



Minutes for the Travis County Commissioners Court March 2, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on March 2, 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 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: Each Commissioner not physically present delegates the authority to the County Judge to sign any documents, including orders related to items before the court today on their behalf.

RESULT: **APPROVED - UNANIMOUS**

MOVER: County Judge Andy Brown

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

ABSENT: Brigid Shea

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 Gomez

SECONDER: Commissioner Precinct 3 Ann Howard

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

Second Consent Motion

MOTION: Approve Items 3, 6, 9.a, 10, 11, 12, 14.a, 15, 16, 17, 20.a-c, 21, 22.a-g, 23, and 24.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gomez
ABSENT: Brigid Shea

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to vacate a drainage easement located along the rear lot line of Lot 14, Block H, Wells Branch, Phase E, Section 3, a subdivision in Precinct Two. (Commissioner Shea) (Related to Item 18)

MOTION: Open the Public Hearing
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gomez
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gomez

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long Range Planning, Transportation and Natural Resources (TNR)

MOTION: Close the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 3 Ann Howard
SECONDER: Commissioner Precinct 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gomez

2. Receive comments regarding a Resolution of No Objection (RONO) for Cypress Creek Apartment Homes at Stoney Ridge to be located at the north intersection of Elroy Road and Ross Road in Del Valle, Texas 78617, in the unincorporated area of Precinct 4. (Commissioner Gomez) (Related to Item 7)

MOTION: Open the Public Hearing
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gomez
SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

Members of the Court heard from:

Monique Coleman, Planning Manager, Community Development Block Grant Program. Travis County Health and Human Services (HHS)
Casey Bump, President, Bonner Carrington

MOTION: Close the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gomez
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gomez
ABSENT: Brigid Shea

Auditor

3. Consider and take appropriate action on Management Representation Letter to be provided to Atchley & Associates, LLP regarding the fiscal year 2020 County-wide annual financial audit. (Judge Brown)

RESULT: ADDED TO CONSENT

Emergency Services

4. Consider and take appropriate action regarding Travis County response to severe winter weather, including but not limited to County response to severe weather impact on County facilities, programs, and resources and County response to actions taken by state or federal entities. *(This item may be taken into Executive Session under the Consultation with Attorney exception, Tex. Gov't Code §§551.071)* (Judge Brown)

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services Sherri Fleming, County Executive, HHS
Eric Stockton, Chief Deputy, Technology and Operations

RESULT: DISCUSSED

5. 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

6. Consider and take appropriate action to approve the Child Care Local Match Contribution Agreement for the Workforce Solutions Capital Area Workforce Board for FY2021. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on a Resolution of No Objection (RONO) for Cypress Creek Apartment Homes at Stoney Ridge to be located at the north intersection of Elroy Road and Ross Road in Del Valle, Texas 78617, in the unincorporated area of Precinct 4. (Commissioner Gomez) (Related to Item 2)

MOTION: Approve Item 7.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 4 Margaret Gomez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

ABSENT: Brigid Shea

Intergovernmental Relations

8. Consider and take appropriate action on legislative matters. (Commissioners Shea and Travillion)

Members of the Court heard from:

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

RESULT: DISCUSSED

Planning & Budget

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

- A. Annual application to the Texas Division of Emergency Management for the Emergency Management Performance Grant Program in the Emergency Services Department (Commissioner Gomez)

RESULT: ADDED TO CONSENT

Purchasing

10. Approve Exemption and Award of Contract No. 4400005602 with Chisos Star, LLC dba The Cook's Nook, for Emergency Prepared Food Access Services, in the amount of \$2,611,240.00, from the competitive procurement process, pursuant to County

Purchasing Act § 262.024(a)(1). (Health and Human Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

11. Approve Modification No. 41 to Contract No. 4400000567 with Tritech Software Systems, in the amount of \$5,850.00, for Extended Services for the Integrated Justice System. (Sheriff's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

12. Approve contract award for construction of the Bee Creek Sports Complex, CSP No. 2009-007-RJ, in the amount of \$16,984,190.68, to the sole proposer, Flintco, LLC.(Transportation and Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action on the following:
 - A. Pursuant to §262.024 of the Texas Local Government Code, the Commissioners Court hereby orders that contracts for goods and services related to COVID-19 drive-through mass-vaccination events at Circuit of the Americas occurring over the next three to six months, including agreements for site rental, tent rental and other services needed to operate the vaccination events, staffing agreements, consulting services, and food and beverage purchase agreements as listed in section B and other agreements necessary to operate the upcoming vaccination events, are exempt from the requirements established by Section 262.023 of the Texas Local Government Code because they are contracts for the purchase of goods and services necessary to preserve or protect the health and safety of residents of the county and are items purchased in a case of public calamity.
 - B. Ratify Site Rental Agreement with Circuit of the Americas as authorized by Commissioners Court on February 23, 2021. (Judge Brown)

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services
Bonnie Floyd, Travis County Purchasing Agent
Kara Bell, Travis County resident

MOTION: Approve Items 13.a-b.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 4 Margaret Gomez

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

Technology & Operations

14. Consider and take appropriate action on the following items for Human Resources Management Department:
 - A. Proposed Routine Amendments (Commissioners Travillion & Gómez)
15. Consider and take appropriate action to extend the COVID-19 Emergency Paid Sick Leave policy through May 31, 2021 allowing for eligible employees to access the unused portion of the original 80 hours and the additional 20 hours Emergency Paid Sick Leave approved on December 22, 2020, pursuant to policy and to approve 20 hours COVID-19 Emergency Paid Sick Leave for eligible employees who are hired between March 1, 2021 through May 31, 2021. (Commissioners Travillion & Gomez)

