



Minutes for the Travis County Commissioners Court August 20, 2024 Voting Session

**Minutes Prepared by the Travis County Clerk
512-854-4722 • www.traviscountytx.gov • PO Box 149325, Austin, TX 78714-9325**

Call to Order

Meeting called to order on August 20, 2024, 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 2 Brigid Shea
Commissioner Precinct 3 Ann Howard
Commissioner Precinct 4 Margaret Gómez

Absent: Commissioner Precinct 1 Jeffrey Travillion

Public Communication

Members of the Court heard from:

Andrew Smith, Travis County Resident
Grant Anes, Travis County Resident
Steven Guti, Travis County Resident
Cynthia Holderer, Travis County Resident
Maridith Kivewsky, Travis County Resident
Leslie Eissing, Travis County Resident
Deepa Block, Travis County Resident
Gretchen Vance, Travis County Resident
Dane Guerra, Travis County Resident
Dallas Little, Travis County Resident
Humeria Akbar, Travis County Resident
Kelly Bryngeson, Travis County Resident
Anthony Walker, Travis County Juvenile Probation
Shannon Steele, Benefits Manager, Human Resources Management Department

County Announcements

Clerk's Note: There were no County Announcements.

Consent Motion

MOTION: Approve Consent Items: 1, 2, 4, 5, 8, 9, 10, 11.a-d, 12, 13, 14, 15, 16, 17, 18, 19.a, 20, 21, 22, 23.a-b, 28.a, 26, and 29.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez

Auditor

1. Approve payment of claims by the County Treasurer. (Judge Brown)
RESULT: ADDED TO CONSENT
2. Receive revenue and expenditure reports, and other statutorily required reports, for the month of June 2024 from the County Auditor's Office. The reports are submitted electronically as allowed by local government code §114.023 (a) and prescribed by the County Auditor. (Judge Brown)
RESULT: ADDED TO CONSENT

Emergency Services

3. Consider and take appropriate action regarding the following:

Members of the Court heard from:
Gary Howell, Travis County Fire Marshal

- A. Outdoor burning in the unincorporated areas of Travis County

MOTION: Approve an order prohibiting outdoor burning to expire on September 3, 2024, or upon such date as determined by the Commissioners Court or by the Travis County Fire Marshal.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez

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

RESULT: NO ACTION NECESSARY

Health & Human Services

4. Consider and take appropriate action to approve and ratify Modification 1 of the Subaward for the Crisis Care Diversion Pilot Project with Integral Care. (Judge Brown & Commissioner Howard)
RESULT: ADDED TO CONSENT
5. Consider and take appropriate action to approve a modification to Interlocal Agreement No. 4400007302 with Del Valle Independent School District. (Judge Brown & Commissioner Gómez)
RESULT: ADDED TO CONSENT
6. Receive a briefing on the Austin Travis County Food Plan. (Commissioners Travillion & Shea)

Members of the Court heard from:

Rachel Coff, Planning Manager, Research and Planning, Health and Human Services (HHS)
Yaira Robinson, Program Manager, Environmental Quality, Transportation and Natural Resources
Sarah Stone, Planner, Research and Planning, HHS
Edwin Marty, Food Policy Manager, Office of Sustainability, City of Austin
Andrea Abel, Travis County Appointee to the Food Policy Board
Kacey Hanson, Travis County Appointee to the Food Policy Board

RESULT: DISCUSSED

Intergovernmental Relations

7. Consider and take appropriate action on an appointment to the City of Austin Animal Advisory Commission. (Judge Brown)
RESULT: NO ACTION NECESSARY

Innovative Justice & Program Analysis

8. Consider and take appropriate action to approve procedures and timeline for interviewing candidates for the position of County Executive, Innovative Justice & Program Analysis. (Judge Brown)
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. Annual contract with the Texas Department of Transportation for the Comprehensive Underage Drinking Prevention Program grant for \$334,262.37, including a County match of \$50,716 and an in-kind contribution of \$133,363.73 to support a program that discourages illegal underage drinking through the Travis County Attorney's Office
- B. Annual contract with Integral Care for the Fiscal Year 2025 Community Partners for Children program for \$105,053 to support a coordinator position to provide support for families involved with the Juvenile Justice system in Juvenile Probation
- C. Contract amendment to the U.S. Department of Energy's Bipartisan Infrastructure Law Weatherization Program grant for \$1,480,555 to extend the grant period to June 30, 2026, in Health and Human Services
- D. Contract amendment to the Public Defender's Office and MAC Enhancement Grant with the Indigent Defense Commission (TIDC) to extend the grant term through September 30, 2025 (Commissioner Gómez)

