



Minutes for the Travis County Commissioners Court Tuesday, April 4, 2017 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on April 4, 2017, 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.

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|----------------------------|--------------------------|---------|
| Sarah Eckhardt | County Judge | Present |
| Jeffrey W. Travillion, Sr. | Precinct 1, Commissioner | Present |
| Brigid Shea | Precinct 2, Commissioner | Present |
| Gerald Daugherty | Precinct 3, Commissioner | Present |
| Margaret J. Gómez | Precinct 4, Commissioner | Present |

Public Communication

Members of the Court heard from:
Carlos León, Travis County resident
Darrell Harris, Road Maintenance Worker, Transportation and Natural Resources (TNR)

County Announcements

Clerk's Note: Judge Eckhardt expressed the Court's sympathy for those who had suffered property damage in the recent tornado that struck Point Venture.

Public Hearings

1. Receive comments regarding the issuance of a mass gathering permit for Lonestar Nationals BMX Race to be held on April 21–23, 2017, at Northeast Metropolitan Park, 4708 Killingsworth Lane, Pflugerville, Texas 78660. (Action Item 8) (Commissioner Shea)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Jeffrey Travillion Sr, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Gerald Daugherty, Margaret J. Gómez
ABSENT: Brigid Shea

Members of the Court heard from:
Tony Callaway, Travis County Fire Marshal
David Greear, Senior Engineer, TNR
Sherri Fleming, County Executive, Travis County Health and Human Services & Veterans Service (TCHHS&VS)

Robert Armistead, Assistant Director, Parks Division, TNR
Dan Chapman, Chief Park Ranger, TNR
Bryce Miller, Lieutenant, Law Enforcement, Travis County Sheriff's Office (TCSO)
Jason Crouch, President & CEO, Central Texas BMX

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Jeffrey Travillion Sr, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Gerald Daugherty, Margaret J. Gómez
ABSENT: Brigid Shea

Resolutions and Proclamations

2. Approve proclamation recognizing the month of April 2017 as "Child Abuse Awareness and Prevention Month" in Travis County. (Commissioners Shea & Gómez)

RESULT: **ADDED TO CONSENT**

Clerk's Note: Items 2, 3, 4, and 5 were approved as part of the Consent Motion, with Commissioner Shea absent. The Court voted to reconsider these items with Commissioner Shea present.

MOTION: Reconsider and approve Items 2, 3, 4, and 5.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Jeffery Travillion, Sr., Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

3. Approve proclamation recognizing the week of April 2–8, 2017, as "Center for Child Protection Week" in Travis County. (Judge Eckhardt)

RESULT: **ADDED TO CONSENT**

Clerk's Note: Items 2, 3, 4, and 5 were approved as part of the Consent Motion, with Commissioner Shea absent. The Court voted to reconsider these items with Commissioner Shea present. Please refer to Item 2 for the Court's action on these Items.

4. Approve resolution recognizing the week of April 2–8, 2017, as "Crime Victims' Rights Week" in Travis County. (Commissioner Gómez)

RESULT: **ADDED TO CONSENT**

Clerk's Note: Items 2, 3, 4, and 5 were approved as part of the Consent Motion, with Commissioner Shea absent. The Court voted to reconsider these items with Commissioner Shea present. Please refer to Item 2 for the Court's action on these Items.

5. Approve proclamation recognizing April 4, 2017, as "National Service Recognition Day" in Travis County. (Commissioners Shea & Gómez)

RESULT: **ADDED TO CONSENT**

Clerk's Note: Items 2, 3, 4, and 5 were approved as part of the Consent Motion, with Commissioner Shea absent. The Court voted to reconsider these items with Commissioner Shea present. Please refer to Item 2 for the Court's action on these Items.

Consent Items

- C1. Receive bids from the County Purchasing Agent. (Judge Eckhardt)
- C2. Approve payment of claims by the County Treasurer. (Judge Eckhardt)
- C3. Authorize the County Treasurer to invest County funds. (Judge Eckhardt)
- C4. Approve the Commissioners Court minutes for the voting session of March 21, 2017. (Judge Eckhardt)

MOTION: Approve Consent Items C1–C4 and Agenda Items 2, 3, 4, 5, 8, 9, 16.a, 17, 19.a–b, 20, 21, 25.a–b, 28.a–b, and 31.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Gerald Daugherty, Commissioner

AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Gerald Daugherty, Margaret J. Gómez

ABSENT: Brigid Shea

Clerk's Note: The Court recessed briefly in order to take photographs with those involved with Items 2, 3, 4 and 5.

Emergency Services

- 6. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County. (Judge Eckhardt)

RESULT: NO ACTION NECESSARY

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

- 7. Consider and take appropriate action regarding the issuance of a mass gathering permit for Euphoria Music Festival to be held on April 6–10, 2017, at 9507 Sherman Road, Austin, Texas 78742. (Judge Eckhardt & Commissioner Gómez)

RESULT: NO ACTION NECESSARY

- 8. Consider and take appropriate action regarding the issuance of a mass gathering permit for Lonestar Nationals BMX Race to be held on April 21–23, 2017, at Northeast Metropolitan Park, 4708 Killingsworth Lane, Pflugerville, Texas 78660. (Public Hearing 1) (Commissioner Shea)

RESULT: ADDED TO CONSENT

- 9. Receive notice of the election called by the Emergency Services District No. 9 Board of Commissioners for the imposition of a sales and use tax within that district. (Commissioners Shea & Gómez)

RESULT: ADDED TO CONSENT

Justice Planning

10. Approve interview questions for candidates for the position of County Executive of Justice Planning. **(This item may be taken into Executive Session under the Consultation with Attorney Exception.)** (Judge Eckhardt)

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

MOTION: Approve the 11 interview questions, as discussed in Executive Session.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Gerald Daugherty, Margaret J. Gómez
ABSENT: Brigid Shea

11. Consider and take appropriate action on the appointment for Travis County Justice of the Peace, Precinct 5. (Judge Eckhardt)

Members of the Court heard from:

Julie Wheeler, Administrative Associate, Intergovernmental Relations Office (IGR)

RESULT: **DISCUSSED**

Planning and Budget

12. Consider and take appropriate action on budget amendments, transfers, and discussion items. (Commissioner Gómez)

Members of the Court heard from:

Travis Gatlin, Budget Director, PBO

MOTION: Approve Item 12.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Jeffrey Travillion Sr, Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

13. Consider and take appropriate action on the formation of the Capital Economic Progress Corporation, a Texas nonprofit corporation. (Commissioner Daugherty)

RESULT: **NO ACTION NECESSARY**

14. Receive update from the Travis Central Appraisal District and discuss legislative outlook related to property appraisal reform. (Commissioner Gómez)

Members of the Court heard from:

Jessica Rio, County Executive, Planning and Budget Office (PBO)
Marya Crigler, Chief Appraiser, Travis Central Appraisal District (TCAD)
Lonnie Hendry, Director, Commercial/Business Personal Property Appraisal, TCAD
Michael Kasper, Director, Residential Property Appraisal, TCAD

RESULT: DISCUSSED

15. Consider and take appropriate action on the Civil & Family Courts Capacity Project. **(This item may be taken into Executive Session under the Consultation with Attorney, Real Property and Security exceptions.)** (Judge Eckhardt)

RESULT: NO ACTION NECESSARY

Operations Management

16. Consider and take appropriate action on:

- a. Routine personnel actions

RESULT: ITEM 16.a ADDED TO CONSENT

- b. Non-routine personnel actions (Commissioner Gómez)

Members of the Court heard from:

Tracey Calloway, Director, Human Resources Management Department (HRMD)
Adan Ballesteros, Constable, Precinct 2
Daniel Johnson, Chief Deputy, Constable Precinct 2 Office
Todd Osburn, Compensation Manager, HRMD
Alan Miller, Assistant Budget Director, PBO

MOTION: Approve Item 16.b.

RESULT: APPROVED [UNANIMOUS]

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Jeffrey Travillion Sr, Commissioner

AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

17. Receive update on paid claims through UnitedHealthcare and Envision Pharmaceutical Services for participants in the Travis County Employee Health Care Fund for the period October 1, 2016, to February 28, 2017. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

18. Receive update and take appropriate action on proposed changes to County employee leave benefits. (Judge Eckhardt)

Members of the Court heard from:

Tracey Calloway, Director, HRMD
Jessica Rio, County Executive, PBO
Nicki Riley, Travis County Auditor

Meg Seville, Planning Manager, TCSO
Todd Osburn, Compensation Manager, Human Resources Management Department
(HRMD)
Kate Kearney, Human Resources Manager, TCSO

RESULT: DISCUSSED

Transportation and Natural Resources

19. Consider and take appropriate action on the following requests in Precinct One:

- a. Revised Sorento Preliminary Plan (1014 total lots – 982 single-family lots, seven public parkland lots, five private parkland lots, seven private landscape lots, nine private hike & bike trail lots, two public access/utility lots, and two multi-family & development reserve lots – 360.75 acres – City of Pflugerville ETJ)
- b. Revised phasing agreement between Travis County and Sorento Holdings 2012 LLC (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action regarding a proposed a license agreement with the National Multiple Sclerosis Society for use of Webberville Park as a breakpoint area for the 2017 BP MS 150 bike ride. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action on an amended plat: Bella Colinas Commercial Amended Plat of Lots 34 and 35 (amended final plat – two total lots – 4.895 acres – Palermo Drive – City of Bee Cave ETJ) in Precinct Three. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action on a request to use an alternative fiscal agreement for Sweetwater Crossing, Phase One, Precinct Three. (Commissioner Daugherty)

RESULT: NO ACTION NECESSARY

23. Consider and take appropriate action on the following requests in Precinct Three:

- a. Sweetwater Crossing Preliminary Plan (State Highway 71 – 21 total lots on 395.23 acres – 21 commercial, multi-family, open space and drainage lots – water and wastewater provided by the Lazy Nine MUD 1A – Bee Cave city limits and ETJ)
- b. Phasing agreement between Travis County and WS-COS Investments LLC (Commissioner Daugherty)

RESULT: NO ACTION NECESSARY

24. Consider and take appropriate action on a plat for recording: Sweetwater Crossing Lot 9 Block A, Final Plat (State Highway 71 – one lot on 32.21 acres – one commercial lot – water and wastewater provided by the Lazy Nine MUD 1A – Bee Cave city limits and ETJ) in Precinct Three. (Commissioner Daugherty)

RESULT: NO ACTION NECESSARY

25. Consider and take appropriate action on the following requests in Precinct Three:
- a. Plat for recording: West Cypress Hills, Phase 1, Section 6, Final Plat (17 total lots – 16 residential lots and one amenity/drainage lot on 10.01 acres – Rock Wren Road – no ETJ)
 - b. Subdivision construction agreement between Travis County and Cypress Ranch, Ltd. (Commissioner Daugherty)

RESULT: ADDED TO CONSENT

Purchasing Office Items

26. Consider and take appropriate action on the following:
- a. Approve order exempting a contract for outside counsel for real estate transactions related to the Civil and Family Courts Complex from the competitive procurement process pursuant to County Purchasing Act § 262.024 (a)(4)
 - b. Authorize Purchasing Agent to sign contract for outside counsel for real estate transactions related to the Civil and Family Courts Complex (Judge Eckhardt)

Members of the Court heard from:
 Bonnie Floyd, Interim Travis County Purchasing Agent
 Jessica Rio, County Executive, PBO

