



# **Travis County Commissioners Court Voting Session Agenda Request**

**Meeting Date:** November 17, 2017

**Agenda Language:**

Consider and take appropriate action on order canvassing election returns and declaring results in Travis County for the November 7, 2017 Travis County Bond Election.

**Prepared By/Phone Number:** Aerin Pfaffenberger, Planning and Budget, 854-1160

**Elected/Appointed Official or Department Head:** Jessica Rio, County Executive, Planning and Budget, 854-4455

**Commissioners Court Sponsor(s):** Judge Eckhardt

**Background/Summary of Request and Attachments:**

The attached backup has been revised to include the official results of the election, which were delivered to the offices of the County Judge and Commissioners on Thursday, November 16, 2017.

**Staff Recommendations:**

PBO recommends approval of the order canvassing election returns and declaring results of the November 7, 2017 Travis County Bond Election.

**Issues and Opportunities:** N/A

**Fiscal Impact and Source of Funding:** N/A

**Required Authorizations:**

Planning and Budget Office	Jessica Rio
County Judge's Office	Joe Hon

**AGENDA REQUEST & BACKUP MATERIALS DEADLINE:** Agenda requests and backup materials must be submitted in PDF format via email to [agenda@traviscountytx.gov](mailto:agenda@traviscountytx.gov) by **12 noon on Tuesday** in order to be considered for inclusion in the following week's voting session.

AN ORDER CANVASSING RETURNS AND DECLARING THE RESULTS OF AN ELECTION HELD IN TRAVIS COUNTY, TEXAS ON NOVEMBER 7, 2017

WHEREAS, the Commissioners Court (the "Court") of Travis County, Texas (the "County") duly authorized a bond election (the "Election") to be held within the County on November 7, 2017, for the purpose of submitting to the resident qualified electors of the County the propositions (the "Propositions") hereinafter set forth; and

WHEREAS, the Court has investigated all matters pertaining to the Election, including the order calling the Election, giving notice, appointing officers, holding and making returns of the Election; the election officers who held the Election have duly made the returns of the results thereof; and said returns have been duly delivered to the Court for official canvassing of the returns thereof; and

WHEREAS, upon the consideration of the returns of the Election, it is hereby found and determined that the same was held in accordance with the authorizing proceedings and was in all respects legally held after due notice had been given, and the returns duly and legally made, and other instruments, showed the following results:

PROPOSITION A

THE ISSUANCE OF \$93,445,000 OF ROAD BONDS FOR THE PURPOSE OF THE CONSTRUCTION, MAINTENANCE AND OPERATION OF MACADAMIZED, GRAVELED OR PAVED ROADS AND TURNPIKES, OR IN AID THEREOF, INCLUDING ACQUIRING LAND AND RIGHTS-OF-WAY THEREFOR, ROAD DRAINAGE, BIKE LANES, SIDEWALKS AND SHARED USE PATHS, AND REPLACEMENT AND IMPROVEMENT OF ROAD BRIDGES AND CULVERTS, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF

68,969 VOTES FOR  
25,215 VOTES AGAINST  
94,184 TOTAL BALLOTS CAST

PROPOSITION B

THE ISSUANCE OF \$91,495,000 OF BONDS FOR THE PURPOSES OF CONSTRUCTING AND IMPROVING COUNTY PARKS AND THE ACQUISITION OF LAND AND INTERESTS IN LAND IN CONNECTION THEREWITH, INCLUDING THE ACQUISITION OF OPEN SPACE PARK LAND, AND ACQUIRING CONSERVATION EASEMENTS ON LAND FOR ANY AUTHORIZED PURPOSES, INCLUDING, WITHOUT LIMITATION, TO RETAIN OR PROTECT NATURAL, SCENIC, OR OPEN-SPACE VALUES OF REAL PROPERTY OR ASSURE ITS AVAILABILITY FOR AGRICULTURAL, RECREATIONAL, OR OPEN-SPACE USE, PROTECT NATURAL RESOURCES, MAINTAIN OR ENHANCE AIR OR WATER QUALITY, OR CONSERVE WATER QUANTITY OR QUALITY, AND THE LEVYING OF THE TAX IN PAYMENT THEREOF

68,969 VOTES FOR  
25,285 VOTES AGAINST  
94,254 TOTAL BALLOTS CAST

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY TEXAS THAT:

Section 1. All of the recitals contained in the preamble of this Order are found to be true and are adopted as findings of fact by the Court and as part of its judgment.

Section 2. It is found and determined that the results of the Election as canvassed and tabulated in the preamble hereof reflect the expressed desires of the electors. Based on the results of the Election, the County is authorized to issue its bonds with respect to the Proposition A and Proposition B, in accordance with applicable law.

Section 3. This Order shall take effect immediately upon its passage and approval.

Section 4. The completion of this canvassing order will be reflected in the minutes and/or recording of this canvass hearing in accordance with Section 67.004(g) of the Texas Election Code and Section 551.021 of the Texas Government Code.

PASSED AND APPROVED this November 17, 2017.

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Honorable Sarah Eckhardt  
Travis County, Texas  
Presiding Officer of the Canvassing Authority

ATTEST:

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Dana DeBeauvoir  
County Clerk and Ex-Officio Clerk of the  
Commissioners Court of Travis County, Texas

**CERTIFICATE OF COUNTY CLERK**

THE STATE OF TEXAS                             §  
   §  
COUNTY OF TRAVIS                            §

THE UNDERSIGNED HEREBY CERTIFIES that:

The Commissioners Court (the *Court*) of Travis County, Texas (the *County*), convened on the 17<sup>th</sup> day of November, 2017 in special session in the regular meeting place of the Court in the County Courthouse (the *Meeting*), which Meeting was at all times open to the public, the duly constituted officers and members of the Court being as follows:

Sarah Eckhardt	County Judge
Jeff Travillion	Commissioner, Precinct No. 1
Brigid Shea	Commissioner, Precinct No. 2
Gerald Daugherty	Commissioner, Precinct No. 3
Margaret J. Gomez	Commissioner, Precinct No. 4

and all of such persons were present at the Meeting except \_\_\_\_\_, thus constituting a quorum. Among other business considered at the Meeting, the attached order (the “Order”) entitled:

AN ORDER CANVASSING RETURNS AND DECLARING THE RESULTS OF AN ELECTION HELD IN TRAVIS COUNTY, TEXAS ON NOVEMBER 7, 2017

was introduced for the due consideration of the Court. After presentation and discussion of the Order, a motion was made by Commissioner \_\_\_\_\_ that the Order be passed and adopted. The motion was seconded by Commissioner \_\_\_\_\_ and carried by the following vote:

\_\_\_ voted “For” \_\_\_ voted “Against” \_\_\_ “Abstained”

all as shown in the official Minutes of the Court for the Meeting.

The attached Order is a true and correct copy of the original on file in the official records of the County; the duly qualified and acting members of the Court on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Court was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Order would be considered; and the Meeting and deliberation of the aforesaid public business, including the subject of the Order, was posted and given in advance thereof in compliance with the provisions of Chapter 551, as amended, Texas Government Code.

IN WITNESS WHEREOF, I have signed my name officially and affixed the seal of the Commissioners Court, this \_\_\_\_\_ day of November, 2017.

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Dana DeBeauvoir  
County Clerk and Ex-Officio Clerk of the  
Commissioners Court of Travis County, Texas

(SEAL OF COMMISSIONERS COURT)

Official Results  
**Travis County Bond Cumulative Report**

Total Registered Voters	724,725	
Total Precincts Completed	342 of 342	100.00%

	<u>Early Voting</u>	<u>Election Day</u>	<u>Total Vote</u>
Total Ballots Cast	39,866	57,368	97,234
% of Total Registered Voters	5.50%	7.92%	13.42%

	<u>Early Voting</u>		<u>Election Day</u>		<u>Total Vote</u>	
<b>PROPOSITION A, TRAVIS COUNTY</b>						
For	27,054	70.30%	41,915	75.25%	68,969	73.23%
Against	11,431	29.70%	13,784	24.75%	25,215	26.77%
Total Votes Counted in this Race:	<u>38,485</u>		<u>55,699</u>		<u>94,184</u>	