RESULT: ADDED TO CONSENT

12. Receive budget agenda worksheet for Fiscal Year 2025 Budget Mark-up and set a deadline for submission. (Judge Brown)

Members of the Court heard from:

Jessica Rio, County Executive, Planning and Budget Office (PBO)
Travis Gatlin, Budget Director, PBO
Cynthia McDonald, County Executive, Transportation and Natural Resources

MOTION: Approve 12:00 pm, August 26, 2024, as the due date for the Fiscal Year 2025 budget agenda worksheet responses.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: County Judge Andy Brown

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

Purchasing

13. Receive bids from County Purchasing Agent. (Commissioner Travillion)
RESULT: ADDED TO CONSENT
14. Approve exemption and award of Contract No. 4400007225 with Communication by Hand, LLC, in the amount of \$49,000.00, for sign language interpreter services. (Health & Human Services) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
15. Approve Change Order No. 9 to Contract No. 4400006355 with Chasco Constructors, LTD, in the amount of \$620,469.13, for Blake Manor Road Widening. (Transportation and Natural Resources) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
16. Approve Modification No. 6 to Contract No. 4400004143 with Care Systems, Inc., in the amount of \$50,873.76, for Scheduling System Software. (Sheriff's Office) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
17. Approve order exempting the Mold Remediation Services from Blackmon Mooring of Austin, Inc., and approve Purchase Order 4100232886 in the amount of \$181,881.50, from the competitive procurement process, pursuant to County Purchasing Act § 262.024(A)(2). (Facilities Management) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
18. Approve Modification No. 7 to Contract No. 4400004246 with Know Ink, LLC, in the amount of \$17,500.00, for the voter registration system. (Tax Office & Information Technology Services) (Commissioner Travillion)
RESULT: ADDED TO CONSENT

Technology & Operations

19. Consider and take appropriate action on the following Personnel Amendments:
 - A. Routine Personnel Actions (Commissioners Travillion & Gómez)**RESULT: ADDED TO CONSENT**
20. Consider and take appropriate action on a total loss claim for the date of loss of December 8, 2022. (Commissioners Gómez and Travillion)
RESULT: ADDED TO CONSENT

21. Consider and take appropriate action for food reimbursement for Information Technology Services (ITS) staff during the CrowdStrike disruption event. (Commissioners Travillion & Howard)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

22. Consider and take appropriate action regarding a request to release a lateral support drainage easement associated with Lot 22, Block 2 of The Overlook Estates Phase One. (Commissioner Howard)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action on the following agreements associated with The Porch development project in Precinct One:

- A. License Agreement between 14352 Hunter's Bend Rd. LLC for improvements within the public right of way of Plain View Drive
- B. License Agreement between 14352 Hunter's Bend Rd. LLC for within the public right of way of Hunters Bend (Commissioner Travillion)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on the opportunity to sign on to a letter opposing proposed federal Fiscal Year 2025 appropriations language banning funding for diversity, equity, and inclusion and climate resilience. (Commissioner Shea)

Members of the Court heard from:

Yaira Robinson, Program Manager, Environmental Quality, Transportation and Natural Resources

MOTION: Approve Item 24.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 2 Brigid Shea

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

25. Consider and take appropriate action on the following regarding improvements for a project on FM812 from US183 to the Travis/Bastrop County line (*This item may be taken into Executive Session under Texas Local Government Code § 551.071, Consultation with Attorney*).

Judge Brown announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

- A. A resolution for the project pursuant to Texas Transportation Code § 201.209 that authorizes the State and a local government to enter into agreements in accordance with Texas Government Code, Chapter 791.
- B. A Right of Way Procurement Agreement with the Texas Department of Transportation for proposed improvements on FM812 from US183 to the Travis/Bastrop County line. (Commissioner Gómez)

Members of the Court heard from:

Susan Spataro, Former Travis County Auditor

MOTION: 1) Approve the resolution for the project on FM 812 pursuant to Texas Transportation Code §201.209 that authorizes the State and a local government to enter into agreements in accordance with Texas Government Code, Chapter 791. 2) Approve a Right of Way Procurement Agreement with the Texas Department of Transportation for proposed improvements on FM812 from US183 to the Travis/Bastrop County line.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 2 Brigid Shea

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

Other

26. Consider and take appropriate action to approve a Resolution in Travis County, TX authorizing the constable to sell certain property pursuant tax code 34.05 and requesting the use of an online bidding and sales platform under tax code 34.01 (a-1). Billing No. 146666; Parcel No. 03-0804-1201-0000. (Judge Brown)

Members of the Court heard from:

Ann-Marie Sheely, Division Director, Travis County Attorney's Office

MOTION: Adopt the resolution authorizing the Constable of Travis County to sell a certain property that has been bid in trust to the taxing jurisdictions located at 2500 Douglas Street, pursuant to Tax Code 34.05 and request that the sale be done on an online platform under Tax Code 34.01(a-1).

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: County Judge Andy Brown

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

27. Consider and take appropriate action to approve a Resolution in Travis County, TX authorizing the constable to sell certain property pursuant tax code 34.05 and requesting the use of an online bidding and sales platform under tax code 34.01 (a-1). Billing No. 146667; Parcel No. 03-0804-1202-0000. (Judge Brown)

RESULT: NO ACTION NECESSARY

28. Consider and take appropriate action to approve a request from the Tax Assessor-Collector to authorize printing by the County's print shop of the following items, to be included with 2024 statements:

A. Various inserts (approximate total 110,350) (Judge Brown)

RESULT: ADDED TO CONSENT

29. Approve the minutes for the Voting Sessions of July 16, July 23, July 30, and August 6th, 2024. (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

Note 8: Gov't Code Ann 551.089, security personnel/critical infrastructure

30. Receive briefing and take appropriate action regarding Travis County security and information security issues.^{1,4 & 6} (Commissioner Travillion & Howard)

Judge Brown announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney, Gov't. Code Ann. 551.076, Security, and Gov't Code Ann 551.089, IT Security.

RESULT: DISCUSSED

31. Receive briefing from outside counsel and take appropriate action regarding groundwater, wastewater, surface water, and land use issues, including permit applications submitted by Clancy Utility Holdings LLC to the Southwestern Travis County Groundwater Conservation District, the Hays Trinity Groundwater Conservation District, and the Texas Commission on Environmental Quality.¹ (Commissioners Shea & Howard)

Judge Brown announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Move that the County oppose the Application of Clancy Utility Holdings LLC for a TCEQ permit to dispose of wastewater via subsurface drip dispersion system or TLAP and for a new permit number WQ 0016335001, and we further move that we: (1) request a contested case hearing regarding the application filed by Clancy; (2) seek the adjudicated dismissal, denial, or disapproval of the Clancy application by the TCEQ, (3) participate as a protestant in the contested case hearing through final adjudication of the matter by TCEQ or an agreed settlement of the dispute; and (4) provide public comment to TCEQ that provides the scientific and policy justifications for opposing the proposed applications.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 3 Ann Howard

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

32. 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 Civil Action No. 1: 21-cv-1139-RP, *Dominique Boyd, individually and as independent administrator of, and on behalf of, the Estate of Anya Wyne and Anya Wyne's heirs at law v. Travis County, Texas, et al*, in the Western District Court of Texas (Austin Division).¹ (Judge Brown)

Judge Brown announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Attorney and/or Risk Manager to accept an offer of settlement in the amount of \$2 Million Dollars and authorize the Travis County Risk Manager to sign the Settlement Agreement documents in Civil Action No. 1: 21-cv-1139-RP, *Dominique Boyd, individually and as independent administrator of, and on behalf of, the Estate of Anya Wyne and Anya Wyne's heirs at law v. Travis County, Texas, et al*, in the Western District Court of Texas (Austin Division)

RESULT:	APPROVED - UNANIMOUS
MOVER:	County Judge Andy Brown
SECONDER:	Commissioner Precinct 2 Brigid Shea
AYES:	Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge