii. Travis County Sheriff;

- c. Proposed traffic management plan; and

- d. All related issues. (Action Item #32)

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

Members of the Court heard from:
Hershel Lee, Travis County Fire Marshal
Sherri Fleming, County Executive, Travis County Health and Human Services & Veterans Service (TCHHS&VS)
Jason Jewert, Lieutenant, Travis County Sheriff's Office (TCSO)
David Greear, Senior Engineer, Transportation and Natural Resources (TNR)

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

3. Receive comments regarding the temporary closure of Johnson Road in Precinct One to reconstruct the roadway beginning October 15, 2014, and continuing through December 31, 2014, or until construction is completed. (Commissioner Davis) (Action Item #8)

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

Members of the Court heard from:
Steve Manilla, County Executive, TNR
David Greear, Senior Engineer, TNR

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

4. Receive comments regarding contraflow operations on Pearce Lane from Kellam Road to Ross Road with regards to post event traffic operations of the Formula One Grand Prix November 2, 2014 in Precinct Four. (Commissioner Gómez) (Action Item #9)

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

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, Ron Davis, Gerald Daugherty, Margaret J. Gómez
ABSENT: Bruce Todd

Citizens Communication

Members of the Court heard from:
Carlos León, Travis County resident
Adele Noel, Environmental Project Manager, Transportation and Natural Resources (TNR)
Dr. John Kim, Travis County resident

Special Items

5. 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 lifted.

Resolutions and Proclamations

6. Approve resolution to the Texas Department of Agriculture in support of a grant for Meals on Wheels and More.

Members of the Court heard from:

Dan Pruett, President and CEO, Meals on Wheels and More

MOTION: Approve the Resolution in Item 6.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Gerald Daugherty, Commissioner

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

ABSENT: Bruce Todd

7. Approve proclamation declaring October 5 through 11, 2014 as "Fire Prevention Week" in Travis County.

Members of the Court heard from:

Hershel Lee, Travis County Fire Marshal

MOTION: Approve the proclamation in Item 7.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Gerald Daugherty, Commissioner

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

ABSENT: Bruce Todd

- A1. Added item: Approve proclamation for the 31st annual National Night Out event on October 7, 2014.**

Members of the Court heard from:

Zainab Banks, Senior Deputy, TCSO Community Outreach Unit

MOTION: Approve the proclamation in Item A1.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

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

ABSENT: Bruce Todd

Transportation and Natural Resources Dept. Items

8. Consider and take appropriate action regarding the temporary closure of Johnson Road in Precinct one to reconstruct the roadway beginning October 15, 2014, and continuing through December 31, 2014, or until construction is completed. (Commissioner Davis)

MOTION: Approve Item 8.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Gerald Daugherty, Margaret J. Gómez
ABSENT: Bruce Todd

9. Consider and take appropriate action regarding contraflow operations on Pearce Lane from Kellam Road to Ross Road with regards to post event traffic operations of the Formula One Grand Prix November 2, 2014 in Precinct Four. (Commissioner Gómez)

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

10. Consider and take appropriate action on multiple cash security agreements with Gehan Homes Ltd. for sidewalk fiscal for Commons at Rowe Lane 4A:

- a. Lot 19, Block FF;
- b. Lot 16, Block P;
- c. Lot 7, Block P;
- d. Lot 8, Block P; and
- e. Lot 6, Block Q, in Precinct One. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

11. Consider and take appropriate action on a plat for recording: Rowe Lane Estates Section Two Amended Plat of Lots 19 and 20 (amended plat – two total Lots – Hodde Lane – City of Pflugerville ETJ) in Precinct One. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

12. Consider and take appropriate action on the following:

- a. Whisper Valley Village One Phase One Preliminary Plan [preliminary plan – 257 total Lots (198 single-family residential lots, 39 townhome Lots, 18 drainage/greenbelt/open space Lots, and 1 amenity center lot) 79.97 acres – City of Austin ETJ]; and
- b. Alternative fiscal agreement for Whisper Valley Village One Phase One final plat in Precinct One. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

13. Consider and take appropriate action regarding proposed license agreement for Violet Crown Sports Association to hold a bike race in Webberville Park in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action on the second amendment to the Sweetwater Ranch Section One and Section Two phasing agreement in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

15. Consider and take appropriate action on a resolution stating a fifty-foot strip of land in the Vistancia Preliminary Plan (formerly Skywest Preliminary Plan) is dedicated solely for right-of-way in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action on the following:

- a. Destiny Hills Section Two Final Plat (final plat – 24 single-family Lots on 24.151 acres – Destiny Hills Drive – County of Travis); and
- b. Subdivision construction agreement for Destiny Hills Section Two in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action a request for funding assistance received from the Lower Colorado Regional Planning Group (Region K).

RESULT: ADDED TO CONSENT

Clerk's Note: Judge Biscoe noted that the amount is \$5,000.00, and the funding source would be TNR internal funds.

Health and Human Services Dept. Items

18. Consider and take appropriate action on the following related to the Community Development Block Grant available through HUD:
 - a. The substitution of cancelled Program Year 2014 projects with approved alternate projects for the PY14 Action Plan; and
 - b. The reprogramming of project savings from Program Year 2013 projects with approved alternates for the PY13 Action Plan.

Members of the Court heard from:

Sherri Fleming, County Executive, TCHHS&VS
Lee Turner, Engineer Senior, TNR
Steve Manilla, County Executive, TNR

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

Planning and Budget Dept. Items

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

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

21. 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 \$1,455,487.89 for the period of September 19 to September 25, 2014.

RESULT: ADDED TO CONSENT

22. Approve tuition/fees award for one Travis County employee to participate in the Leadership Austin Emerge Program in accordance with Chapters 10.0191 through 10.0195 of the Travis County Code.

RESULT: ADDED TO CONSENT

Clerk's Note: Judge Biscoe noted that the amount of the reimbursement would be \$120.00, as requested.

23. Consider and take appropriate action on a request from the City of Austin to use the Commissioners Courtroom at 700 Lavaca on Thursday, October 23, 2014 for a City Council meeting.

RESULT: ADDED TO CONSENT

Purchasing Office Items

24. Approve Modification No. 14 to Contract No. 4400000915 (HTE Contract No. PS990080TS), CAP Systems, Inc., for enhancements to Case Management and Benefits Administration (CABA) system.

RESULT: ADDED TO CONSENT

25. Approve Modification No. 35 to Contract No. 4400000567 (HTE Contract No. MA980095), Tiburon, Inc., for agreement for extended services.

RESULT: ADDED TO CONSENT

26. Approve contract for University Savings Building (USB) HVAC system replacement, IFB No. B1407-003-RV, to the low bidder, Harkins Company.

RESULT: ADDED TO CONSENT

27. Approve Modification No. 3 to Interlocal Agreement No. 44000001018, Austin-Travis County Integral Care for child therapist supervisor services.

RESULT: ADDED TO CONSENT

28. Ratify Modification No. 17 to Interlocal Agreement No. 4400000372, Austin-Travis County Integral Care and the City of Austin, for substance abuse services.

RESULT: ADDED TO CONSENT

29. Approve Modification No. 2 to Contract No. 4400001451, Mechanical & Process Systems, LLC, for Ned Granger Building HVAC renovation.

RESULT: ADDED TO CONSENT

30. Approve contract award for architectural/engineering services for the development of the new Medical Examiner's Office, RFQ No. Q1402-008-AG, to the most highly qualified firm, SmithGroupJJR.

Members of the Court heard from:

Deone Wilhite, Executive Assistant, County Commissioner Precinct 1 Office

Daniel Bradford, Assistant County Attorney

Marvin Brice, Assistant Purchasing Agent

RESULT: DISCUSSED

Reset for: 10/14/2014

Other Items

31. Consider and take appropriate action regarding the application for a Texas Mass Gathering Act permit under Chapter 751 of the Texas Government Code from Pay it Forward Entertainment Group for the Mud Volleyball Tournament and related issues.

MOTION: Deny the permit, as the County Judge finds that there is insufficient financial backing, as required in Chapter 751.007(b)(2) of the Texas Health and Safety Code.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

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

ABSENT: Bruce Todd

32. Consider and take appropriate action regarding the application for a Texas Mass Gathering Act permit under Chapter 751 of the Texas Government Code from Odyssey BMX for the Texas Toast BMX (bicycle motocross) event and related issues.

MOTION: Approve the permit application in Item 32.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Gerald Daugherty, Commissioner

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

ABSENT: Bruce Todd

33. Consider and take appropriate action on request to approve Fiscal Year 2014 Asset Forfeiture Report from the Travis County Fire Marshal's Office.

RESULT: ADDED TO CONSENT

Clerk's Note: Judge Biscoe noted that the amount of Asset Forfeitures in Item 33 is 0.

34. Approve order to direct depositing of salary fund monies into the General Fund of Travis County.

RESULT: ADDED TO CONSENT

35. Consider and take appropriate action on the annual Brown Santa 5K, Decker Challenge and Wellness Fair on Sunday, December 7, 2014.

RESULT: ADDED TO CONSENT

36. Ratify decision for Travis County Sheriff's Office motor deputies to take assigned vehicles to Gonzales, Louisiana for training.

RESULT: ADDED TO CONSENT

37. Consider and take appropriate action on updated interlocal cooperation agreement between Travis County Constable Precinct Three and Shady Hollow Municipal Utility District.

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

38. Receive briefing and authorize County Attorney to enter into a contract for expert study and witness for possible tax challenge.¹

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

RESULT: DISCUSSED

39. Receive briefing from outside counsel and take appropriate action regarding Steven Brand v. Travis County; Cause No. 1:14-CV-00658-LY.¹

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

RESULT: POSTPONED

40. Receive briefing from County Attorney regarding Travis County, Texas v. Michael Kimbro, Cause No. D-1-GN-14-00189; in the 419th District Court, Travis County, Texas and request regarding damage to their home caused by the October 31, 2013 floods, including application for buyout, and take appropriate action.^{1 and 2}

Judge Biscoe announced that Item 40 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

Consent Items

- 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, and other statutorily required reports, for the month of August 2014 from the County Auditor's Office

Members of the Court heard from:

Julie Joe, Assistant County Attorney

MOTION: Approve Consent Items C1–C3 and Agenda Items 10, 11, 12.a–b, 13, 14, 15, 16.a-b, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, 35, 36, and 37.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Gerald Daugherty, Commissioner

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

ABSENT: Bruce Todd

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge