



Minutes for the Travis County Commissioners Court November 12, 2024 Voting Session

**Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on November 12, 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 1 Jeffrey Travillion
Commissioner Precinct 2 Brigid Shea
Commissioner Precinct 3 Ann Howard
Commissioner Precinct 4 Margaret Gómez

Public Communication

Members of the Court heard from:

Robert Battaile, Travis County Resident
Thomas Woodward, Travis County Resident
Andi Brauer, Neighbors Program Manager, Central Presbyterian Church

County Announcements

Clerk's Note: There were no County Announcements.

Consent Motion

Members of the Court heard from:

Bobby Levinski, Staff Attorney, Save Our Springs Alliance

MOTION: Remove Item 37 from the consent agenda and approve consent items 3, 4, 8, 9, 10, 11, 12, 13, 14, 17.a-b, 19, 20, 21, 22 (Budget Amendments N1, A1, A2, A3, A4), 23, 24, 25, 26.a-b, 27, 28, 29, 30, 31.a-c, 32, 33, 34.a, 36, 38, 39, 40, 41, 42, 43.a-b, 44, and 45.

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

Clerk's Note: Judge Brown took the Consent Motion up for discussion again to amend the listed consent items.

FRIENDLY

AMENDMENT: Pull Item 40 from the listed Consent Items to take up for discussion.
MOVER: Commissioner Precinct 3 Ann Howard.
RESULT: **FRIENDLY AMENDMENT ACCEPTED**

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

RESULT: **APPROVED - UNANIMOUS**
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Clerk's Note: The Court moved to remove items 37 and 40 from the consent list. The consent list now reads as follows: 3, 4, 8, 9, 10, 11, 12, 13, 14, 17.a-b, 19, 20, 21, 22 (Budget Amendments N1, A1, A2, A3, A4), 23, 24, 25, 26.a-b, 27, 28, 29, 30, 31.a-c, 32, 33, 34.a, 36, 38, 39, 41, 42, 43.a-b, 44, and 45.

Resolutions & Proclamations

1. Consider and take appropriate action to approve a proclamation recognizing November 14, 2024, as "Adoption Day" in Travis County. (Commissioner Gómez)

Members of the Court heard from:

Aurora Martinez Jones, Judge, 126th District Court

MOTION: Approve Item 1
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

2. Consider and take appropriate action to approve a proclamation recognizing Erin Martinson for all her contributions to the community throughout her career. (Judge Brown)

Members of the Court heard from:

José Garza, Travis County District Attorney
Emily LeBlanc, Co-Chair, Austin-Travis County Sexual Assault Response and Resource Team
Erin Martinson, Travis County District Attorney's Office

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

Auditor

3. Approve payment of claims by the County Treasurer. (Judge Brown)
RESULT: ADDED TO CONSENT
4. Receive revenue and expenditure reports, and other statutorily required reports, for the month of September 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

Community Legal Services

5. Receive quarterly briefing on Community Legal Services Department. (Commissioners Travillion & Howard)

Members of the Court heard from:

Geoffrey Burkhart, County Executive, Community Legal Services (CLS)
Aaron Pepper, Financial Analyst Sr., CLS
Kristen Jernigan, Chief Counsel, Office of First Defense, CLS
Dylan Moench, Chief Counsel, Office of Child Representation, CLS

RESULT: DISCUSSED

Emergency Services

6. 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 emergencies (Judge Brown)

RESULT: NO ACTION NECESSARY

7. Consider and take appropriate action to reappoint the following individuals to the Boards of Commissioners of Emergency Services Districts (ESD) No. 11 and No. 15 immediately through December 31, 2026:

- A. Belinda Ruiz
- B. Jerry Staton
- C. Tim Reinhardt (Commissioner Gómez)

Members of the Court heard from:

Jerry Staton, Board Appointee, Emergency Service District No. 11

MOTION: Reappoint Belinda Ruiz, Jerry Staton, and Tim Reinhardt to the Board of Commissioners of Emergency Service Districts No. 11 and No. 15.

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

- 8. Consider and take appropriate action on an Interlocal Cooperation Agreement for Medical Examiner Services between Travis County and Uvalde County. (Commissioners Shea & Howard)

RESULT: ADDED TO CONSENT

Health & Human Services

- 9. Consider and take appropriate action to approve and ratify the Fiscal Year 2025 renewal of the interlocal agreement between Travis County and the Texas A&M AgriLife Extension Service. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 10. Consider and take appropriate action to approve and ratify the Fiscal Year 2025 renewal of the Main interlocal agreement with Integral Care, the Travis County Local Mental Health Authority. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 11. Consider and take appropriate action to approve the appointment of Hilda Rivas to the Early Childhood Council. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 12. Consider and take appropriate action to approve a Professional Services Subaward with Fair Shot Texas, Contract No.4600000850, for the provision of Workforce Development Services. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action to renew Collaborative Health Planning Interlocal Agreement No. 4400004618 between Travis County and Travis County Health Care District dba Central Health. (Judge Brown & Commissioner Gómez)
RESULT: ADDED TO CONSENT
14. Consider and take appropriate action to approve a subaward modification to Contract No.4400007820 with FC Burleson Housing, LP. (Commissioners Howard & Gómez)
RESULT: ADDED TO CONSENT
15. Consider and take appropriate action to declare a Public Health Crisis due to Drug Overdose and Deaths related to the Opioid Crisis in our Community (Judge Brown).

15 and 16 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, Strategic Advisor, HHS
Tony Carter, Member, Vocal Texas
Darren Thornhill, Texas Harm Reduction Alliance
Em Gray, Street Level Organizer
Cate Graziani, Policy Director, Vocal Texas
Phil Owen, Program Director, Communities in Recovery
Eli Cortez, Organizer, Vocal Texas
Michelle Surka, Planning and Budget Analyst Sr, PBO
Travis Gatlin, Budget Director, Planning and Budget Office (PBO)

MOTION: Approve a Public Health Crisis declaration due to drug overdose and deaths related to the opioid crisis to expire on October 1, 2026.
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

16. Consider and take appropriate action authorizing the use of Opioid Abatement funds to expand County investments addressing the opioid overdose and deaths crisis in the community. (Judge Brown)

Items 15 and 16 are associated with one another and were called for concurrent discussion.

MOTION: Approve the recommended \$100,000 expenditure for Naloxone in Fiscal Year 2025.

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

FRIENDLY

AMENDMENT: Allocate \$100,000 for naloxone; allocate up to \$400,000 for harm reduction services from available resources from the Opioid Abatement Funds and Opioid Crisis Earmark; direct HHS staff to present strategies to Commissioners Court in the next several weeks on expending the additional funds (over the \$100,000 originally recommended by HHS staff for harm reduction services) with HHS requesting the funds be transferred after they next present and receive approval from Commissioners Court; and Commissioners Court will reach out to Central Health board appointees to take immediate action and engage in community dialogue regarding Central Health's opioid abatement funds

MOVER: Commissioner Precinct 3 Ann Howard

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

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

RESULT: **APPROVED - UNANIMOUS**

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

Intergovernmental Relations

17. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, letters of support, memorandum of understanding, and permissions to continue:

- A. Contract amendment for the Urban Area Security Initiative grant from the Texas Office of the Governor for \$45,500 in the Travis County Clerk's Office
- B. Letter of Intent and a Resolution for the Fiscal Year 2025 Formula Grant Program from the Texas Indigent Defense Commission for \$638,590 in the Criminal Courts department. (Judge Brown)

RESULT: **ADDED TO CONSENT**

18. Consider and take appropriate action on an appointment to the Integral Care Board of Trustees. (Judge Brown)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, Intergovernmental
Relations Office

RESULT: DISCUSSED

Innovative Justice & Program Analysis

19. Consider and take appropriate action on the Sheriff's Office Fiscal Year 24 Equitable Sharing Agreement and Certification (ESAC) for federal forfeiture proceeds.
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

20. Approval of the Travis County Sheriff's Office state forfeiture budget for Fiscal Year 25 in accordance with § 59.06 (d) of the Texas Code of Criminal Procedure.
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

Planning & Budget

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

RESULT: ADDED TO CONSENT

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

Clerk's Note: Item 22 (Budget Amendments N1, A1, A2, A3, A4) were approved on consent.

Items 22 (Budget Amendment O1) and 35 are associated with one another and were called for concurrent discussion.)

Members of the Court heard from:

Gabe Stock, Director, Facilities Management Department
Travis Gatlin, Budget Director, Planning and Budget Office (PBO)
Alex Braden, Assistant Budget Director, PBO
Michelle Surka, Planning and Budget Analyst Sr, PBO

MOTION: Approve Item 22.