	<u>Early Voting</u>		<u>Election Day</u>		<u>Total Vote</u>	
<b>PROPOSITION B, TRAVIS COUNTY</b>						
For	26,784	69.59%	42,185	75.65%	68,969	73.17%
Against	11,706	30.41%	13,579	24.35%	25,285	26.83%
Total Votes Counted in this Race:	<u>38,490</u>		<u>55,764</u>		<u>94,254</u>	



## Travis County Commissioners Court Voting Session Agenda Request

**Meeting Date:** November 17, 2017

**Agenda Language:**

Consider and take appropriate action on order canvassing election returns and declaring results in Travis County for the November 7, 2017 Special Constitutional Amendment Election.

**Prepared By/Phone Number:** Michael Winn / 512-854-4177

**Elected/Appointed Official or Department Head:** Dana DeBeauvoir, County Clerk

**Commissioners Court Sponsor(s):** County Judge, Sarah Eckhardt

**Background/Summary of Request and Attachments:**

Order and official election results attached.

**Staff Recommendations:**

N/A

**Issues and Opportunities:**

N/A

**Fiscal Impact and Source of Funding:**

N/A

**Required Authorizations:** Ron Morgan, Chief Deputy Clerk, 512-854-9587

Michael Winn, Director of Elections, 512-854-4728, Geetha Lingham, Assistant Director of Elections, 512-854-9193

Related Departments Elizabeth Hanshaw Winn, County Attorney's Office 512-854-9513

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**ORDER CANVASSING ELECTION RETURNS  
AND DECLARING RESULTS IN TRAVIS COUNTY FOR THE  
NOVEMBER 7, 2017 SPECIAL CONSTITUTIONAL AMENDMENT  
ELECTION**

WHEREAS, in accordance with a proclamation issued by the Governor of the State of Texas pursuant to Section 3.003 of Texas Election Code, a Special Constitutional Amendment Election was held on Tuesday, November 7, 2017 to adopt or reject the proposed Texas Constitutional Amendments;

WHEREAS, pursuant to Section 67.002(a)(1) of the Texas Election Code, the Travis County Commissioners Court shall conduct a local canvass of the precinct election returns in Travis County for the November 7, 2017 Special Constitutional Amendment Election;

WHEREAS, pursuant to Section 67.003 of the Texas Election Code, the Travis County Commissioners Court, which is the local canvassing authority, shall convene to conduct the local canvass, including County election returns of the Special Constitutional Amendment Election, not earlier than the 3<sup>rd</sup> day or later than 11<sup>th</sup> day after election day;

WHEREAS, pursuant to Sections 67.004(a) and 87.1231 of the Texas Election Code, the precinct election returns for each election precinct in Travis County have been delivered to the Travis County Commissioners Court and have been opened and canvassed;

WHEREAS, pursuant to Section 67.004(b) of the Texas Election Code, a tabulation has been prepared stating for each proposed Constitutional Amendment: (1) the total number of votes, including early voting votes, received in each election precinct in Travis County “for” the proposed Constitutional Amendment and the total number of votes, including early voting votes, received in each election precinct in Travis County “against” the proposed Constitutional Amendment; and (2) the sum of the precinct totals tabulated for each proposed Constitutional Amendment showing the total number of votes, including early voting votes, received in all the election precincts in Travis County “for” the proposed Constitutional Amendment, and the total number of votes, including early voting votes, received in all election precincts in Travis County “against” the proposed Constitutional Amendment;

WHEREAS, pursuant to Section 67.004(b-1) of the Texas Election Code, a tabulation has been prepared stating for each proposed Constitutional Amendment: (1) the total number of voters, including early voting voters, who cast ballots in each election precinct in Travis County “for” the proposed Constitutional Amendment and the total number of voters, including early voting voters, who cast ballots in each election precinct in Travis County “against” the proposed Constitutional Amendment; and (2) the sum of the precinct totals tabulated for each proposed Constitutional Amendment showing the total number of voters, including early voting voters, who cast ballots in all the election precincts in Travis County “for” the proposed Constitutional Amendment, and the total number of voters, including early voting voters, who cast ballots in all election precincts in Travis County “against” the proposed Constitutional Amendment;

WHEREAS, pursuant to Section 67.007(a) and (b) of Texas Election Code, the county election returns for the November 7, 2017 Special Constitutional Amendment Election as set forth in Exhibit "A," attached hereto and hereby incorporated by reference herein for all purposes, include the (1) total number of votes received in Travis County "for" each proposed Constitutional Amendment Election and the total number of votes received in Travis County "against" each proposed Constitutional Amendment; and (2) total number of voters who cast ballots in Travis County "for" each proposed Constitutional Amendment Election and the total number of voters who cast ballots in Travis County "against" each proposed Constitutional Amendment; and,

WHEREAS, in accordance with Section 67.007(c) and (d), and Section 67.009 of the Texas Election Code, the county clerk shall sign the county election returns for Travis County and shall deliver said returns to the Texas Secretary of State, as directed or instructed by the Secretary of State.

NOW, THEREFORE, the Travis County Commissioners Court hereby declares the results of the local canvass and approves the County election returns for the November 7, 2017 Special Constitutional Amendment Election, as set forth in Exhibit "A," attached hereto and hereby incorporated by reference herein for all purposes, showing for each proposed Constitutional Amendment: (1) the total number of votes, including early voting votes, received in each Travis County election precinct "for" the proposed Constitutional Amendment, and the total number of votes, including early voting votes, received in each County election precinct "against" the proposed Constitutional Amendment; (2) the sum showing the total number of votes, including early voting votes, received in Travis County "for" the proposed Constitutional Amendment, and the sum showing the total number of votes, including early voting votes, received in Travis County "against" the proposed Constitutional Amendment; (3) the total number of voters, including early voting voters, who cast ballots in each election precinct in Travis County "for" the proposed Constitutional Amendment and the total number of voters, including early voting voters, who cast ballots in each election precinct in Travis County "against" the proposed Constitutional Amendment; and (4) the sum of the precinct totals tabulated for each proposed Constitutional Amendment showing the total number of voters, including early voting voters, who cast ballots in all the election precincts in Travis County "for" the proposed Constitutional Amendment, and the total number of voters, including early voting voters, who cast ballots in all election precincts in Travis County "against" the proposed Constitutional Amendment.

The results of the local canvass and the County election returns in Travis County for the November 7, 2017 Special Constitutional Amendment, as set forth in Exhibit "A," attached hereto and hereby incorporated by reference herein for all purposes, shall be delivered to the Texas Secretary of State for final canvass, as directed or instructed by the Secretary of State under Texas Election Code Sections 67.007 and 67.009.

The completion of this canvassing order will be reflected in the minutes and/or recording of this canvass hearing in accordance with Section 67.004(g) of the Texas Election Code and Section 551.021 of the Texas Government Code.

BE IT SO ORDERED on this, the 17 day of November, 2017.

By: \_\_\_\_\_  
Honorable Sarah Eckhardt  
Travis County Judge

\_\_\_\_\_  
Honorable Jeff Travillion  
Commissioner, Precinct One

\_\_\_\_\_  
Honorable Brigid Shea  
Commissioner, Precinct Two

\_\_\_\_\_  
Honorable Gerald Daugherty  
Commissioner, Precinct Three

\_\_\_\_\_  
Honorable Margaret Gómez  
Commissioner, Precinct Four

# EXHIBIT A



## **Travis County Commissioners Court Agenda Request**

**Meeting Date:** November 17, 2017

**Prepared By/Phone Number:** Bonnie Floyd

**Appointed Official:** Bonnie S. Floyd

**Commissioners Court Sponsor:** Commissioner Travillion

### **Agenda Language:**

Consider and take action on order to revise Travis County Code Chapter 32, Purchasing and Assets.

### **Issues:**

The attached order revises section 32.026 and 32.094 of Chapter 32, Purchasing and Assets, to change the gift amount from \$100 to \$50 to be in line with Chapter 36 of the Texas Penal Code.

**Order of the Travis County Commissioners Court  
Amending the Travis County Code, Chapter 32**

Pursuant to Chapter 2 of the Travis County Code, it is ordered that the Travis County Code 32.026 and 32.094(c)(2) is amended as shown in Attachment A.

The changes ordered shall become effective on (date) \_\_\_\_\_.

ORDERED on: (date) \_\_\_\_\_.

**Travis County Commissioners Court**

\_\_\_\_\_  
Sarah Eckhardt  
Travis County Judge

\_\_\_\_\_  
Jeff Travillion  
Commissioner, Precinct 1

\_\_\_\_\_  
Brigid Shea  
Commissioner, Precinct 2

\_\_\_\_\_  
Gerald Daugherty  
Commissioner, Precinct 3

\_\_\_\_\_  
Margaret Gómez  
Commissioner, Precinct 4

### **32.026     Gratuities**

Employees shall not solicit or accept money, loans, gifts, favors, or anything of value, from present or potential contractors that might influence or appear to influence a purchasing decision. Generally, goods or services with a value of ~~\$100~~ \$50 or less in the aggregate from a Vendor during a year do not violate this prohibition unless they influence or appear to influence a specific purchasing decision. If anyone is in doubt about whether a specific transaction complies with this policy, the person should disclose the transaction to the Purchasing Agent for a determination of compliance.

### **32.094     Conflict of Interest Disclosure**

- (a) This section provides a concise overview of the requirements related to the disclosure of conflicts of interest in Texas Local Government Code, Chapter 176.
- (b) For this section, a County officer means:
  - (1) The members of the Commissioners Court, and
  - (2) Any person or agent, including employees, who exercises discretion in planning for selection of, recommending, selecting or contracting with a vendor who enters into a contract with the County.
- (c) Unless the County officer is an employee who is acting in his or her official capacity, a County officer must file the conflicts disclosure statement prescribed by the Texas Ethics Commission related to any vendor who has done any of the following within the 12 months before the County considers entering into or enters into a contract with the vendor:
  - (1) Entered into an employment or business relationship with the County officer or a family member of the County officer that results in \$2,500 in taxable income, other than investment income within that 12 months, or
  - (2) Given the County officer or a family member of the County officer one or more gifts with a total value of more than ~~\$100~~ \$50, where gifts include lodging, transportation and entertainment as a guest but do not include political contributions or food received as a guest, or
  - (3) Has a family relationship with the County officer.
- (d) If a County officer is not an County employee who is acting in his or her official capacity, the prescribed conflicts disclosure statement must be filed with the County Clerk by the County officer not later than 5 pm on the 7<sup>th</sup> day after the date on which the County officer becomes aware of facts that require filing this statement.
- (e) A vendor must file the conflicts disclosure statement prescribed by the Texas Ethics Commission if the vendor:
  - (1) Has a business relationship with the County and has an employment or other business relationship with any County officer or a family

Attachment A

- member of the County officer that results in \$2,500 in taxable income, other than investment income, or
- (2) Has given the County officer or a family member of the County officer one or more gifts with a total value of more than ~~\$100~~ \$50, where gifts include lodging, transportation and entertainment as a guest within the 12 months before the vendor considers entering into or enters into a contract with the County but does not include political contributions or food to a guest, or
  - (3) Has a family relationship with a County officer.
- (f) The vendor must file the prescribed conflicts disclosure with the County Clerk not later than 5 pm on the 7<sup>th</sup> day after the date on which the vendor:
- (1) Begins discussion or negotiations to enter into a contract with the County,
  - (2) Submits an application, response to a request for proposals or bids, correspondence or other written document related to a potential contract with the County, or
  - (3) Becomes aware of:
    - (A) An employment or other business relationship with a County officer or a family member of a County officer,
    - (B) One or more gifts to a County officer or a family member of the County officer with a total value of more than ~~\$100~~ \$50, where gifts include lodging, transportation and entertainment as a guest within the 12 months before the vendor considers entering into or enters into a contract with the County but does not include political contributions or food to a guest, or
    - (C) A family relationship with a County officer.
- (g) Failure to file these disclosure statements is a criminal offense. The severity of the offense is determined by the monetary value of the contract.
- (h) The Purchasing Agent shall maintain a list of County officers and make it available to the public and any vendor who may be required to file a conflict of interest disclosure statement.
- (i) The County Clerk shall maintain the statements and questionnaires required to be filed.