



Minutes for the Travis County Commissioners Court August 8, 2023 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on August 8, 2023, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dyana Limon-Mercado County Clerk, was represented by Deputy Jasmine Acosta and Gillian Porter.

Present: County Judge Andy Brown
Commissioner Precinct 1 Jeffrey Travillion
Commissioner Precinct 2 Brigid Shea
Commissioner Precinct 3 Ann Howard
Commissioner Precinct 4 Margaret J. Gómez

Public Communication

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

County Announcements

Clerk's Note: The County Judge encouraged people to look at all available jobs on the Travis County website - <https://www.traviscountytexas.gov/human-resources/jobs>.

Consent

- C1. Receive bids from County Purchasing Agent. (Commissioner Travillion)
- C2. Approve payment of claims by the County Treasurer. (Judge Brown)
- C3. Authorize the County Treasurer to invest County funds. (Judge Brown)

MOTION: Approve Items C1-C3.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

SECOND CONSENT MOTION

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

MOTION: Approve items 5, 6, 8, (Budget Amendments -N1, A2, O1), 9.a, 12, 13,14.a-b, 15, 16.a-b, 17, 18, 19, 20, 21, 22.a-b, 23, 24, 25.a-b, 26, 27, 28.a-c, 29, 31, 32.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Emergency Services

1. Consider and take appropriate action regarding the following:
 - A. Outdoor burning in the unincorporated areas of Travis County
 - B. County response to natural disaster or other emergency (Judge Brown)

RESULT: NO ACTION NECESSARY

2. Receive an update from Travis County Emergency Services District Commissioners and Fire Chiefs regarding ESD statuses, activities, improvements, and other topics of interest to the Commissioners Court and ESD stakeholders. (Commissioners Shea & Howard)

Members of the Court heard from:
Chuck Brotherton, County Executive, Emergency Services
Robert Abbott, Chief, Emergency Services District #6 (ESD#6)
Tom Dodds, Commissioner, Emergency Service District #5 (ESD #5)
Robert Turner, Commissioner, Emergency Service District #2 (ESD #2)
Nick Perkins, Chief, ESD #2

RESULT: DISCUSSED

Health & Human Services

3. Consider and take appropriate action on the allocation of the Opioid Abatement Funds. (Judge Brown & Commissioner Gómez)

Judge Brown announced that Items 3 and 8 (Budget Amendment N2) would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Items 3, 4 and 8 (Budget Amendment N2) are associated with one another and were called for concurrent discussion.

Members of the Court heard from:

Laura Peveto, Director, Office of Children Services, Travis County
Health and Human Services (HHS)
Courtney Bissonnet Lucas, Senior Planner, HHS
Michelle Surka, Budget Analyst II, Planning and Budget Office
(PBO)
Alexandra White, Director of Services, Texas Harm Reduction Alliance
(THRA)
Cate Graziani, Executive Director, THRA
Chis Baker, Founder and Executive Director, The Other Ones Foundation
Aaron Ferguson, Travis County Resident
Eli Cortez, Organizer, THRA
Shaman Perskin, THRA
Frankie Rae, Drug User Health Coordinator, THRA
Sara Young, Addiction Recovery Social Services Supervisor, CommunityCare
Health Caners
Darrin Acker, Executive Director, Communities for Recovery
Prema Gregerson, Assistant County Attorney, Travis County Attorney's
Office
Jessica Rio, County Executive, PBO

MOTION: Accept staff recommendations to allocate \$175,000 for NARCAN for 1 year, \$350,000 for Peer Recovery Support for 2 years, \$300,000 for Methadone Services for 2 years, and accept the payment, certify the revenue and put the rest in the Allocated Reserve for additional discussion.

MOVER: County Judge Andy Brown

SECONDER: Commissioner Precinct 3 Ann Howard

MOTION WITHDRAWN

RESULT: **NO VOTE TAKEN**

MOTION: Certify new revenue of 1,476,519.10 from the Opioid Settlement,

RESULT: **UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

MOTION: Allocate \$860,000 as recommended by staff.

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 3 Ann Howard

FRIENDLY

AMENDMENT: Direct PBO to work with HHS to make any transfers necessary as automatic transfers up to \$860,000.00.

MOVER: Commissioner Precinct 1 Jeffrey Travillion

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

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

RESULT: **UNANIMOUS**

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

MOTION: Approve reimbursing Travis County for previous expenses relating to the opioid crisis of up to \$575,000.00 and allocate a further \$575,000.00 to an earmark from General Funds from Allocated Reserve for future expenditures related to opioid crisis abatement, with details to be worked out over the next 90 days with staff and community outreach organizations.

RESULT: **UNANIMOUS**

MOVER: County Judge Andy Brown

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

MOTION: Add \$41,519.10 to the Allocated Reserve to the appropriate Internal Order (IO) related to the Opioid settlement, including any unspent funds from the \$575,000.00 earmark in the Allocated Reserve.

RESULT: **UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 2 Brigid Shea

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

4. Consider and take appropriate action to approve a Memorandum of Understanding for the Substance Use Disorder (SUD) Consortium. (Judge Brown & Commissioner Gómez)

Items 3, 4 and 8 (Budget Amendment N2) are associated with one another and were called for concurrent discussion.

Members of the Court heard from:

Laura Peveto, Director, Office of Children Services, HHS
Courtney Bissonnet Lucas, Senior Planner, HHS

MOTION: Approve Item 4.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

5. Consider and take appropriate action to approve the final version of the CDBG PY23 Action Plan including final plan revisions and public comments received; authorize the County Judge to sign the Action Plan certifications, SF-424, and SF-424D; and authorize staff's submission of the final PY23 Action Plan to HUD. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

Intergovernmental Relations

6. Consider and take appropriate action on an extension to the Call for Applications for a vacancy on the Integral Care Board of Trustees. (Judge Brown)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action to open the call for applications for an appointment to fill the unexpired term for Justice of the Peace, Precinct 5. (Judge Brown)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, Intergovernmental Relations Office (IGR)
Ann-Marie Sheely, Division Director, Travis County Attorney's Office

MOTION: Direct staff to pursue the steps as laid out and issue the call for applications.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Planning & Budget

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

Clerk's Note: Budget Adjustments N1, A2, and O2 in Item 8 were approved on the Second Consent Motion.

Clerk's Note: Budget Adjustment A1 in Item 8 was called up for separate discussion. Please refer to Item 11 for a summary of the action taken by the Court.

Clerk's Note: Budget Adjustment N2 in Item 8 was called up for separate discussion. Please refer to Item 3 for a summary of the action taken by the Court.

9. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, and permissions to continue:
- A. Contract amendment with the Texas Judiciary for ARPA Funding to address the COVID-19 Court Backlog in the Criminal Courts (Commissioner Gómez)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on the following related to the Palm School Concept Planning process:
- A. Request approval of the Palm School Steering Committee partner organizations
 - B. Request approval of an extension of the deadline for the Palm School Steering Committee community interest forms with a deadline of August 18, 2023 to retroactively begin August 4th
 - C. Request approval of the Selection Team members for the Palm School Steering Committee (Commissioners Travillion & Gómez)

Members of the Court heard from:

Christy Moffett, Director, PBO

Selena Muñoz, Diversity, Equity and Inclusion Officer, PBO

MOTION: Approve Items 10.a-c.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

11. Consider and take appropriate action on the next steps for the Heman Marion Sweatt Courthouse historic restoration/historic rehabilitation project via the Texas Historical Commission's Texas Historic Courthouse Preservation Program. (Commissioner Gómez)

Clerk's Note: Item 11 and Budget Adjustment A1 in Item 8 was called up for separate discussion.

Members of the Court heard from:

Christy Moffett, Director, Economic Development & Strategic Investments,
PBO
Amy McWhorter, Managing Director, PBO
Bonnie Floyd, Travis County Purchasing Agent

MOTION: Motion to approve Planning Process.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Margaret Gómez
ABSENT: Ann Howard

Clerk's Note: The court reconsidered the motion in item 11 to reflect Commissioner Howard voting in favor.

MOTION: Motion to approve Planning Process
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Purchasing

12. Approve Interlocal Agreement between Travis County and The University of Texas at Austin ("UT"), in the amount of \$40,791.00, for internet connectivity services. (Information Technology Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

13. Approve membership application with Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Infuse to authorize the purchase of pharmaceuticals and other supplies for Travis County Health and Human Services Department. (Health & Human Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

14. Approve termination of the following contracts with Austin-Travis County Mental Health and Mental Retardation dba Integral Care (Community Justice Services Department)
 - A. Contract No. 4400000348 for outpatient substance abuse services
 - B. Contract No. 4400000382 for substance abuse treatment services (Commissioner Travillion)

RESULT: ADDED TO CONSENT

15. Approve Modification No. 1 to Contract 4400006901 with TreeFolks, Inc., on an as-needed basis, for changes to the Native Plant Exchange Program. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

16. Consider and take appropriate action on the following Personnel Amendments:
 - A. Routine Personnel Actions
 - B. Non-Routine Personnel Actions (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action on the Technology and Operations HIPAA Compliance and Privacy (CAP) Office request to use existing departmental funds for an employee education and awareness campaign. (Commissioners Travillion & Howard)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on an automobile total loss claim recommendation for the date of loss on April 1, 2023 (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on an automobile total loss claim recommendation for the date of loss on June 1, 2023 (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

20. Consider and take appropriate action regarding a temporary detour and restriction of all traffic on County Line Road beginning on or about September 18, 2023, and continuing through September 18, 2024, or until work is complete, in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action on a Construction Agreement between DG Manor Downs Property Owner, L.P., and Travis County for traffic mitigation associated with the proposed Manor Downs project in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action regarding the requests for Lagos Austin Section 1 Phase 2A Murchison Street Subdivision:

- A. Conditional approval of the Lagos Austin Section 1 Phase 2A Murchison Street Subdivision Final Plat, approval subject to the completion of the outstanding items listed in the review comment report that has been sent to the applicant (Final Plat – public right of way – 2,006 of proposed street – 4.249 acres – Murchison Street - water provided by Manville Water Corporation and wastewater provided by the City of Austin – City of Austin's two-mile ETJ)
- B. Approve the Travis County Subdivision Construction Agreement with 706 Investment Partnership, LTD, in Precinct One (Commissioner Travillion)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action on a proposed License Agreement with Najib F. Wehbe and Roberta Ann Wehbe and Travis County for plantings within the right of way of Ross Road associated with the proposed Airport Crossing development, in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on an Interlocal Agreement with the City of Cedar Park for maintenance of traffic signals and future annexation along Anderson Mill Road. (Commissioner Howard)

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action regarding the following requests for Turners Crossing South Phase Three:

- A. Conditional approval of the Turners Crossing South Phase Three Final Plat, approval subject to the completion of the outstanding items listed in the review comment report that has been sent to the applicant (Final Plat - 265 single-

family lots – 6,975 of proposed streets – 41.498 acres – N Turnersville Road - water and wastewater provided by the City of Austin - City of Austin's two-mile ETJ)

- B. Approve the Travis County Subdivision Construction Agreement with Meritage Homes of Texas, LLC; Trendmaker Homes, Inc. and Taylor Morrison of Texas, Inc. in Precinct Four
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 26. Consider and take appropriate action on a Construction Agreement between B9 FM 969 OWNER LP and Travis County for traffic mitigation associated with the proposed FM 973-Webberville Warehouse Development project in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 27. Approve setting a public hearing on August 29, 2023, to receive comments regarding a request to authorize the filing of an instrument to vacate a public utility easement located along the common lot line of Lots 533 and 534, Apache Shores Section 2, a subdivision in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

- 28. Approve setting a public hearing on August 29, 2023, to receive comments regarding the following easement vacation requests associated with Stone Crest at Whisper Valley-Whisper Valley Village 1, Section 2 subdivision, in Precinct One:
 - A. Authorize the filing of an instrument to vacate a lateral support and slope easement dedicated per document #2018187218 of the Official Public Records of Travis County
 - B. Authorize the filing of an instrument to vacate a portion of the lateral support easement dedicated per document #2017206160 of the Official Public Records of Travis County
 - C. Authorize the filing of an instrument to vacate a portion of a drainage and lateral support easement dedicated per document #2014071673 of the Official Public Records of Travis County
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

Other

29. Consider and take appropriate action to sign a lease agreement with the Texas Department of Motor Vehicles providing four additional RTS workstations to be located at Centex Auto Title. Centex is one of the Tax Office's full-service deputies. (Judge Brown)

RESULT: ADDED TO CONSENT

30. Determine composition of Elected Officials Salary Grievance Committee for 2023, as required by §152.014 & §152.015 of the Texas Local Government Code. (Judge Brown)

Members of the Court heard from:

Adana Hess, Chief Deputy Clerk, Travis County Clerk
Deborah Mendez, Probate Division Director, Travis County Clerk

MOTION: Approve Item 30

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 3 Ann Howard

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

31. Authorize and approve the County Attorney to sign on behalf of Travis County joining as a signatory on a proposed amicus brief to be filed by the Plaintiffs in *L.W., et al v. Skrmetti*, No. 23-5600 (6th Cir.) in opposition to Tennessee's ban on gender affirming care. (Judge Brown)

RESULT: ADDED TO CONSENT

32. Consider and take appropriate action to approve Travis County signing a letter of support for the Workforce Solutions Capital Area grant application for EDA Tech Hubs Program grant. (Judge Brown)

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

Note 6 Gov't Code Ann 551.089, IT Security

Note 7: Gov't Code Ann 551.0745, Deliberation by Commissioners Court about County Advisory Body

33. Receive briefing and take appropriate action regarding Travis County information security issues.^{1 & 6} (Commissioners Travillion & Howard)

Judge Brown announced that Item 33 would be considered in Executive Session pursuant to Gov't Code Ann. 551.071, Consultation with Attorney and Gov't Code Ann 551.089, IT Security.

RESULT: DISCUSSED

34. Provide legal briefing and request appropriate action concerning contract enforcement options related to the Arkansas Bend Park Phase II Project.¹ (Commissioner Shea)

Judge Brown announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve Transportation and Natural Resources request for mediation of a dispute concerning the Arkansas Bend Park Phase II project, and to authorize James Alvarez, Risk Manager, Human Resources Management Department (HRMD) and David Greear, Director, Public Works, TNR to represent Travis County in the mediation.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

35. Receive briefing and take appropriate action regarding potential amendments to the Travis County Code, including Chapter 482, and Title 30, Austin/Travis County Subdivision Regulations, in light of recent legislation.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge