



Minutes for the Travis County Commissioners Court November 28, 2023 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on November 28, 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 Lola Ogunro.

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

Absent: Commissioner Precinct 2 Brigid Shea

Public Communication

Members of the Court heard from:

- Zenobia Johnson, Travis County Resident
- Eric Carter, Emergency Management Coordinator, Emergency Services
- Blake Clampfer, Assistant Emergency Management Coordinator, Emergency Services
- Pat Vas-Trelles, Travis County Resident

County Announcements

Clerk's Note: There were no County Announcements.

Consent Motion

MOTION: Approve Consent Items 3, 5, 6, 7, 8, 9, 11, 12, 14, 15, 16 a-b, 17, 18, 19, 20, 21, 23, 24, 25, 27, 28, 29, 30 a-b, 31, 34, 35, 36, 37 a-b, 38, 39, 40, 41, 42, 45, 47, 48, 49

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

MOTION: Approve motion to modify consent item list.

RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez

Clerk's Note: The Court voted to modify the consent item list and move item 49 to the no action list. The new consent item list is as follows: 3, 5, 6, 7, 8, 9, 11, 12, 14, 15, 16 a-b, 17, 18, 19, 20, 21, 23, 24, 25, 27, 28, 29, 30 a-b, 31, 34, 35, 36, 37 a-b, 38, 39, 40, 41, 42, 45, 47, 48.

Public Hearings

1. Receive comments on an update to Travis County Code Chapter 448 (On-Site Sewage Facilities). (Commissioner Travillion & Shea)

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, 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)
Brandon Couch, Engineering Associate, TNR

MOTION: Close the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez

2. 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 80 and 81, Saddletree Ranch Section 3, a subdivision in Precinct Three. (Commissioner Howard)

MOTION: Open the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long-Range
Planning, 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, Ann Howard, Margaret Gómez

Auditor

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

RESULT: ADDED TO CONSENT

Emergency Services

4. 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

5. Consider and take appropriate action regarding an Interlocal Agreement with the City of Austin to provide emergency hazardous materials response services to all areas of Travis County outside of the City of Austin. (Judge Brown)

RESULT: ADDED TO CONSENT

6. Consider and take appropriate action to approve the Second Renewal and Amendment Two of the Interlocal Agreement between Travis County Emergency Services District Number Two and County of Travis for Emergency Medical Services. (Commissioners Shea & Howard)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action to approve an Interlocal Agreement with the City of Lago Vista as an Associate Member of the Greater Austin – Travis County Regional Radio System (GATRRS). (Commissioners Shea & Howard)

RESULT: ADDED TO CONSENT

Health & Human Services

8. Consider and take appropriate action to approve and ratify the FY24 Interlocal Agreements with Integral Care, the Travis County Local Mental Health Authority. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action to approve the Third Amendment and Fifth Renewal of the Amended and Restated Interlocal Cooperation Agreement Between the City of Austin and Travis County for Public Health Services Contract #4400001726 for a term beginning December 1, 2023, through September 30, 2024. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action to accept and approve the CDBG-DR Closeout Report for Contract No. 19-281-000-B780 with the Texas General Land Office (GLO), which terminates on December 3, 2023. (Judge Brown & Commissioner Gómez)

RESULT: NO ACTION NECESSARY

11. Consider and take appropriate action to approve In-kind printing and ASL services for Foundation Communities' tax preparation assistance program. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action to approve the continuation of services and contract negotiations to renew the Interlocal Agreement between Travis County and the City of Austin for the provision of Animal Services, Contract #4400001725 through January 31, 2024. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

Justice & Safety Planning

13. Receive briefing and update from the diversion center facility planning workgroup, regarding work occurring in response to the Resolution approved by the Commissioners Court on March 21, 2023, directing the development of a new mental and behavioral health diversion center. (Judge Brown)

Members of the Court heard from:

Tyrone Jolly, Senior Program Manager, Justice Planning, Travis County
Mental Health Diversion Program

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

Gabe Stock, Interim Director, Facilities Management Department (FMD)
Sally Hernandez, Travis County Sheriff
Jessica Rio, County Executive, Planning and Budget Office (PBO)

RESULT: DISCUSSED

Planning & Budget

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

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

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

- A. Contract amendment to the Travis County PDO + MAC Enhancement Grant with Texas Indigent Defense Commission in the Public Defender's Office to allow the use of vacancy savings to hire temporary staff
- B. Status report regarding close out of Travis County CAPITAL AmeriCorps grant with the Corporation for National and Community Service in HHS (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Purchasing

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

RESULT: ADDED TO CONSENT

18. Approve termination of Contract No. 4400000377 with Hays Juvenile Justice Center, for Residential Treatment Services. (Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