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

Purchasing

23. Receive bids from County Purchasing Agent. (Commissioner Travillion)
RESULT: ADDED TO CONSENT
24. Approve contract award for Flexible Base Material, Type A, Grade 2, IFB No. 2408-011-CM, estimated requirements, to the sole bidder, Schuler Contracting LLC dba Heartland Hauling. (Transportation & Natural Resources) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
25. Approve contract award for Fiscal Year 2024 Roadway Recycling Program, IFB No. 2408-006-GC, in the amount of \$2,637,003.34, to the low bidder, Asphalt Inc., LLC dba Lone Star Paving. (Transportation & Natural Resources) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
26. Approve contract award for the Fiscal Year 2024 HMAC Overlay Program, IFB No. 2408-007-GC, to the following low bidders: (Transportation & Natural Resources)
- A. Contract No. 4400007881 Asphalt, Inc., LLC dba Lone Star Paving for Groups A-C & E, in the amount of \$8,818,977.59
 - B. Contract No. 4400007880 Bennett Paving, Inc. for Group D, in the amount of \$378,790.00. (Commissioner Travillion)
- RESULT: ADDED TO CONSENT**
27. Approve Modification No. 4 to Contract No. 4400004304 with Jackson & McElhaney Architects, in the amount of \$2,000.00, for the Arkansas Bend Park Group Building Design. (Transportation & Natural Resources) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
28. Approve Change Order No. 10 to Contract No. 4400006355 with Chasco Constructors, LTD, in the amount of \$388,665.70, for Blake Manor Road Widening. (Transportation & Natural Resources) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
29. Approve Modification No. 1 to Contract No. 4400005970 with Studio 16:19, in the amount of \$15,000.00, for Professional Landscape Architecture Services at the New Tax Office. (Facilities Management) (Commissioner Travillion)
RESULT: ADDED TO CONSENT
30. Declare Flight Wireless Connectivity Kits surplus property pursuant to Local Gov't Code, Section 263.152(a) and authorize the refund of \$180,000.00 from Skytrac to Travis County for Flight Wireless Connectivity Kits that will be returned to Skytrac. (Commissioner Travillion)
RESULT: ADDED TO CONSENT

31. Approve modifications to Indigent Burial Services Contracts, as needed, as follows: (Health & Human Services)
- A. Modification No. 1 to Contract No. 4400006804 with King Tears Mortuary, Inc.
 - B. Modification No. 1 to Contract No. 4400007081 with SCI Texas Funeral Services, LLC.
 - C. Modification No. 1 to Contract No. 4400007400 with Fuller-Sheffield Funeral Services, Inc. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

32. Approve Modification No. 13 to Contract 4400000453 with VertiQ Software LLC, in the amount of \$9,799.00, for Case Management Software System. (Medical Examiner) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

33. Reject all responses received for RFS No. 2408-008-PE, for Music Education Services, and resolicit. (Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

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

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

RESULT: ADDED TO CONSENT

35. Consider and take appropriate action to approve an Interlocal agreement with City of Austin for the extension of reclaimed waterlines to the Travis County Probate Court and the Travis County Civil and Family Courts Facility. *(This item may be discussed in executive session pursuant to Tex. Gov't Code §551.071, Consultation with Attorney)* (Commissioner Shea)

Items 22 and 35 are associated with one another and were called for concurrent discussion.

MOTION: Approve Item 35.

RESULT: **APPROVED - UNANIMOUS**

MOVER: County Judge Andy Brown

SECONDER: Commissioner Precinct 2 Brigid Shea

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

Transportation & Natural Resources

36. Consider and take appropriate action on the approval of a Cash Security Form to be utilized with the Expedited Third Party Review Process. (Judge Brown)

RESULT: ADDED TO CONSENT

37. Consider and take appropriate action on the submission of Travis County sponsored transportation projects and a passenger rail feasibility study for inclusion in the Capital Metropolitan Planning Organization's (CAMPO) draft 2050 Transportation Plan update.

- A. Projects contained in the CAMPO 2045 Plan carryover project list (see Attachment 1). These projects will be automatically carried over from the CAMPO 2045 Plan to the CAMPO 2050 Plan. These projects have no substantial changes except for updated project construction let years and updated project cost estimates
- B. Projects that require a Project Application to be submitted to CAMPO staff due to significant changes in project description, funding, significant revision to project limits, or if they are new projects/studies that were not included in the CAMPO 2045 Plan (see Attachment 2)
- C. Three new applications (Union Lee Church Road, Onion Creek Greenway Trail and a Passenger Rail Feasibility Study) that are not currently included in the County's Transportation Blueprint. Information on those three applications is provided in Attachment 2. The projects and study will be included in the Travis County sponsored draft CAMPO 2050 project list upon approval by the Travis County Commissioners Court. (Judge Brown & Commissioner Travillion)

Members of the Court heard from:

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

Scheleen Walker, Long Range Planning Manager, TNR

Bobby Levinski, Staff Attorney, Save Our Springs Alliance

MOTION: Approve item 37.

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

38. Consider and take appropriate action to approve Amendment No. 1 to the Interlocal Agreement between the City of Austin and Travis County for the design of the Braker Lane North Extension Project in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

39. Approve setting a public hearing on December 3, 2024, to receive comments regarding a request to authorize the filing of an instrument to vacate a public utility easement located within Lot 1, Leigh Addition, a subdivision in Precinct Two. (Commissioner Shea)

RESULT: ADDED TO CONSENT

40. Consider and take appropriate action regarding the Interlocal Agreement between the West Travis County Public Utility Agency (WTCPUA) and Travis County to adjust the waterline and appurtenances as part of the construction contract of the Fitzhugh Road Safety Improvement Project in Precinct Three. (Commissioner Howard)

Members of the Court heard from:

David Greear, Director, Public Works, Transportation and Natural Resources
Crystal Datri, Biologist and Travis County Resident
Bill Bunche, Executive Director, Save Our Springs Alliance
Cynthia High, Travis County Resident

RESULT: POSTPONED

41. Consider and take appropriate action on an Interlocal Agreement with the City of Austin in connection with the Onion Creek Greenway III Improvements Project in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

42. Consider and take appropriate action on the Acceptance of the Dedication of the public street and drainage facilities within West Bella Fortuna Phase 1, in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

43. Consider and take appropriate action on the following requests regarding the Surf Ranch condominium development in Precinct Four:

- A. An exemption from the requirement to plat for Surf Ranch condominium site project
- B. A Condominium Construction Agreement between Austin Surf Club Venture, LP and Travis County. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Other

44. Consider and take appropriate action on the Fiscal Year 2024 Equitable Sharing Agreement and Certification for federal forfeiture proceeds for Constable 1, Constable 2, Constable 3, Constable 4 and Constable 5 Offices (Judge Brown).
RESULT: ADDED TO CONSENT
45. Consider and take appropriate action to approve the First Amendment to the Interlocal Cooperation Agreement between Travis County and The Village of the Hills. (Commissioner Howard)
RESULT: ADDED TO CONSENT
46. Consider and take appropriate action regarding an order canvassing election returns and declaring results for the November 5, 2024, Travis County Tax Rate Election. (Judge Brown)
RESULT: NO ACTION NECESSARY

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.

47. 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 47 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: NO ACTION NECESSARY

48. Receive legal briefing and take appropriate action regarding House Bill 3053 from the 88th Texas Legislative Session and the impact on County services following the disannexation of certain areas from the City of Austin's corporate limits.^{1&2} (Judge Brown)

Judge Brown announced that Item 48 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: Direct County staff to establish and implement a program to accept roadways recently disannexed by the City of Austin into the County's existing roadway inventory and scheduled for future maintenance as deemed necessary.

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

49. Receive legal briefing and take appropriate action regarding Senate Bill 2038 from the 88th Texas Legislative Session and petitions to release Travis County right-of-way in conjunction with adjoining property owners from the City of Austin's extraterritorial jurisdiction.^{1&2} (Judge Brown)

Judge Brown announced that Item 49 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: Authorize County staff to explore options for releasing the County's right-of-way and easements from the City of Austin's ETJ, including continuing negotiations with the City of Austin, working with property owners and residents to submit petitions to the City of Austin and exploring legislative options.

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

50. Receive briefing from outside counsel and take appropriate action regarding groundwater, wastewater, surface water, land use, and water availability 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 and a service extension request submitted by Mirasol Capital to the West Travis County Public Utility Agency to provide water service to the Mirasol Springs development.¹ (Commissioners Shea & Howard)

Clerk's Note: Commissioner Howard read aloud "Version 1" of a draft proposal letter to the West Travis County Public Utility Agency (WTCPUA) Board of Directors into the record as part of her motion for the Court's consideration and public discussion.

Members of the Court heard from:

Jo Ellen Askins, Travis County Resident
Andrea McCartney, Travis County Resident
Crystal Datri, Biologist and Travis County Resident
Blaine Williams, Travis County Resident
Kelly Zabick, Travis County Resident
Elaine Davenport, Travis County Resident
Scott Roberts, President, Board of Directors, WTCPUA
Lou Adams, Travis County Resident
Bobby Levinski, Staff Attorney, Save Our Springs Alliance (SOSA)
Victoria Rose, Staff Attorney, SOSA
Bill Bunche, Executive Director, SOSA
Joshua Bennett, Travis County Resident

MOTION: Send Version 1 of the draft proposal letter to the West Travis County Public Utility Agency Board of Directors. *Version 1 of the draft proposal letter read aloud by Commissioner Howard reads:*

The purpose of this letter is to provide a list of proposed requirements that Travis County (County) requests be included in any nonstandard service agreement (NSSA) between the West Travis County PUA (WTCPUA) and Marisol Capital (and its related entities referenced herein as Mirasol) in connection with new water service from WTCPUA to the Mirasol Springs Development (Development). The County expresses support for new water service from WTCPUA for limited use, with the addition of the requirements described below, and subject to a separate agreement between the County and Mirasol. Adjacent to the Development, Travis County owns Hamilton Pool Preserve and Reimers Ranch Park. Hamilton Pool Preserve and Reimers Ranch are important environmental and recreational resources in southwestern Travis County where groundwater sourced primarily from the Middle Trinity Aquifer issues as springs and seeps sustaining creek flows, habitats, and recreational activities. The County has invested more than \$180 million dollars to purchase these two parks, the surrounding properties, and

conservation easements to protect the County's groundwater resources. The County's properties include the 232 acre Hamilton Pool Preserve, the 2500 acre Reimers Ranch Park, the 760 acre Eugene Reimers Ranch, the Johannsen Tract, the 475 acre Castletop Tract, the 1,506 acre RGK Ranch and 1, 100 acres in conservation easements covering six tracts.

Because of concerns over depletion of groundwater that is the source of the County's springs. Travis County has formally opposed groundwater permits sought by the Development.

A dedicated surface water pipeline with appropriate conditions could meet Mirasol's water supply needs and be the most dependable strategy for protecting the County's springflow.

It is the County's understanding that the Board of Directors (Board) is considering water service to a limited area from a three-inch water main line to be constructed along Hamilton Pool Road. Service to this area would be limited to the Mirasol Springs Development, the Peacock Development, and the new Lake Travis ISD School campus. Except as noted below, the WTCPUA should not extend service beyond these described areas and WTCPUA should include in the NSSA the following requirement:

- The size of the water main line extension along Hamilton Pool Road (HPR) shall not exceed 3 inches with a maximum flow of 108 gallons per minute. Mirasol is responsible for providing storage capacity to meet peak demand and fire flow.
- The drilling of any new water wells and, upon service from the WTCPUA, the non-exempt use of groundwater is prohibited. Deed restrictions will be used to prohibit new individual exempt wells and the production of groundwater. Exempt groundwater use is limited to three existing agricultural use wells that must be metered. Existing wells subject to pending permit applications before the HTGCD and SWTCD and non-agricultural exempt wells will be plugged or converted to monitor wells and respective permitting applications will be withdrawn. **[End of Page 1]**
- Mirasol will sever its groundwater estate and grant Travis County a groundwater conservation easement.
- WTCPUA water is limited to indoor use. Prohibit all outdoor irrigation using groundwater or potable water. Outdoor irrigation is limited to harvested/ stored rainwater and beneficial reuse of effluent. Future irrigation meters from the WTPUA will not be available.

- Rainwater harvesting and storage for outdoor irrigation is mandatory. Rainwater will be collected on all roof structures except for insignificant surface areas for irrigation for home sites. Minimum storage capacity of 20,000 gallons per home site is required for rainwater systems.
- County authorization in terms acceptable to the County is required for new pipelines that cross County Conservation Easements or that use County right-of-way along HPR.
- The use of the Pedemales River as a potable water supply to the area served by WTCPUA is prohibited. The Water Supply Contract with LCRA and Clancy Utility Holdings, LLC must be surrendered or assigned but use of assigned Contract shall not include diversion from the Pedemales River.

Travis County further requests that the Board codify in its regulations the restrictions adopted in October 17, 2024, motion, which prohibits the use of groundwater by certain WTCPUA customers. The language originally proposed by the Board is:

New Non-Standard Water Service from the Hamilton Pool Road Transmission Mains (Nos. 1 and 2) shall be limited to:

- a. developments with 1 service unit (LUE) per 10 acres average and that enter into Non- Standard Service Agreements (NSSA) prohibiting existing and future use of groundwater or surface water for irrigation or potable uses from sources other than WTCPUA;
- b. supporting capacity for existing development that enters a NSSA prohibiting existing and future use of groundwater or surface water for irrigation or potable uses from sources other than WTCPUA; and
- c. local government or public uses such as county or school district projects prohibiting use of groundwater or surface water for irrigation or potable uses from sources other than WTCPUA.

An exception to these restrictions could be made for water supplied to West Cypress Hills area adjacent to Lake Travis ISD properties. This exception follows the August 14, 2024, recommendation of the Hamilton Pool Management Zone Stakeholder Committee to analyze the feasibility and practicality of bringing surface water to the West Cypress Hills neighborhood and reducing or eliminating West Cypress Hills' dependence on the Middle Trinity Aquifer. Thank you for consideration of this matter.

[End of Page 2]

MOVER: Commissioner Precinct 3 Ann Howard
SECONDER: Commissioner Precinct 2 Brigid Shea

Clerk's Note: Commissioner Shea seconded Commissioner Howard's Standing Motion specifically for the purpose of discussing the Version 1 draft proposal letter.

SUBSTITUTE

MOTION: Delay taking action for a period of 90 days and communicate to the West Travis County Public Utility Agency that the Court is in the midst of significant negotiations to provide an alternative that would prevent the harm from groundwater pumping and protect the environment.

MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez

Judge Brown announced that Item 50 would be further considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Clerk's Note: The Substitute Motion was withdrawn from consideration by Commissioner Shea and a new substitute motion was made.

SUBSTITUTE

MOTION:

Send "Version 2" of the draft proposal letter to the West Travis County Public Utility Agency (WTCPUA) Board of Directors that includes only the following changes to Version 1 of the draft proposed letter read as part of Commissioner Howard's Standing Motion:

(1) Change the last sentence of the first paragraph on page one to read "The County recognizes the benefit of spring flow protection from the proposed WTCPUA limited water service, with the addition of the requirements described below, and subject to a separate agreement between the County and Mirasol."

(2) Strike the language "...that cross County Conservation Easements or... along HPR." from the fourth bullet on page two, so the revised sentence reads: "County Authorization, in terms acceptable, to the County is required for new pipelines that use the County right-of-way."

(3) Add a final point to the bulleted list on page two that reads: "Coordination with Mirasol Springs Development for the goal and opportunity to treat effluent to potable standards."

(4) Add the sentence "We request a 30-day delay for the public to read and understand these proposals" to the end of the last paragraph on page two, before the sentence "Thank you for your consideration on this matter."

MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gómez

FRIENDLY

AMENDMENT: Remove the last sentence from the final paragraph on page two of the "Version 2" draft proposal letter that requests a 30-day delay.

MOVER: Commissioner Precinct 3 Ann Howard

RESULT: **FRIENDLY AMENDMENT NOT ACCEPTED**

SUBSTITUTE

MOTION: Send "Version 2" of the draft proposal letter with the changes described by Commissioner Shea, but without the language requesting the 30-day delay.

RESULT: **Failed (2-3)**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Jeffrey Travillion, Ann Howard

NAYS: Andy Brown, Brigid Shea, Margaret Gómez

Clerk's Note: The Court took a Vote on Commissioner Shea's second Substitute Motion.

RESULT: **APPROVED - UNANIMOUS**

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

Clerk's Note: Commissioner Shea withdrew her second from the Standing Motion, and the Standing Motion was no longer considered due to the majority vote in favor of Commissioner Shea's second Substitute Motion.

51. Receive legal briefing on Tex. H.B. 19, 88th Leg., R.S. (2023) and Tex. S.B. 1045 88th Leg., R.S. (2023).¹ (Judge Brown)

Judge Brown announced that Item 51 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

52. Receive legal briefing and take appropriate action regarding Cause no. D-1-GN-24-005849 In the 200th Judicial District Court, Travis County, Texas; *State of Texas v Bruce Elfant Travis County Tax Assessor-Collector and Voter Registrar*; Andy Brown Travis County Judge; Jeff Travillion Travis County Commissioner; Brigid Shea Travis County Commissioner; Ann Howard Travis County Commissioner; Margaret Gómez Travis County Commissioner.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

53. Receive legal briefing and take appropriate action regarding Cause no. D-1-GN-24-007778; In the 455th Judicial District Court, Travis County, Texas; *Ken Paxton, Attorney General, et al. v. Travis County Commissioners Court, et al.*¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge