



Minutes for the Travis County Commissioners Court December 12, 2023 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on December 12, 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 Lola Ogunro 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

Signature Motion

Clerk's Note: The members of the Commissioners Court discussed the voting session being held by video conference and that several Commissioners are not physically present

MOTION: Approve Judge Brown's signature on behalf of others not physically present.
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

Public Communication

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

County Announcements

Clerk's Note: There were no County Announcements.

Consent Motion

MOTION: Approve Consent Items 1, 7, 10, 11, 12. a-b., 13, 14, 15, 16, 20, 21, 22. a-b., 23, 24, 25, 26. a-e., 27, 30, and 31.
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

Auditor

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

RESULT: ADDED TO CONSENT

Emergency Services

2. 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

3. Consider and take appropriate action on the reappointment of the following individuals to the Emergency Services District (ESD) #4 Board of Commissioners to be effective on January 1, 2024 through December 31, 2025
 - A. Peter Torgrimson (Precinct Two)
 - B. Chuck Alexander (Precinct Two)
 - C. Eric Opiela (Precinct Three)
(Commissioners Shea & Howard)

Clerk's Note: Items 3 a-c and 4 are associated with one another and were called for concurrent discussion.

MOTION: Approve Items 3 a-c.
RESULT: **Passed (4-0)**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez

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

4. Consider and take appropriate action on the appointment of Travis Lundgren to the Board of Commissioners of Emergency Services District (ESD) No. 13 for the term December 2023 through December 31, 2025. (Commissioner Travillion)

Clerk's Note: Items 3 a-c and 4 are associated with one another and were called for concurrent discussion.

Members of the Court heard from:
Barbara Wilson, County Attorney

MOTION: Approve Item 4.
RESULT: **Passed (4-0)**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez
ABSTAIN: County Judge Andy Brown

5. Consider and take appropriate action on the reappointment of the following individuals to the Emergency Services Districts (ESDs) Board of Commissioners #s 3, 5, 7, 8, 9, 10, and 16 to be effective on January 1, 2024 through December 31, 2025

- A. J. Edd New (reappointment) ESD 3
- B. Carroll Knight (reappointment) ESD 3
- C. Matt Escobedo (reappointment) ESD 3
- D. Tom Quirk (reappointment) ESD 5
- E. Dennis Wright (reappointment) ESD 5
- F. Mary Cameron (reappointment) ESD 7
- G. Mark Evert (reappointment) ESD
- H. Naomi Giroux (reappointment) ESD 7
- I. Becky Wynn (reappointment) ESD 8 & 16
- J. Virgil Flathouse (reappointment) ESD 9
- K. Dr. Steve Wilson (reappointment) ESD 9
- L. Ken Campbell (reappointment) ESD 10
(Commissioner Howard)

MOTION: Approve Item 5. a-l.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 3 Ann Howard
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

6. Consider and take appropriate action on the reappointment of the following individuals to the Emergency Services Districts (ESDs) Board of Commissioners #s 1, 6, 14 to be effective on January 1, 2024 through December 31, 2025

- A. Mary Cameron (reappointment) ESD 1
- B. Naomi Giroux (reappointment) ESD 1
- C. Mark Evert (reappointment) ESD 1
- D. Larry Sartin (reappointment) ESD 6
- E. Matt Womack (reappointment) ESD 6
- F. Lonnie Moore (reappointment) ESD 14
- G. Roger Shull (reappointment) ESD 14
- H. Lizza Harrison, (reappointment) ESD 14
(Commissioners Shea & Howard)

MOTION: Approve Item 6. a-h.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 3 Ann Howard
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Health & Human Services

7. Consider and take appropriate action to approve the final version of the Program Year 2022 Consolidated Annual Performance Evaluation Report (PY22 CAPER) for the Travis County CDBG Program and authorize submission to HUD. The final version of the PY22 CAPER includes public comments, responses, and final edits.(Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

Intergovernmental Relations

8. Consider and take appropriate action on the reappointment of Vivek Kulkarni to the Travis Central Appraisal District Board of Directors to a term that will expire December 31, 2024. (Judge Brown)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, Intergovernmental Relations Office (IGR)

Vivek Kulkarni, Director, Travis Central Appraisal District (TCAD)

MOTION: Reappoint Vivek Kulkarni to the Travis Central Appraisal District Board of Directors.

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

Justice & Public Safety

9. Receive briefing and update from the Austin/Travis County Sexual Assault Response and Resource Team, as required by SB476 passed in Texas 87th legislative session. (Judge Brown)

Members of the Court heard from:

Vicki Ashley, Division Director, Criminal, County Attorney's Office

Marcy Alonzo, Community Engagement Specialist, Austin Police Department Victim Services (APD)

Emily LeBlanc, Chief Program Officer, Casa of Travis County

Shelly Eggers, APD

RESULT: DISCUSSED

Planning & Budget

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

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

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

A. Annual application to the Texas Department of Transportation for \$333,307, which includes a \$150,185 grant award, \$50,716 in a County match, and \$132,406 in an in-kind contribution, to continue the Underage Drinking Prevention Program in the County Attorney's Office

B. Contract amendment to the Comprehensive Energy Assistance Program (CEAP) grant with the Texas Department of Housing and Community Affairs HHS to shift funds between grant categories (Commissioner Gómez)

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action on amendment to Interlocal Agreement with Central Health. (Judge Brown)

RESULT: ADDED TO CONSENT

Purchasing

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

RESULT: ADDED TO CONSENT

15. Approve contract award for Kennedy Ridge Wastewater Improvements, IFB No. 2304-001-PH, in the amount of \$1,023,059.55, to the sole bidder, Austin Underground, Inc. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

16. Approve contract award for Balcones Canyonland Preserve Road Maintenance, CSP 2306-005-PH, in the amount of \$4,104,751.00, to the sole proposer, Sundt Construction. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

17. Approve ratification of Modification No. 1 to Contract No. 4400006700 with Communities for Recovery, in the amount of \$350,000.00, for overdose prevention services. (Health & Human Services) (Commissioner Travillion)

Clerk's Note: Items 17, 18, and 19 are associated with one another and were called for concurrent discussion.

Members of the Court heard from:

Laura Peveto, Director, Office of Children Services, Health and Human Services (HHS)

Courtney Lucas, Planning Project Manager, HHS

Scott Strauss, Vice President of Payer Relations and Business Development, Community Medical Services (CMS)

Dr. Crispa Aeschbach Jachmann, Medical Director, Addiction and Psychotherapy Services (APS)

Darrin Acker, Executive Director, Faces and Voices of Recovery

MOTION: Approve Items 17, 18, and 19.

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

18. Approve ratification of Modification No. 2 to Contract No. 4400006260 with Aeschbach & Associates, Inc., dba Addiction and Psychotherapy Services, in the amount of \$150,000.00, for methadone treatment services. (Health & Human Services) (Commissioner Travillion)

Clerk's Note: Items 17, 18, and 19 are associated with one another and were called for concurrent discussion. Please refer to Item 17 for a summary of the action taken by the Court.

19. Approve ratification of Modification No. 2 to Contract No. 4400006261 with Community Medical Services, in the amount of \$150,000.00, for methadone treatment services. (Health & Human Services) (Commissioner Travillion)

Clerk's Note: Items 17, 18, and 19 are associated with one another and were called for concurrent discussion. Please refer to Item 17 for a summary of the action taken by the Court.

20. Reject all responses received for RFP No. 2306-006-LC, Supplier Verification Solution. (Auditor's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve Contract Award for Professional Architecture Services for the Historic Heman Marion Sweat Courthouse, RFQ 2209-005-TL, in the amount of \$99,800.00, to the most highly qualified respondent, Limbacher & Godfrey, Inc. (Planning and Budget) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

22. 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

23. Consider and take appropriate action regarding the license agreement between Travis County and the City of Austin for the alley space located behind the Probate Courts at 200 W. 8th Street, Austin, Texas, 78701. (Commissioner Howard)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

24. Consider and take appropriate action on canceling the 2011 Bond Project, Wildhorse Connector – Parmer Ext. to FM 973, located in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action regarding an amendment to extend a License Agreement to allow Waterloo Outdoors, LLC. to continue operation until December 31, 2023 for kayak and paddle board concession rentals at Arkasas Bend Park. (Commissioner Shea)

RESULT: ADDED TO CONSENT

26. Consider and take appropriate action on the following requests regarding the acceptance of the dedication of public streets and drainage facilities within Shadowglen Phase 2 subdivisions in Precinct One:

- A. Acceptance of dedication of the public street and drainage facilities within the Shadowglen Phase 2 Misty Grove Boulevard and Silent Falls Way final plat.
- B. License Agreement between ShadowGlen Residential Property Owner's Association and Travis County for planting and improvements within the public right of way of Misty Grove Boulevard and Silent Falls Way.
- C. Acceptance of dedication of the public street and drainage facilities within the Shadowglen Phase 2 Sections 25-26 final plat.

- D. Acceptance of dedication of the public street and drainage facilities in the Shadowglen Phase 2 27A-27B final plat.
- E. Acceptance of dedication of the public street and drainage facilities in the Shadowglen Phase 2 Section 28 final plat
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 27. Consider and take appropriate action regarding a request to approve a Resolution for an Advance Funding Agreement (AFA) with TxDOT for the Dee Gabriel Collins Road project. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 28. Consider and take appropriate action to approve the second amendment to an Interlocal Agreement (ILA) between Travis County and the University of Texas at Austin. (Commissioners Shea & Howard)

RESULT: NO ACTION NECESSARY

- 29. Consider and take appropriate action on appointments to the 2023 Bond Substandard Roads Task Force. (Judge Brown)

Members of the Court heard from:

David Greear, Director, Public Works, Transportation and Natural Resources
(TNR)

Cynthia McDonald, County Executive, Transportation and Natural Resources

MOTION: Approve Item 29.

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

Clerk's Note: The Court approved the following Travis County residents to serve on the 2023 Bond Substandard Roads Task Force: Daniel Lee (Precinct 1), Rajeev Jain (Precinct 2), GeNell Gary (Precinct 3), and Patrick Lopez (Precinct 4).

Other

- 30. Consider and take appropriate action on a Memorandum of Understanding between Travis County, The SAFE Alliance, Asian Family Support Services of Austin, and Austin Police Department for the District Attorney's Office. (Judge Brown)

RESULT: ADDED TO CONSENT

31. Consider and approve request to join as a signatory in proposed joint cities and counties amicus brief in *Texas v. United States*, Case No. No. 23-40653 in the U.S. Court of Appeals for the Fifth Circuit and delegate signature authority to Travis County Attorney Delia Garza. (This item may be taken into Executive Session, pursuant to Tex.Gov't Code § 551.071) (Judge Brown)

RESULT: ADDED TO CONSENT

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

Members of the Court heard from:

Betty Blackwell, Criminal Defense Attorney, Capital Area Private Defenders
Patti Smith, Travis County Auditor

RESULT: DISCUSSED

Executive Session

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

RESULT: NO ACTION NECESSARY

34. Receive legal briefing from County Attorney, and authorize County Attorney and/or Risk Manager to accept, reject, or counter settlement offer, and/or take appropriate action in claim submitted by Seonju Jo related to a motor vehicle accident involving Travis County vehicle.¹ (Judge Brown)

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

MOTION: Accept the Seonju Jo settlement offer of \$70,000 and authorize the Risk Manager and County Attorney to sign and file any necessary documents to effectuate the settlement.

RESULT: APPROVED - UNANIMOUS

MOVER: County Judge Andy Brown

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

35. Consider and take appropriate action regarding the potential acquisition of approximately 1,600 acres of park land west of the City of Bee Cave, Texas and south of Hwy 71 west, in Precinct Three.^{1 & 2} (Commissioner Howard)

RESULT: NO ACTION NECESSARY

36. Consider and take appropriate action regarding the request to partially release restrictive covenant on 10321 and 10401 Burnet Road, Austin, Travis County, Texas, 78757.^{1 & 2} (Commissioner Shea)

Judge Brown announced that Item 36 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.

RESULT: DISCUSSED

37. Receive briefing from outside counsel and take appropriate action regarding groundwater and land use issues.¹ (Commissioners Shea & Howard)

Judge Brown announced that Item 37 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