



Minutes for the Travis County Commissioners Court Tuesday, August 8, 2017 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on August 8, 2017, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputy Gillian Porter.

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:
Dr. Koo-Hyun Kim, Travis County resident
Carlos León, Travis County resident
Sarah Black, Travis County resident
Richard Franklin, Travis County resident

County Announcements

Members of the Court heard from:
Shannon Steele, Benefits Manager, Human Resources Management Department (HRMD)

Shannon Steele, Benefits Manager, HRMD noted that open enrollment for Travis County employees and retirees benefits is ongoing and will end August 30, 2017, there will be several open enrollment help sessions throughout the county, and the details are posted on the Travis County website. Open enrollment only needs to be done if you are making changes or verifying your information. If you need assistance please call the benefits line at 512-854-0404, drop by HRMD, or check out Travis Central for more information.

Brigid Shea, Commissioner Precinct 2 recognized that today was the 25th anniversary of the Save Our Springs Ordinance being voted in by 65% of Austin's voters to protect Barton Springs.

The County Judge announced that there will be a Budget Hearing on Thursday, August 10, 2017 at 1:30 pm, and encouraged anyone who might be interested to attend and give the Commissioners Court their opinions on the budget.

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to vacate a variable-width drainage easement being located over and across Lot 1 of the Onion Bluff Subdivision in Precinct Four. (Action Item 17) (Commissioner Gómez)

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

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long Range Planning,
Transportation and Natural Resources (TNR)

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

Consent Items

- C1. Receive bids from the County Purchasing Agent. (Commissioner Travillion)
- 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 minutes for the Commissioners Court Voting Session of July 25, 2017. (Judge Eckhardt)

MOTION: Approve Consent Items C1–C4 and Agenda Items 3, 4.a–d, 5.a –f, 8, 10, 14, 15, 17, 18.a –b, 20, 21, 22, 25, and 26.a –g.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

Emergency Services

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

Members of the Court heard from:

Tony Callaway, Travis County Fire Marshal

MOTION: Remove the overlapping burn ban.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

3. Consider and take appropriate action on request from the Medical Examiner's Office to use County funds for the reimbursement of lodging costs incurred by candidates for the Forensic Pathology Fellowship Program's 2019 class. (Commissioners Shea & Daugherty)

RESULT: ADDED TO CONSENT

Health and Human Services

4. Consider and take appropriate action on items related to the Community Development Block Grant program available through the U.S. Department of Housing and Urban Development (HUD):
 - a. Approve the final draft and related project budgets, including the comments received, responses provided, and final edits to the PY17 Action Plan
 - b. Authorize the County Judge to sign the certifications and Standard Form 424 for the PY17 Action Plan
 - c. Approve the final draft and related project budgets, including the comments received, responses provided, and final edits of the Substantial Amendments to the PY15 & PY16 Action Plans
 - d. Authorize submission of the PY17 Action Plan and PY15 & PY16 Substantial Amendment documents to the U.S. Department of Housing and Urban Development, San Antonio Field Office, Region VI (Commissioner Gómez)

Members of the Court heard from:
Zenobia Joseph, Travis County resident

RESULT: ADDED TO CONSENT

Planning and Budget

5. Consider and take appropriate action on the following grant programs, applications, contracts & related special budgets, and permissions to continue:
 - a. Application to the Texas Department of Motor Vehicles for the Automobile Burglary and Theft Prevention Authority – FY18 grant in the Sheriff's Office
 - b. Annual contract with the Texas Indigent Defense Commission to continue the Managed Assigned Counsel (MAC) Program in the Criminal Courts
 - c. Annual contract with the Texas Indigent Defense Commission to continue the Holistic Defense Program in the Criminal Courts
 - d. Contract amendment with the Texas Indigent Defense Commission for the Managed Assigned Counsel (MAC) Program in the Criminal Courts
 - e. Contract amendment with the Texas Commission on Environmental Quality for the Low-Income Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP) in the Transportation and Natural Resources Department

- f. Permission to continue the Local Initiative Projects (LIP) with the Texas Commission on Environmental Quality in the Transportation and Natural Resources Department (Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 6. Receive update on venue tax and take appropriate action. (Commissioner Travillion)