19. Approve Modification No. 2 to Contract No. 4400006400 with Jackson & McElhaney Architects, Inc., in the amount of \$418,935.00, for the Balcones Canyonlands Preserve Visitor Center Project. (Facilities Management) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Approve Modification No. 8 to Contract No. 4400002682 with URS Corporation, in the amount of \$58,200.00, for McNeil Drive Drainage Improvements. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve order exempting the purchase of a rescue hoist assembly from Goodrich Corporation, in the amount of \$224,294.00, from the competitive procurement process, pursuant to County Purchasing Act § 262.024(a)(7)(A) and (D). (STAR Flight) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Receive update on FY 2023 Historically Underutilized Business (HUB) Program utilization report. (Commissioner Travillion)

Members of the Court heard from:

Sylvia Lopez, Director, HUB Program, Purchasing

Randle Jackson, Assistant Director, HUB Program, Purchasing

MOTION: Approve Item 22.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 3 Ann Howard

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

23. Approve Modification #1 to PO 4100218488 with EMR Elevator Inc., in the amount of \$253,792.00, for the Blackwell Thurman Justice Center Elevator Upgrades. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

24. Approve Modification No. 1, an assignment of Contract No. 4400006740, for Emergency Generator Connections for Community Centers, from IMEG Consultants Corp. Tax ID # 475145628 to Tax ID# 150284110. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

25. Approve exemption order and contract award of contract No. 4400007342, with Texas Landfill Management, LLC, an estimated requirements contract, for solid waste disposal services, pursuant to County Purchasing Act § 262.024(a)(2) and (a)(3). (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

26. Approve Modification No. 1 to Interlocal Agreement No. 4400006473 with the City of Austin, in the amount of \$180,755.00, for WIC Shopping and Delivery Services. (Health & Human Services) (Commissioner Travillion)

RESULT: NO ACTION NECESSARY

27. Approve contract award for Landscaping and Grounds Maintenance, IFB 2307-009-TH, for estimated requirements, to the low bidder, JNS Landscaping Inc. (Facilities Management) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

28. Authorize Purchasing Agent to issue Request for Proposal (RFP) to provide bulk drinking water to be distributed during emergencies in Travis County. (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

29. Approve Contract No. 4400007310 with Terracon, Inc. in the amount of \$49,982.00, for Professional Construction Materials Testing Services for the Travis County Evidence Warehouse. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

30. 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

31. Consider and take appropriate action regarding the fifth amendment to the lease agreement between Travis County and Travis County Housing Authority for the space located at 502 Highland Mall Blvd., Austin, Texas. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

32. Consider and take appropriate action regarding a request to authorize the filing of an instrument to vacate a public utility easement located along the common lot line of Lots 80 and 81, Saddletree Ranch Section 3, a subdivision in Precinct Three. (Commissioner Howard)

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long-Range Planning, TNR

MOTION: Approve Item 32.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez

33. Consider and take appropriate action on an update to Travis County Code Chapter 448 (On-Site Sewage Facilities). (Commissioners Travillion & Shea)

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long-Range Planning, TNR

MOTION: Approve Item 33.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez

34. Consider and take appropriate action regarding a request to approve the Utility Relocation and Reimbursement Agreement with Pedernales Electric Cooperative, Inc. (PEC) for the relocation of PEC's electric line along a portion of the proposed Fitzhugh Road Shoulder Widening project in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

35. Consider and take appropriate action on a Multiple Use Agreement and Resolution with the Texas Department of Transportation (TxDOT) for construction of trailway within the US 290 and SH 130 right-of-way as part of the Gilleland Creek Greenway Improvements Project in Precinct One and Two. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

36. Consider and take appropriate action regarding a request to release a portion of a drainage easement associated with the Tesla Gigafactory Texas site plan. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

37. Consider and take appropriate action regarding the following requests:

- A. Whisper Valley Village 1 Phase 6 Preliminary Plan – (Preliminary Plan – 173 total lots on 53.48 acres) – located in City of Austin's Limited Purpose in Precinct One
- B. Construction Agreement between Travis County and Club Deal 120 Whisper Valley, Limited Partnership
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 38. Consider and take appropriate action regarding a request to approve a Resolution for a Local On-System improvement project Agreement (LOSA) with TxDOT for the drainage improvement projects on FM 973 at South Fork Dry Creek in Precinct Four.
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 39. Consider and take appropriate action regarding a request to approve a Utility Relocation and Reimbursement Agreement with AT&T for the relocation of AT&T's utility line to accommodate the County's proposed Arroyo Doble / Twin Creek drainage project in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

- 40. Consider and take appropriate action on a proposed Joint Use Access Easement between UPD Howard SW Land LLC and Travis County for shared access and driveway improvements over and across both developer and Travis County property in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 41. Consider and take appropriate action on an Amendment to a Phasing Agreement between Tiemann Land and Cattle Development Inc. and Travis County for Ridge at Blackhawk and Grove at Blackhawk subdivisions, in Precinct One.
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 42. Consider and take appropriate action on a Phasing Agreement between Tiemann Land and Cattle Development, Inc. and Travis County for the proposed Bluffs at Blackhawk development in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 43. Consider and take appropriate action to adopt a resolution authorizing the use of Eminent Domain to acquire a permanent easement on ± 0.0359 of an acre ($\pm 1,565$ SF), referred to as Parcel 47E, owned by Crispin Ruiz, located at 408 Whitetail Dr, Manchaca, Travis County, Texas, as described by metes and bounds in Exhibit "A" attached to the Resolution, for the public use and purpose of providing essential

services to the general public in connection with the Arroyo Doble-Twin Creeks Drainage Project. (Commissioner Howard)

MOTION: Adopt the resolution authorizing the County Attorney to use the power of Eminent Domain to acquire a permanent easement on ± 0.0359 of an acre, referred to as Parcel 47E, as described in Exhibit "A" attached to the Resolution, for the public purpose of providing essential services to the public and promoting public safety in connection with the Arroyo Doble-Twin Creeks Drainage Project.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

44. Consider and take appropriate action to adopt a resolution authorizing the use of Eminent Domain to acquire a permanent easement on ± 0.0957 of an acre ($\pm 4,170$ SF), referred to as Parcel 46E, owned by Sarah Holdgrafer and David Higgins, located at 411 Whitetail Drive, Manchaca, Travis County, Texas 78652, as described by metes and bounds in Exhibit "A" attached to the Resolution, for the public use and purpose of providing essential services to the general public and promoting public safety in connection with the Arroyo Doble-Twin Creeks Drainage Project. (Commissioner Howard)

MOTION: Adopt a resolution authorizing the County Attorney to use the power of Eminent Domain to acquire a permanent easement on ± 0.0957 of an acre, referred to as Parcel 46E, in Exhibit "A" attached to the Resolution, for the public use and purpose of providing essential services to the public and promoting public safety in connection with the Arroyo Doble-Twin Creeks Drainage Project.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

Other

45. Consider and take appropriate action on the FY 2023 Equitable Sharing Agreement and Certification for federal forfeiture proceeds for the District Attorney's Office. (Judge Brown)

RESULT: **ADDED TO CONSENT**

46. Receive update regarding the "Safer Travis County Resolution," which directed county stakeholders to identify and implement gun violence reduction programming and strategies. (Judge Brown & Commissioner Travillion)

Members of the Court heard from:

Ana Almaguel, Planning Project Manager, Health and Human Services (HHS)
Korey Darling, Planning Manager, HHS
José Garza, Travis County District Attorney
Kirsha Haverlah, Social Services Director, Counseling and Education
Services (CES)
Meg Seville, Director, Policy and Analytics, Travis County Sheriff's Office
(TCSO)

RESULT: DISCUSSED

47. Appoint the Travis County Risk Manager James Alvarez as mediation representative in Cause No. D-1-GN-20-004650, Shannon Franklin vs. Travis County; In the 250th Judicial District Court, Travis County, Texas. (This item may be taken into Executive Session pursuant to Texas Government Code § 551.071(1)(A) and § 551.071(1)(B)). (Judge Brown)

RESULT: ADDED TO CONSENT

48. Approve and authorize the County Attorney's Office, on behalf of Travis County, to sign the mutual release of claims in order to finalize the settlement between Travis County and Argonaut Insurance Company previously approved by Commissioners Court on October 17, 2023. (Judge Brown)

RESULT: ADDED TO CONSENT

49. Consider and take appropriate action regarding the proposed 2024 Commissioners Court Calendar. (Judge Brown)

Clerk's Note: The Court discussed the postponement of any action taken on item 49.

MOTION: Approve motion to move Item 49 to the no action list.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: County Judge Andy Brown

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

Executive Session

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

Judge Brown announced that Item 50 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

51. Consider and take appropriate action regarding a potential acquisition of approximately 500 acres of park land west of the City of Bee Cave, Texas and south of Hwy 71 west, in Precinct 3.¹ & 2 (Commissioner Howard)

Judge Brown announced that Item 51 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 acquisition of approximately 500 acres of park land west of the City of Bee Cave, Texas and south of Hwy 71 west, in Precinct 3 as discussed in executive session.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

52. Consider and take appropriate action on an offer received by Travis County from the Austin District of the Texas Department of Transportation for the sale of a 2.1788 acre (94,910 square feet) tract of land, located adjacent to the intersection of RM 1431 and Buck Run in Precinct Three.¹ & 2 (Commissioner Howard)

Judge Brown announced that Item 52 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 acceptance of the Texas Department of Transportation (TxDOT) offer received by Travis County, but with direction to staff to negotiate a lesser purchase price.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

53. Receive legal briefing and take appropriate action regarding claims for damage, including damage sustained during Winter Storm Uri.¹ (Judge Brown)

Judge Brown announced that Item 53 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **DISCUSSED**

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge