



Minutes for the Travis County Commissioners Court October 17, 2023 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on October 17, 2023, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dyana Limon-Mercado County Clerk, was represented by Deputies 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

Clerk's Note: There were no speakers for Public Communication.

County Announcements

Clerk's Note: The County Judge noted that the Loco Trash Bash will be held on Saturday, October 28th, 2023, from 7 a.m. to 3 p.m. Join the clean-up of the first 40 miles of the lower Colorado River and help take care of our home and protect this local water resource. You can visit locotrashbash.com for more information.

Clerk's Note: A moment of silence was held in memory of Ronnie Caldwell, Jr.

Consent Motion

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services
Tony Callaway, Travis County Fire Marshal

MOTION: Approve Consent Items 4, 6, 7, 8, 9, 10, 11.a-b, 12, 13, 17, 18, 19, 20, 21.a-b, 22, 23.a, 24, 25, 26, 30, 31.a-b, 32, 34, 36, and 37.
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

Resolutions & Proclamations

1. Approve a proclamation recognizing October 21st and 22nd, 2023 as Art From The Streets Days in Travis County. (Commissioner Shea)

Members of the Court heard from:

Pat Chapman, Studio Coordinator, Art from the Streets

MOTION: Approve Item 1.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez
ABSENT: Jeffrey Travillion

Public Hearings

2. Receive comments on a request to authorize the filing of an instrument to vacate a section of right-of-way on Lippincott Street in Austin's Colony Phase 2, a subdivision in Precinct Four. (Commissioner Gómez)

MOTION: Open the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Members of the Court heard from:

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

MOTION: Close the Public Hearing.
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

3. Receive comments regarding the proposed assessments on Improvement Area #1 Commercial Lot 98 and Improvement Area #2 of the Turner's Crossing Public Improvement District. (Commissioner Gómez)

MOTION: Open the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Members of the Court heard from:

Christy Moffett, Director, Economic Development & Strategic Investments,
Planning and Budget Office (PBO)

MOTION: Close the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 3 Ann Howard
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Auditor

4. Approve payment of claims by the County Treasurer. (Judge Brown)

RESULT: ADDED TO CONSENT

Emergency Services

5. Consider and take appropriate action regarding the following:

A. Outdoor burning in the unincorporated areas of Travis County

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services
Tony Callaway, Travis County Fire Marshal

MOTION: Extend the burn ban for one more week.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

- B. County response to natural disaster or other emergency
(Judge Brown)

RESULT: NO ACTION NECESSARY

- 6. Approve setting a public hearing on Tuesday, October 24, 2023, to receive comments regarding the issuance of a Mass Gathering Permit for Seismic Dance Event 6.0 to be held on November 10 – 12, 2023, at 8509 Burleson Rd., Austin, TX. 78719. (Judge Brown)

RESULT: ADDED TO CONSENT

Health & Human Services

- 7. Consider and take appropriate action to approve a resolution to the Texas Department of Agriculture in support of a grant application for Meals on Wheels and More. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 8. Consider and take appropriate action to approve the City of Austin Financial Support Plus 1 Program Collaboration Agreement for Fiscal Year 2024. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

Planning & Budget

- 9. Authorize the County Treasurer to invest County funds. (Judge Brown)

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

- 11. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, and permissions to continue:

- A. Contract amendment to Department of Energy Bipartisan Infrastructure Law Weatherization grant to correct language that was unintentionally omitted in original contract with HHS
- B. Application for a supplemental grant award to the existing Department of Justice, Bureau of Justice Assistance DNA Postconviction Testing of Evidence program grant for \$246,310 in Justice Planning
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action on the following related to the Turner's Crossing Public Improvement District, including a resolution approving and authorizing a PID Community Benefit Fee Escrow Agreement relating to an assessment levy request for Improvement Area #1 Commercial Lot 98 and Improvement Area #2.
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action to approve recommended FY 2024 Broker/Dealer Applicants for conducting investment business with Travis County.
(Judge Brown)

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action relating to the Turner's Crossing Public Improvement District, including approving:
- A. An order of the Commissioners Court of Travis County, Texas accepting and approving an amended and restated service and assessment plan, an updated assessment roll for Improvement Area #1 Commercial Lot 98 and an assessment roll for Improvement Area #2 of the Turner's Crossing Public Improvement District; making a finding of special benefit to the property within Improvement Area #1 Commercial Lot 98 and Improvement Area #2 of the District to be assessed; levying assessments against certain property within Improvement Area #1 Commercial Lot 98 and Improvement Area #2 of the District and establishing a lien on such property; providing for method of assessment and the payment of the assessment in accordance with Chapter 372, Texas Local Government Code, as amended; providing for penalties and interest on delinquent assessments; providing for severability; resolving all matters incident and related thereto; and providing an effective date
 - B. A resolution approving and authorizing an Improvement Area #1 Commercial Lot 98 and Improvement Area #2 Acquisition and Reimbursement Agreement and an Improvement Area #1 Commercial Lot 98 and Improvement Area #2 Landowner Agreement for the Turner's Crossing Public Improvement District
 - C. A resolution of Travis County, Texas (1) recognizing a Bond Issuance Request for the issuance of PID Bonds for the payment of the costs of the Improvement Area #1 Commercial Lot 98 Projects or Improvement Area #1 Commercial Lot 98 and the Improvement Area #2 Projects for Improvement Area #1 Commercial Lot 98 and Improvement Area #2 of the Turner's Crossing Public Improvement District; and (2) directing County staff (a) to confirm that all conditions precedent to the issuance of PID Bonds by the Travis County Development Authority have been satisfied and (b) along with Travis County Development Authority staff, to take such other actions as are required to commence preliminary preparations for the sale of the PID Bonds
(Commissioner Gómez)

MOTION: Approve Items 14.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

15. Consider and take appropriate action on the following related to the Economic Performance Agreement entered into by Travis County and Colorado River Project, LLC:

- A. Receive a briefing on community partnerships, educational/and workforce development programs, economic impact, ecological uplift pilot project, and sustainability highlights; and
- B. Request approval of the 2023 community investment plan pursuant to section 4.10.2 of the Economic Development Performance Agreement. (Commissioner Travillion)

Members of the Court heard from:

Christy Moffett, Director, Economic Development & Strategic Investments,
PBO

Walter Gonzales, Government Relations and Public Policy, Tesla
Rohan Patel, Senior Global Director, Public Policy and Business
Development, Tesla

Logan Grant, Sr. Manager, Factory Engineering and Design, Tesla

MOTION: Approve Items 15.a-b.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

16. Consider and take appropriate action on the following items related to Travis County Code Chapter 481, the County's public improvement district ("PID") policy, including:

- A. Provide direction regarding staffing for the County's PID program
- B. Provide direction regarding source(s) of funding for staffing for the County's PID program
- C. Provide direction on continuing the moratorium on accepting petitions for the creation of new PIDs

- D. Other related items, including direction on next steps for the Lagos Austin ETJ PID Petition
(Commissioner Gómez)

Judge Brown announced that Items 16.a-d would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Christy Moffett, Director, Economic Development & Strategic Investments,
PBO

Travis Gatlin, Budget Director, PBO

Caren Williams Murch, Sr. Project Manager, Land Consultants LTD

Pete Dwyer, President, Dwyer Realty

Paul Hilgers, Executive Director, MTM Collaborative, LLC

Steve Metcalfe, Partner, Metcalfe Williams, LLP

Sharon Smith, Senior Counsel, Armbrust and Brown, PLLC

Julie Joe, Assistant County Attorney

MOTION: Direct staff to bring the Commissioners Court a plan regarding the eight positions requested, final costs, and funding source within a month, and to do the actions necessary to lift the moratorium at a date to be determined by the end of the year.

RESULT: **Passed (4-1)**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

ABSTAIN: Brigid Shea

MOTION: Move forward with the Lagos Austin ETJ PID Petition while working through the process and bring it back to Commissioners Court as soon as possible.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

Purchasing

17. Receive bids from County Purchasing Agent. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

18. Approve Modification No. 3 to Contract No. 4400005075 with K. Friese & Associates in the amount of \$8,540.00, for additional services related to design and construction oversight of the New Life Culvert Replacement Project. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

19. Approve exemption and award of Contract No. 4400007205 with Workers Assistance Program, Inc., as-needed, for case management and ancillary services. (Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Approve Contract Modification No. 4 to Contract No. 4400005641 with HMG & Associates, Inc., in the amount of \$10,000.00, for consulting services related to the evaluation of the Medical Examiner's Office (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve the following Change Orders to Contract No. 4400006950 with Paxtuxent Roofing and Contracting, LLC dba LD Tebben for the Juvenile Justice Center Roofing Project (Juvenile Probation Department):

- A. Change Order No. 2, in the amount of \$55,695.57
- B. Change Order No. 3, in the amount of \$1,222,133.09 (Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Declare items surplus property and sell at public auction pursuant to Texas Local Government Code, § 263.152(a)(1). (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

23. Consider and take appropriate action on the following Personnel Amendments:

- A. Routine Personnel Actions (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action to fill a vacancy on the Travis County Deferred Compensation Oversight Committee with Jason Rew-Hunter, District Attorney's Office. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action to change funds offered within the Travis County Employee 457 Deferred Compensation Plan and eliminating the first of month change of contribution rule as a result of the SECURE Act 2.0. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

26. Consider and take appropriate action regarding a license agreement between Travis County and Safe Alliance reducing parking from four to two spaces in the Ned Granger Building parking garage. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

27. Receive update on the Catastrophic Sick Leave Pool Program and take appropriate action on proposed policy changes. (Commissioners Travillion & Gómez)

Members of the Court heard from:

Shannon Steele, Benefits Manager, Human Resources Management
Department (HRMD)

Travis Gatlin, Budget Director, PBO

Paul Hopingardner, Executive Director, Technology and Operations

MOTION: Approve Item 27.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

Transportation & Natural Resources

28. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate a section of right-of-way on Lippincott Street in Austin's Colony Phase 2, a subdivision in Precinct Four. (Commissioner Gómez)

MOTION: Approve Item 28.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 3 Ann Howard

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

29. Consider and take appropriate action regarding a request to approve a Resolution for the construction of the South Pleasant Valley Road Project in Precinct Four. (Commissioner Gómez)

Judge Brown announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Stahl Urban, Business Development Manager, HFH Investments
LLC

Laura Urban, Member, HFH Investments LLC

MOTION: Approve Item 29.

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

30. Approve a Resolution dedicating in perpetuity 4.676 acres of parkland along Onion Creek as described in Exhibit "A" as required by Texas Parks and Wildlife Department grant requirements; approve the terms and conditions of the agreement; repeal all resolutions in conflict; providing a severability clause; and providing an effective date. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

31. Consider and take appropriate action regarding the following requests for Lagos Austin Section 2 Phase 2:

- A. Approve the Travis County Subdivision Construction Agreement with GG Lagos, LP, in Precinct One
- B. Conditional approval of the Lagos Austin Section 2 Phase 2 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 - 143 single-family lots and four water quality/ landscape lots – 6,887 of proposed streets – 32.711 acres – Murchison Street - water provided by Manville Water Corporation and wastewater provided by the City of Austin – City of Austin's two-mile ETJ) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

32. Consider and take appropriate action regarding the approval of a Final Plat from the approved preliminary plan: Stoney Ridge Highlands Phase 2- (98 total lots – 97 single-family lots, one open space lot, and ROW – 11.746 Acres) – 7527 Elroy Road: City of Austin's Limited Purpose) in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Other

33. Consider and take appropriate action to approve an Interlocal Agreement between the County of Travis and the City of Austin in connection with the DWI Pilot Program, and use of funds received from the City to support the cost of Alcohol Monitoring Devices for DWI Court Program participants in an amount not to exceed \$11,000.00 for the period between October 1, 2023 and September 30, 2024. (Judge Brown)

Members of the Court heard from:

Elisabeth A. Earle, Judge, Travis County Court #7

Alejandro Garcia Limon, Assistant Director, County Attorney's Office

MOTION: Approve Item 33.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 2 Brigid Shea

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

34. Consider and take appropriate action on the reappointment of Kacey A. Hanson to the Austin/Travis County Food Policy Board effective immediately through February 28, 2025. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

35. Consider and take appropriate action on the appointment of Natalie Poulos, PhD, RD, LD to the Austin-Travis County Food Policy Board, for a term effective immediately and ending on February 28, 2024. (Commissioner Howard)

MOTION: Amend the term end date to February 28, 2025.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 2 Brigid Shea

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

36. Consider and take appropriate action to approve an ongoing Inter-Local agreement between Travis County Constable Pct. 2 and The Village of the Hills for police protection and enforcement. (Commissioner Howard)

RESULT: ADDED TO CONSENT

37. Approve the minutes for the Voting Sessions of September 19th, September 26th, and October 3rd, 2023. (Judge Brown)

RESULT: ADDED TO CONSENT

38. Consider and take appropriate action regarding a license agreement between the Autin Fire Department and Travis County for the use of specific space in the Ned Granger Building located at 314 W. 11th Street. (Judge Brown)

RESULT: NO ACTION NECESSARY

Executive Session

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

RESULT: NO ACTION NECESSARY

40. Receive legal briefing and take appropriate action on Arkansas Bend Park mediation and settlement.¹ (Judge Brown)

Judge Brown announced that Item 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve and authorize the Travis County Judge to sign the October 2, 2023, Arkansas Bend Park Phase II Mediated Settlement Agreement between Travis County and Argonaut Insurance

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

41. Receive legal briefing and take appropriate action regarding Housing Authority of Travis County and Strategic Housing Finance Corporation board appointments.¹ (Judge Brown)

Judge Brown announced that Item 41 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: NO ACTION NECESSARY

42. Receive legal briefing and take appropriate action regarding the Travis County Healthcare District d/b/a Central Health for Central Health Performance Audit.¹ (Judge Andy Brown)

Judge Brown announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: NO ACTION NECESSARY

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge