



Minutes for the Travis County Commissioners Court March 9, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on March 9, 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 doc
RESULT: **APPROVED - UNANIMOUS**
MOVER: County Judge Andy Brown
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard
ABSENT: Margaret Gomez

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)
- C4. Approve the minutes for the Commissioners Court Voting Sessions of February 9 and 23, 2021, the Special Voting Session of February 19, 2021, and the Emergency Meeting of February 19, 2021. (Judge Brown)

MOTION: Approve Items C1-C4.
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

Second Consent Motion

MOTION: Approve Items 8, 9.a, 10.a-b, 11, 12, 13.a-d, 14, 15, 18, 19, 20, 22.a-l, 23.a-b, and 24.a-b.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 2 Brigid Shea
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard
ABSENT: Margaret Gomez

Clerk's Note: Without objection the Court removed Items 24.a-b from the consent agenda.

Clerk's Note: Without objection the Court reconsidered the consent motion to note that Commissioner Gomez voted in favor of the Consent Motion.

MOTION: Approve Items 8, 9.a, 10.a-b, 11, 12, 13.a-d, 14, 15, 18, 19, 20, 22.a-l, and 23.a-b.
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 Gomez

Public Hearings

1. Receive comments regarding a request to authorize the filing of instruments to vacate a drainage easement dedicated per document #2019116507 and a slope easement dedicated per document #2019116518 of the Official Public Records of Travis County located within Lot 1A, Block D, Estancia Hill Country Subdivision, Phase 8, a subdivision in Precinct Three. (Commissioner Howard) (Related to Item A1)

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

Emergency Services

2. Consider and take appropriate action regarding:
 - A. Travis County's response to and recovery from COVID-19, including vaccine distribution, operations and associated events and agreements;
 - B. Other necessary measures and actions related to COVID-19, including Travis County's operations, policies, emergency assistance, measures necessary to preserve public health and safety, and applicable orders, declarations or resolutions, including communications from the State. (Judge Brown)

Members of the Court heard from:

Chloe Mun, Web Manager, Information Technology Services (ITS)

RESULT: DISCUSSED

3. Consider and take appropriate action to approve a resolution and order mandating continued compliance with Local Health Authority orders and rules, adopting criteria for declaring a public health nuisance, and authorizing enforcement. *(This item may be taken into Executive Session under the Consultation with Attorney exception, Tex. Gov't Code §§551.071)* (Judge Brown)

Judge Brown announced that Item 3 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Cary Nemeross, Travis County resident

MOTION: Approve the revised resolution and order mandating compliance with the Health Authority rules and order issued on March 4, 2021, adopting criteria for declaring a public health nuisance and authorizing enforcement as necessary to protect public health.

RESULT: **APPROVED – UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 4 Margaret Gomez
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gomez
ABSENT: Brigid Shea

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

Paul Hopingardner, Executive Director, Technology and
Operations

Eric Stockton, Chief Deputy, Technology and Operations

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

Cynthia McDonald, County Executive, TNR

Eric Carter, Chief Emergency Management Coordinator, Emergency Services

RESULT: DISCUSSED

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

Members of the Court heard from:

Tony Callaway, Travis County Fire Marshal

MOTION: Approve an order prohibiting outdoor burning.

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

Clerk's Note: The prohibition on outdoor burning can be lifted if conditions improve by the County Judge or the Fire Marshal without action by the Commissioners Court.

Health & Human Services

6. Consider and take appropriate action to approve the implementation plan for the Emergency Rental Assistance Program, funded by the Coronavirus Response and Relief Supplemental Appropriations Act of 2021. (Judge Brown & Commissioner Gomez)

Members of the Court heard from:
Sherri Fleming, County Executive, HHS

MOTION: Approve the implementation plan for the Emergency Rental Assistance Program,
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

Justice Planning

7. Receive state required Racial Profiling Report for calendar year 2020 from the Travis County Sheriff's Office. (Judge Brown)

Members of the Court heard from:
Craig Smith, Major, Law Enforcement, Travis County Sheriff's Office (TCSO)

RESULT: DISCUSSED

Planning & Budget

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

RESULT: ADDED TO CONSENT

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 Corporation for National and Community Service (CNCS) for the AmeriCorps Program grant in the Health and Human Services Department (Commissioner Gomez)

RESULT: ADDED TO CONSENT

Purchasing

10. Consider and take appropriate action on the following:
 - A. Approve order exempting the purchase of the LUCAS Chest Compression System, in the amount of \$59,169.81, from Stryker Medical, from the competitive procurement process pursuant to Section 262.024 (a) (7) (A) of the County Purchasing Act. (STAR Flight)

B. Authorize Purchasing Agent to issue purchase order. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

11. Approve contract award for the Facilities Management Department Warehouse at Collier Building, IFB No. 2010-004-AR, in the amount of \$759,860.00, to the low bidder, CDMTek, LLC. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

12. Approve Exemption and Contract Award of Contract No. 4400005507 with Sarah Cortez, MS, LPC, CSAT-c, as needed, for Sex Offender Treatment, Assessment, and Evaluation Services. (Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

13. Consider, take appropriate action, and ratify the following in response to the COVID Drive-Thru Mass Vaccination Events as authorized by Commissioners Court on February 23, 2021 and March 2, 2021 pursuant to County Purchasing Act §262.024(A)(2):

- A. Ratify updated Site Rental Agreement with Circuit of the Americas;
- B. Ratify order exempting the purchase of tent rentals from Aztec/Shaffer, LLC from the competitive procurement process and ratification of tent rental agreement, in the amount of \$110,303.98
- C. Ratify orders exempting the purchase of traffic management services from eMotive Logistics from the competitive procurement process and ratification of Purchase Order, in the amount of \$56,601.00
- D. Ratify Exemption and Contract Award of Contract No. 4400005620, an as needed contract, for consulting services for coordination of COVID vaccination operations at COTA with LMarie Agency, LLC.. (Emergency Services Office) (Judge Brown)

RESULT: ADDED TO CONSENT

Technology & Operations

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

- A. Proposed Routine Amendments
- B. Non-Routine Action (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

15. Receive update on Travis County Employee Health Care Fund for the period October 1, 2020 to January 31, 2021. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

16. Consider and take appropriate action regarding the following requests:

- A. Plat for recording: Provence Phase 1, Section 5A Final Plat (long form plat - 62 total lots - Lavonde Drive – No City ETJ) in Precinct Three; and
- B. Subdivision Construction Agreement between Travis County and Masonwood HP, Ltd. (Commissioner Howard)

MOTION: Approve Item 16.

RESULT: **Passed (3-0)**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 3 Ann Howard

AYES: Andy Brown, Jeffrey Travillion, Ann Howard

ABSTAIN: Brigid Shea

ABSENT: Margaret Gomez

17. Consider and take appropriate action regarding the following:

- A. Variance from Chapter 482.202(e) –a new subdivision must have at least two access streets, and each of the two access streets must connect to a different street.
- B. The Grove at Blackhawk Phase 1 Preliminary Plan – (Preliminary Plan–total 412 Lots on 152.342 acres – located in City of Pflugerville ETJ) in Precinct One. (Commissioner Travillion)

Members of the Court heard from:

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

Tom Nuckols, Assistant County Attorney

MOTION: Approve Items 17.a-b.

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 Gomez

18. Approve setting a public hearing on March 30, 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

19. Consider and take appropriate action on an amended plat for recording in Precinct One: Presidential Meadows Section 15, Amended Plat of Lots 17 and 18, Block AB (Amended Plat - two total lots – 0.281 acres - City of Manor ETJ). (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action regarding a Final Plat for recording: West Cypress Hills, Phase 2 - Section 5, Final Plat (85 total lots – 80 single-family and five amenity, utility, and drainage lots - 51.349 Acres) – Cypress Ranch Boulevard: No ETJ in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action on the following request: Approve with conditions the Sun Chase South Section 8 Final Plat (90 single-family lots, one greenbelt/ drainage lot – 20.157 acres – Sweet Mimosa Drive and Sparkling Light Drive – water and wastewater will be provided by the City of Austin – City of Austin two-mile ETJ) in Precinct Four. (Commissioner Gomez)

Members of the Court heard from:

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

MOTION: Approve Item 21.
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 Gomez

Other

22. Consider and approve of tax resale deeds and take appropriate action on the following offers for Tax Resale Deeds:
- A. Travis County, et al v. Patricia Mae Blount (Ryan S. Pope Tax Resale Deed)
 - B. Travis County, et al v. Richard Young Estate (Ryan S. Pope Tax Resale Deed)
 - C. Travis County, et al v. Andy Cortez (Ryan S. Pope Tax Resale Deed)

- D. Travis County, et al v. Doris Marie Butland (Ryan S. Pope Tax Resale Deed)
- E. Travis County, et al v. Manfred Putman (Ryan S. Pope Tax Resale Deed)
- F. Travis County, et al v. John Lee LeBlanc and Betty S. LeBlanc (Ryan S. Pope Tax Resale Deed)
- G. Travis County, et al v. Benigno Briones, Jr. and Myrthala Briones (Ryan S. Pope Tax Resale Deed)
- H. Travis County, et al v. Jay S. and Ola B. Williams (Ryan S. Pope Tax Resale Deed)
- I. Travis County, et al v. Joe W. Johnson (Ryan S. Pope Tax Resale Deed)
- J. Travis County, et al v. Robert & Donna Baker (Balaraju Perla Tax Resale Deed)
- K. Travis County, et al v. Donald F. McAllister & Denise McAllister (Genemco, Inc. Tax Resale Deed)
- L. Travis County, et al v. Jose A. Mercado (Kyle Dingman Tax Resale Deed) (This item may be taken into Executive Session under the consultation with Attorney exception pursuant to Tex. Gov't Code Ann. Sec. 551.071(1)(A).) (Judge Brown)

RESULT: ADDED TO CONSENT

- 23. Consider and take appropriate action to approve license agreements for the use of the following as both early voting and Election Day polling sites for the May 1, 2021 General and Special Elections:
 - A. Unity Church of the Hills
 - B. Arbor Walk Mall, LLC (The Shops at Arbor Walk) (Judge Brown)

RESULT: ADDED TO CONSENT

- 24. Consider and take appropriate action regarding new contracts to provide election services for the following entities located in Travis County:
 - A. Austin ISD (for 2020)
 - B. Eanes ISD (for 2021) (Judge Brown)

Members of the Court heard from:
 Arthur Graves, Travis County resident

MOTION: Approve Items 24.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

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. Consider and take appropriate action regarding a proposed amendment to the existing license agreement between Travis County and Texas Disposal Systems Landfill, Inc. for use of real property located on R.M. 620 in Precinct 3. (*Executive Session, pursuant to Gov't Code Ann 551.071, Consultation with Attorney; and Gov't Code Ann 551.072, Real Property*) (Commissioner Howard)

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. 551.072, Real Property.

MOTION: Extend the license for five years with an amendment that the agreement can be ended with notice of 120 days.

RESULT: APPROVED - UNANIMOUS

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

ABSENT: Brigid Shea

Added Items

- A1. Consider and take appropriate action regarding a request to authorize the filing of instruments to vacate a drainage easement dedicated per document #2019116507 and a slope easement dedicated per document #2019116518 of the Official Public Records of Travis County-located within Lot 1A, Block D, Estancia Hill Country Subdivision, Phase 8, a subdivision in Precinct Three. (Commissioner Howard)
(Related to Item 1)

MOTION: Approve Item A1.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

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