Members of the Court heard from:

- Tom Nuckols, Assistant County Attorney
- Diana Ramirez, Director, Economic Development & Strategic Investments, Planning and Budget Office (PBO)
- Mark Gilbert, Director, Economic and Strategic Planning, PBO

RESULT: DISCUSSED

- 7. Receive update on County-owned underutilized properties. (Judge Eckhardt)

Members of the Court heard from:

- Mark Gilbert, Director, Economic and Strategic Planning, PBO
- Tom Nuckols, Assistant County Attorney

RESULT: DISCUSSED

- 8. Consider and take appropriate action on Amended and Restated Contract for Depository Services between Travis County and JPMorgan Chase Bank, N.A. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 9. 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 and Real Property exceptions.) (Judge Eckhardt)

RESULT: NO ACTION NECESSARY

Operations Management

- 10. Consider and take appropriate action on routine personnel actions. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 11. Receive presentation from participants in the County's internship program during the summer of 2017. (Judge Eckhardt)

Members of the Court heard from:

- Tracey Calloway, Director, Human Resources Management Department (HRMD)
- Rachel Munson, Travis County intern, TNR
- Justin Ruedas, Travis County intern, HRMD,
- Michael Tanner, Travis County intern, TNR
- Craig Rice, Travis County intern, TNR
- Amanda Gomez, Travis County intern, HRMD
- Skylar Coffman, Travis County intern Information Technology Services (ITS)
- Kenneth Sparks, Travis County intern, TNR
- Sarai Rocha, Travis County intern, ITS

RESULT: DISCUSSED

Transportation and Natural Resources

12. Consider and take appropriate action on the following:
 - a. 2017 Citizens Bond Advisory Committee (CBAC) recommendations
 - b. Update on private investment in public transportation infrastructure
 - c. Preparation of an order calling a bond election on November 7, 2017 (Commissioners Travillion & Shea)

Judge Eckhardt announced that Item 12 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Cynthia McDonald, Chief Deputy, TNR
Travis Gatlin, Budget Director, PBO
Morgan Cotton, Director, Public Works, TNR
Steve Manilla, County Executive, TNR
Nick Holland; Travis County resident
Pete Roberts, Travis County resident
Gene Lowenthal, Travis County resident
Hank Smith, Owner and principal, Texas Engineering Solutions LLC
Ted Siff, Board Chair, Shoal Creek Conservancy
Ron Wattinger, Chair, Travis County Citizens Bond Advisory committee (CBAC)
John Langmore, Vice Chair, CBAC
Tina Cannon, Senior Director, Local Government Relations, Austin Chamber of Commerce
Heyden Black Walker, CBAC
Christy Muse, Hill Country Alliance
Ari Axelrod, Travis County resident
Dana Griffiths, Travis County resident
Thomas Griffith, Travis County resident
Hugh Winkler, Travis County resident
Jim Koerner, Hamilton Pool Road Matters
Robert Winovitch, Architect, Facilities manager, Lake Travis Independent School District
Travis Gatlin, Budget Director, PBO
Cynthia McDonald, Chief Deputy, TNR
Elizabeth Winn, Assistant County Attorney

MOTION: Issue road bonds totaling \$93,445,000, and permanent improvement bonds for parks and open space totaling \$91,495,00, for a total of \$184,940.00; Option C. To be presented to the voters November 7, 2017, as a five year program, and recommend an earmark in the FY18 budget of \$300,000 against the CAR Allocated Reserve in case matching funds are needed for the Austin to Manor Trail.

MOVER: Brigid Shea, Commissioner

SECONDER: Jeffrey Travillion, Commissioner

FRIENDLY

AMENDMENT: Leaving Reimer Peacock Road out of any discussion with this Bond package that the prioritization, implementation, and issuance schedules should be made by the appropriate Commissioner for that Precinct with the assistance of TNR and PBO.

MOVER: Gerald Daugherty, Commissioner

RESULT: **FRIENDLY AMENDMENT NOT ACCEPTED**

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

RESULT: **APPROVED [4 TO 1]**
MOVER: Brigid Shea, Commissioner
SECONDER: Jeffrey Travillion Sr, Commissioner
AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Brigid Shea, Margaret J. Gómez
NAYS: Gerald Daugherty

Clerk's Note: Commissioner Shea noted that her motion included North East Metro Park soccer fields and also the drainage projects as they are safety projects.

Members of the Court heard from:
Morgan Cotton, Director, Public Works, TNR
Travis Gatlin, Budget Director, PBO

MOTION: Add \$3,520,000 for Pearce Lane engineering to the current Certificates of Obligation (CO's) amount of \$91,435,309 for a total of \$94,955,309 in CO's over five years.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Gerald Daugherty, Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

13. Receive update on Public Works Capital Improvement Project (CIP) project delivery processes and factors to improve completion times. (Commissioners Travillion & Shea)

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

Clerk's Note: The Judge directed Staff to develop an RFP for a GECPM to be ready as soon as the Bond package is approved, and to keep the Court updated on progress.

RESULT: **DISCUSSED**

14. Consider and take appropriate action on a cash security agreement with TurningPoint Fellowship Church under Permit #15-8997, a site plan in Precinct One. (Commissioner Travillion)

RESULT: **ADDED TO CONSENT**

15. Consider and take appropriate action on a request to use an alternative fiscal agreement for Sweetwater Section Two, Village AA, in Precinct Three. (Commissioner Daugherty)

RESULT: **ADDED TO CONSENT**

16. Consider and take appropriate action on a variance only to Travis County Subdivision Regulations § 82.302(d)(9)(A), regarding flag lots, for Sweetwater Ranch, Section 2, Village AA Final Plat (63 total single-family – 60 single-family and three greenbelt and drainage lots) in Precinct Three. (Commissioner Daugherty)

Members of the Court heard from:
Anna Bowlin, Division Director, Development Services and Long Range Planning, TNR

MOTION: Approve Item 16.
RESULT: **APPROVED [UNANIMOUS]**

MOVER: Gerald Daugherty, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

17. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate a variable-width drainage easement being located over and across Lot 1 of the Onion Bluff Subdivision in Precinct Four. (Public Hearing 1) (Commissioner Gómez)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on the following requests in Precinct Four:
- a. Alternative fiscal agreement for Stoney Ridge Phase C, Section 3
 - b. Cash security agreement for the fiscal posting for Stoney Ridge Phase C, Section 3 (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Purchasing Office Items

19. Approve Modification No. 13 to Contract No. 4400000860, Renea Hicks, for Legal Services. (Commissioner Travillion)

Members of the Court heard from:
Jason Walker, Assistant Purchasing Agent
John Hille, Assistant County Attorney
David Escamilla, County Attorney
Sharon Talley, Assistant County Attorney

MOTION: Approve Item 19
MOVER: Brigid Shea, Commissioner
SECONDER: Jeffrey Travillion, Commissioner

WITHDRAWAL OF MOTION

MADE BY: Sarah Eckhardt, County Judge
RESULT: NO VOTE TAKEN
RESULT: DISCUSSED

20. Approve Modification No. 3 to Contracts 4400001774 and 4400001775 with Meals on Wheels and More Inc., for Supportive Living and Congregate Meals Programs.

RESULT: ADDED TO CONSENT

21. Approve sole source exemption and contract award to West, a Thomson Reuters business, for Print Publications. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Declare used equipment as surplus and authorize trade-in for purchase of new equipment, pursuant to Texas Local Government Code § 263.152(a)(2). (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Other

23. Consider and take appropriate action on legislative matters, including:
- a. Update on legislative activities
 - b. 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, Intergovernmental Relations Office
(IGR)

RESULT: DISCUSSED

24. Consider and take appropriate action on a memorandum of understanding between the Travis County District Attorney's Office and the Texas Department of Insurance – Division of Workers' Compensation. (Judge Eckhardt)

MOTION: Approve Item 24.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Gerald Daugherty, Commissioner

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

25. Consider and take appropriate action regarding tax collection agreement with Travis County Emergency Services District No. 7. (Judge Eckhardt)

RESULT: ADDED TO CONSENT

26. Consider and take appropriate action on the following offers for Tax Resale Deeds:

- a. Travis County, et al v. Kerney Thomas & Ella Mae Thomas (Rozanne Yousef & Nader Yousef Tax Resale Deed)
- b. Travis County, et al v. Matildy Samaripa, Sr. (Victor & Sheila Egbuonye Tax Resale Deed)
- c. Travis County, et al v. Stanley Eisenberg (WJSC, LLC Tax Resale Deed)
- d. Travis County, et al v. Barbara D. Rice (Scott Emerson Tax Resale Deed)
- e. Travis County, et al v. I Buy Land, LLC (Scott Emerson Tax Resale Deed)
- f. Travis County, et al v. Bargain Properties, Inc. (Scott Emerson Tax Resale Deed)
- g. Travis County, et al v. Jose Nevarez Garibay (Gary Phillips Tax Resale Deed) (This item may be taken into Executive Session under the Consultation with Attorney exception.) (Judge Eckhardt)

RESULT: ADDED TO CONSENT

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

27. Receive briefing and take appropriate action regarding Texas v. Travis County, et al., Cause No. 1:17-cv-425-SS, and City of El Cenizo, et al. v. State of Texas, et al., Cause No. 5:17-cv-404-OLG. ¹ (Judge Eckhardt)

Judge Eckhardt announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: NO ACTION NECESSARY

28. 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 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: NO ACTION NECESSARY

29. Consider and take appropriate action on options for modifications to Transportation & Natural Resources Department processes related to acquisition of real property interests. ^{1&2} (Commissioners Travillion & Shea)

Judge Eckhardt announced that Item 29 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: Authorize the County Executive of Transportation and Natural Resources (TNR) to accept, reject, or counter any counter offer received from a property owner from whom the County seeks to acquire real property interests. Wherein said property owner submits counter offer to the County that differs in value from the real property appraisal, and appraisers recommended compensation up to and including 25% or \$25,000 whichever amount is greater above the appraised value, not to exceed \$75,000 in any event.

RESULT: APPROVED [UNANIMOUS]

MOVER: Jeffrey Travillion Sr, Commissioner

SECONDER: Brigid Shea, Commissioner

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

MOTION: Authorize the County Executive, TNR to accept an offer to sell capped at a maximum purchase price of \$25,000.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Jeffrey Travillion Sr, Commissioner
SECONDER: Brigid Shea, Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

Members of the Court heard from:

Greg Chico, Manager, Real Estate Division, TNR
Cynthia McDonald, Chief Deputy, TNR
John Hille, Assistant County Attorney

MOTION: Elimination of the current requirement that the individual County Commissioner for the Precinct in which that particular real property is located, provide written approval of the appraisal prior to the extension of any offer to buy, in a situation where the property has been appraised by an approved county appraiser.
RESULT: **APPROVED [4 TO 0]**
MOVER: Brigid Shea, Commissioner
SECONDER: Jeffrey Travillion Sr, Commissioner
AYES: Sarah Eckhardt, Jeffrey Travillion Sr, Brigid Shea, Gerald Daugherty
ABSTAIN: Margaret J. Gómez

30. Consider and take appropriate action to approve possession and use agreements between Travis County and landowners of Parcel 5 (Kristi & Langdon Powell), Parcel 6/6TE (Larry Joe Werner & Judy S. Gage), Parcel 19 (Carmen Hernandez Puento & Jose Isabel Galvan), and Parcel 16 (Redeeming Grace Lutheran Church) of the FM 1626 Road Project. ^{1&2}
(Commissioner Daugherty)

Judge Eckhardt announced that Item 30 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 possession and use agreement between Travis County and landowners of Parcel 5, Parcel 6/6TE, Parcel 19, and Parcel 16 of the FM 1626 Road Project, and to authorize the County Judge to sign the agreements.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Gerald Daugherty, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Eckhardt, Travillion Sr, Shea, Daugherty, Gómez

Adjourn

Minutes approved by the Commissioners Court

Date of Approval

Sarah Eckhardt, Travis County Judge

