



Minutes for the Travis County Commissioners Court January 26, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on January 26, 2021, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputy 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 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: Each Commissioner not physically present delegates the authority to the County Judge to sign any doc
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

Consent

- C1. Receive bids from the County Purchasing Agent.
- C2. Approve payment of claims by the County Treasurer. (Judge Brown)
- C3. Authorize the County Treasurer to invest County funds. (Judge Brown)

MOTION: Approve Items C1-C3.
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

Second Consent Motion

MOTION: Approve Items 2.a-f, 4, 5, 6, 7, 8, 9.a-c, 11, 12, 13.a-b, 14, 15.a-h, 16, 17, 18, 19, 20.a-b, 21, 22, 23, and 25.

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

Emergency Services

1. Consider and take appropriate action regarding outdoor burning in the unincorporated areas of Travis County. (Judge Brown)

RESULT: NO ACTION NECESSARY

Clerk's Note: The County Judge announced that by taking no action, the prohibition against outdoor burning remains lifted.

Health & Human Services

2. Consider and take appropriate action on a request to approve public hearing dates, public comment periods, and advertisements for the CDBG PY21 Action Plan and the PY20 CAPER
 - A. Approve the following public hearing date to inform the public and receive public input about community needs to help in the development of the PY21 Action Plan:
 - 1) Public Hearing at TCCC: Tuesday, March 23, 2021 at 9:00 a.m.
 - B. Approve the advertisements announcing the Community Needs public hearing for the PY21 Action Plan.
 - C. Approve the 30-day public comment period and public hearing date for the draft PY21 Action Plan:
 - 1) Public Comment Period: June 23, 2021 at 8:00 am to July 23, 2021 at 5:00 p.m.
 - 2) Public Hearing at TCCC: Tuesday, July 13, 2021 at 9:00 a.m.
 - D. Approve the advertisements announcing the PY21 Action Plan public comment period and public hearing.

- E. Approve the following 15-day public comment period and public hearing date for the PY20 CAPER:
- 1) Public Comment Period: November 11, 2021 at 8:00 a.m. to November 26, 2021 at 5:00 p.m.; and
 - 2) Public Hearing: Tuesday, November 16, 2021 at 9:00 a.m.
- F. Approve the advertisements announcing the public hearing date and public comment period for the PY20 CAPER in newspapers of general circulation. (Commissioners Gómez & Shea)

Members of the Court heard from:

Zenobia Joseph, Travis County Resident

RESULT: ADDED TO CONSENT

3. Consider and take appropriate action to approve the Texas Department of Housing and Community Affairs (TDHCA) Community Development Block Grant CARES Act (CDBGCV) for \$414,722.92 in CDBG-CV grant funds. (Commissioners Gómez & Shea)

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health and Human Services (HHS)

MOTION: Approve Item 3.

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

4. Consider and take appropriate action to approve the Program Year 2020 (PY20) Community Development Block Grant, Grant Agreement provided by HUD. (Commissioners Gómez & Shea)

RESULT: ADDED TO CONSENT

5. Consider and take appropriate action to approve the Interlocal Cooperation Agreement between Travis County and the City of Austin for the Work-based Learning/Summer Youth Employment Program, Contract #4400001009, through September 30, 2021, and to ratify the provision of services for Fiscal Years 2020 and 2021. (Commissioners Gómez & Shea)

RESULT: ADDED TO CONSENT

6. Consider and take appropriate action to approve the Austin Diaper Bank FY'21 Partnership Agreement. (Commissioners Gómez & Shea)

RESULT: ADDED TO CONSENT

Justice Planning

7. Consider and take appropriate action to update contact information and signatures on the State Plan of Operation (SPO) between the State of Texas and Travis County Sheriff's Office (TCSO). (Judge Brown)

RESULT: ADDED TO CONSENT

Planning & Budget

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

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, and permissions to continue:
 - A. New application to the Texas Parks and Wildlife Department for the Recreational Trail Grant Program in Transportation and Natural Resources Department
 - B. New Application to the Public Rights Project for the Public Rights Project Fellowship in the District Attorney's Office
 - C. Annual application with the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA) for the Parenting in Recovery Family Drug Treatment Court (PIR/FDTC) program in the Health and Human Services Department
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action to:
 - A. Accept application for the Silicon Silver project with \$150,000 application fee to allow the County to obtain details of the project proposal,
 - B. Notify applicant that County will use the City of Austin's Chapter 380 policy, and the County's community input policy amendment approved on December 15, 2020 as the baseline for construction and contract worker and permanent employee wages and safety, HUB participation, and transparency requirements, and any other measures adopted by the Court,
 - C. Notify applicant that to further governmental transparency, County will list company name in all agenda items once the application is received.
(Commissioner Travillion)

Members of the Court heard from:

Diana Ramirez, Director, Economic Development & Strategic Investments,
Planning and Budget Office (PBO)

Bob Batlan, Member, Texas Anti-Poverty Project

Jessica Wolff, Deputy Director, Better Builder and Policy, Workers Defense
Project

Reverend Paul Skeith, Leader, SoCo Episcopal Community

Jeremy Hendricks, Vice President, Central Texas Building Trades Council

MOTION: Accept the application for the Silicon Silver project, notify them that we will be using a partnership with the City of Austin using the existing 380 process , as well as lifting the moratorium for this one item, and consider whether we should move forward in the future. Also including the amendments as presented by the County Judge Andy Brown.

FRIENDLY:

AMENDMENT: To further governmental transparency we will notify the applicant that the company name will be listed on all agenda items once the application has been received, which will be when the notarized application and the \$150,000 application fee has been received by the director of Economic Development & Strategic Investments, Planning and Budget Office (PBO).

MOVER: County Judge Andy Brown

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

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

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

Purchasing

11. Approve Modification No. 7 to Contract No. 4400001428 with RPS Infrastructure, Inc., in the amount of \$46,955.00, for the design of the FM 1626 improvements.
(Transportation and Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

12. Approve Interlocal Agreement No. 4400005514 with Texas A&M Engineering Extension Service, in the amount of \$18,500.00, for Cybersecurity Workshop for Executive Leaders (Information Technology Services)
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

13. Approve the following resolution and cooperative purchasing agreement for various goods and services:
- A. Resolution for Travis County to participate in the 791 Purchasing Cooperative offered by Region 15 Education Services Center (ESC)
 - B. Master Interlocal Agreement between Region 15 ESC and Travis County (Commissioner Travillion)

RESULT: ADDED TO CONSENT

14. Approve contract award for Privilege Access Management System, RFP No. 1912-010-JJ, in the amount of \$644,796.42, to the highest-ranked respondent, Netsync Network Solutions (Information Technology Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

15. Approve contract awards for the Travis County Crime Victims' Fund Services, RFS No. 2010-001-PE, to the following:
- A. Contract No. 4400005470 with Austin Child Guidance Center, in the amount of \$10,138.46
 - B. Contract No. 4400005471 with CASA of Travis County, in the amount of \$28,465.46
 - C. Contract No. 4400005472 with Center for Child Protection, in the amount of \$20,873.46
 - D. Contract No. 4400005473 with Integral Care, in the amount of \$17,292.74
 - E. Contract No. 4400005474 with Youth and Family Alliance dba Lifeworks, in amount of \$34,154.46
 - F. Contract No. 4400005475 with The SAFE Alliance, in the amount of \$49,299.46
 - G. Contract No. 4400005476 with Travis County Juvenile Probation, in the amount of \$12,779.46
 - H. Contract No. 4400005477 with The Christi Center, in the amount of \$43,310.46 (Travis County Counseling and Education Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

16. Approve contract award for Tumbleweed Trail at Lake Austin Tributary Drainage Improvements, IFB No. 2009-004-PH, in the amount of \$436,400.00, to the low bidder, QA Construction Services, Inc. (Transportation and Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

17. Approve contract award for the New Tax Office Renovation, IFB No. 2009-005-AR, in the amount of \$5,934,359.98, to the low bidder, Trimbuilt Construction, Inc. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

18. Approve Modification No. 2, an Assignment of Contract No. 4400003391, from Nova Healthcare P.A. dba Nova Medical Centers, to U.S. Occmed Texas, PLLC dba Nova Medical Centers, for pre-employment testing services. (TCSO) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

19. Approve exemption and award of Contract No. 4400005566, in the amount of \$75,000.00, to provide legal representation by outside counsel pursuant to Tex. Loc. Gov't Code Sec. 157.901 for defense of parties in Emily Borchardt v. Margaret Moore and Melinda Montford; Cause No. D-1-GN-21-000046; In the District Court, Travis County, Texas, 126th Judicial District. (Judge Brown)

RESULT: ADDED TO CONSENT

Technology & Operations

20. Consider and take appropriate action on the following items for Human Resources Management Department:

- A. Proposed Routine Amendments
- B. Proposed Non-Routine Amendments

RESULT: ADDED TO CONSENT

21. Receive update on Travis County Employee Health Care Fund for the period October 1, 2020 to December 31, 2020. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action to change funds offered within the Travis County Employee 457 Deferred Compensation Plan. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

23. Approve setting a public hearing on February 23, 2021, to receive comments regarding a request to authorize the filing of an instrument to vacate a portion of a drainage easement located over and across Lot A, M&J Addition, Section 3, a subdivision in Precinct Two. (Commissioner Shea)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on the following request: Approve with conditions the West Bella Fortuna Preliminary Plan (335 single-family lots, eight landscape/park/drainage lots, one lift station lot – 93.28 acres – FM 1327 – water and wastewater will be provided by the City of Austin – City of Austin two-mile ETJ) in Precinct Four. (Commissioner Gómez)

Judge Brown announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

MOTION: Approve Item 24 with conditions.
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

Other

25. Consider and take appropriate action on the reappointment of Barry Hutcheson, Teri Flack and Dan Hickox as precinct three representatives to the Travis County Historical Commission effective immediately through January 31, 2023. (Commissioner Howard)

RESULT: ADDED TO CONSENT

Executive Session

26. Receive legal briefing in *Emily Borchardt v. Travis County, Texas, et al.*, Cause No. 1:19-CV-00891-LY.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

27. Receive legal briefing in *Amy Smith, et al. v. City of Austin, et al.*, Case No. 1:18-CV-5051.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

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

RESULT: NO ACTION NECESSARY

29. Consult with County Attorney, appoint a representative for mediation and/or take appropriate action in Cause No. D-1-GN-20-001600, *Martha Puentes, vs. Travis County*; In the 345th Judicial District Court, Travis County, Texas.¹ (Judge Brown)

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

MOTION: Appoint Bill Patterson, Risk Manager to represent Travis County at mediation.
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. Receive legal briefing and take appropriate action in *Travis County, Texas vs. Most Reverend Joe S. Vasquez, Bishop of the Catholic Diocese of Austin*; Cause No. C-1-CV-19-009277.^{1&2} (Commissioner Travillion)

Judge Brown announced that Item 30 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: Accept the offer to settle all claims in this matter for \$880,000.
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

Added Items

- A1. Consider and take appropriate action to amend section 4.11.8 of the Economic Development Performance Agreement Colorado River Project, LLC (Tesla) to extend the deadline to formalize the contract re: Harold Green Road segment and provide consideration from Colorado River Project LLC (Tesla) for approval of an extension of the deadline. (County Judge and Commissioner Travillion) *(may be taken into executive session under Texas Government Code, Section 551.071 Consultation with Attorney)*

Judge Brown announced that Item A1 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation and Gov't. Code Ann 551.087, Economic Development Negotiations.

MOTION: Approve amendment number one to this agreement.
RESULT: **Passed (4-0)**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard
ABSTAIN: Margaret Gómez

Adjourn

**Minutes Approved by the Commissioners
Court**

Date of Approval

Andy Brown, County Judge