MOTION: Approve Item 26, delegating the ability to sign to the Purchasing Agent, and including the authorization to transfer the necessary funds from the Allocated Reserve.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Jeffrey Travillion Sr, Commissioner

AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

27. Approve Modification No. 3 to Contract No. 4400001650, Capital Excavation Construction Company, for Frate Barker Road Improvements. (Judge Eckhardt)

Members of the Court heard from:
 Steve Manilla, County Executive, TNR
 Morgan Cotten, Director, Public Works, TNR

MOTION: Approve Item 27.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner

SECONDER: Brigid Shea, Commissioner

AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

28. Approve contract awards for Janitorial Services at the West Rural Community Center/Clinic, Precinct Three Office Building, and Ray Martinez Precinct Four Office Building, IFB B1701-012-LD, to the low bidders:

- a. Group A – K B Contract Cleaning
- b. Group B – International Building Services (Judge Eckhardt)

RESULT: ADDED TO CONSENT

Other

29. Consider and take appropriate action on legislative matters, including:
- Update on legislative activities
 - Modifications to the Priorities, Policy Positions, and Positions on Other Proposals sections of the Travis County Legislative Agenda (Commissioners Shea & Daugherty)

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

RESULT: DISCUSSED

30. Consider and take appropriate action allowing two Voter Registration/Tax Office GIS employees to attend the Safe Software's FME International User Conference in Vancouver, Canada, to be held May 24–26, 2017. (Commissioner Gómez)

RESULT: NO ACTION NECESSARY

31. Consider and take appropriate action on the appointment of Joe M. Ramirez to the Travis County Historical Commission, for a term effective immediately and ending April 30, 2019. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

32. Consider and take appropriate action on issues related to the North Campus Development Project at 5325–5335 Airport Boulevard. **(This item may be taken into Executive Session under the Consultation with Attorney and Real Property exceptions.)** (Judge Eckhardt)

RESULT: NO ACTION NECESSARY

Executive Session

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

33. Conduct interviews of candidates for the position of County Executive of Justice Planning.³ (Judge Eckhardt)

Judge Eckhardt announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.074, Personnel Matters.

RESULT: DISCUSSED

34. Consider and take appropriate action on appeal from the January 19, 2017, Travis County Grievance Panel Decision regarding Armando Martinez v. Travis County Facilities Management Department. ^{1&3} (Judge Eckhardt)

Judge Eckhardt announced that Item 34 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: Reinstatement of Armando Martinez to his previous position and reiterate the recommendations of the Grievance Panel.

RESULT: **NO VOTE TAKEN**

MOVER: Sarah Eckhardt, Judge

SECONDER: Margaret J. Gómez, Commissioner

SUBSTITUTE

MOTION: Approve the original Motion, and restore 50% of back pay.

MOVER: Jeffrey W. Travillion, Sr., Commissioner

Clerk's Note: The Substitute Motion died for lack of a Second. The Court took a vote on the Standing Motion.

RESULT: **APPROVED [UNANIMOUS]**

AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Gerald Daugherty, Margaret J. Gómez

ABSENT: Brigid Shea

35. Consider and take appropriate action on the reimbursement of legal expenses incurred by the County Commissioner of Precinct Three. ¹ (Judge Eckhardt)

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

RESULT: **NO ACTION NECESSARY**

36. Receive briefing and take appropriate action regarding Travis County's involvement in legal action regarding congressional redistricting, including consideration of the status of contract with Renea Hicks. ¹ (Judge Eckhardt)

Judge Eckhardt announced that Item 36 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize up to \$25,000.00 in legal work done by Renea Hicks, for Travis County's involvement in the legal action regarding Congressional redistricting. The source of funding will be the Allocated Reserve.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, County Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Gerald Daugherty, Margaret J. Gómez

ABSENT: Brigid Shea

Adjourn

Minutes approved by the Commissioners Court

Date of Approval

Sarah Eckhardt, Travis County Judge