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action regarding the approval of the amendment number 8 to 1989 sublease agreement between Travis County and Star of Texas Fair and Rodeo. (Commissioner Travillion) *(Revised and updated language from agenda posted February 25, 2021)*

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

17. Approve rescheduling a public hearing from March 16, 2021 to March 23, 2021, to receive comments regarding a request to authorize the filing of an instrument to vacate a drainage easement located along the side lot line of Lot 860, Apache Shores, Section 2, a subdivision in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action regarding a request to authorize the filing of an instrument to vacate a drainage easement located along the rear lot line of Lot 14, Block H, Wells Branch, Phase E, Section 3, a subdivision in Precinct Two. (Commissioner Shea) (Related to Item 1)
19. Consider and take appropriate action regarding County assistance with disaster debris management related to the 2021 winter storm affecting Travis County. (Commissioner Travillion)

Members of the Court heard from:

Cynthia McDonald, County Executive, TNR
Emily Ackland, Environmental Quality Program Manager, TNR
Tom Nuckols, Assistant County Attorney

RESULT: DISCUSSED

Clerk's Note: The Court directed staff to move forward with the existing policy but to return to Commissioners Court of further action is required.

Other

20. Consider and take appropriate action on the:
- A. Reappointment of William Roney and Tony Marshall as precinct three representatives to the Travis County ESD #1 and ESD #7 boards effective immediately through January 31, 2023.
 - B. Appointment of Naomi Giroux as precinct three representative to the Travis County ESD #7 board effective immediately through January 31, 2023; and
 - C. Reappointment of Mark Evert as precinct three representative to the Travis County ESD #7 board effective immediately through January 31, 2023. (Commissioner Howard)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action on the reappointment of Aleah Clark to the Emergency Services District (ESD) 4 Board of Commissioner for a term effective immediately and ending December 31, 2022. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action regarding new contracts to provide election services for the following entities located in Travis County:
- A. City of Austin
 - B. City of West Lake Hills
 - C. Village of Webberville
 - D. Dripping Springs ISD
 - E. Hays CISD
 - F. Pflugerville ISD
 - G. Shady Hollow MUD

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action regarding the approval of the license agreement between Travis County and Central Texas Food Bank to use a portion of the ground at the Exposition Center on March 4, 2021, April 15, 2021, April 29, 2021, May 6, 2021, May 20, 2021, and June 3, 2021 and waving the related rental fees.(Commissioner Travillion)

RESULT: ADDED TO CONSENT

24. Adopt resolution approving the Texas Term Sheet in County of Travis v. Purdue Pharma, L.P. et al. Cause No. D-1-GN-18-000625 in the 261st Judicial District Court of Travis County and In re: National Prescription Opiate Litigation, MDL 2804 Case No. 1:17-md-2804 in the United States District Court, Northern District of Ohio, Eastern Division, and related matters reflecting Commissioners Court vote on February 23, 2021.

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

25. 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

26. Receive legal briefing in *Amy Smith, et al. v. City of Austin, et al.*, Case No. 1:18-CV-051.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

27. Receive briefing from County Attorney and/or take appropriate action concerning the extension of Administrative leave with pay for Juvenile Probation Employee, slot 30004328. (Executive Session under Gov't. Code Ann. §551.071, Consultation with Attorney and §551.074, Personnel Exception). (Judge Brown)

Judge Brown announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

MOTION: Approve the administrative leave for 11 days.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gomez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

Added Items

- A1. Consider and take appropriate action on waiving Development Permit Fees for the repair of structures affected by the recent severe winter storms in Travis County.

Members of the Court heard from:

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

MOTION: Approve Item A1.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gomez
SECONDER: Commissioner Precinct 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gomez

- A2. Consider and take appropriate action on filing amicus briefing in *Electric Reliability Council of Texas v. Panda Power Generation Infrastructure Fund, LLC D/B/A Panda Power Funds, et al.*, Case No. 18-0781, in the Texas Supreme Court. (Judge Brown) *(This item may be taken into Executive Session under the Consultation with Attorney exception, Tex. Gov't Code Ann., Sec. 551.071)*

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

MOTION: Authorize the County Attorney to file an amicus briefing on behalf of Travis County in this matter.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 4 Margaret Gomez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gomez

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge

Travis County Bee Cave Road District No. 1 Voting Session • Friday, March 2, 2021 Upon Adjournment or Recess of Commissioners Court Voting Session



Minutes for the Travis County Bee Cave Road District No. 1 Friday, March 2, 2021 Voting Session

Minutes Prepared by the Travis County Clerk

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Meeting called to order on March 2, 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 J. Gómez

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

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

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

MOTION: Approve Item 2.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 3 Ann Howard
SECONDER: Commissioner Precinct 4 Margaret Gomez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gomez

3. Approve the minutes for the Travis County Bee Cave Road District No. 1 Voting Sessions of January 12, 19, & 26 and February 9 and 19, 2021. (Judge Brown)

MOTION: Approve Item 3.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gomez

SECONDER: Commissioner Precinct 2 Brigid Shea

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

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge