



Minutes for the Travis County Commissioners Court April 6, 2021 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 April 6, 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: 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 County Purchasing Agent. (Commissioner Travillion)
- C2. Approve Payment of Claims by County Treasurer. (Judge Brown)
- C3. Authorize the County Treasurer to invest County funds. (Judge Brown)
- C4. Approve the minutes for the Commissioners Court Voting Session of March 23, 2021 and the Special Joint Session of March 23, 2021. (Judge Brown)

MOTION: Approve Items C1-C4.
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

Second Consent Motion

MOTION: Approve Items 4, 5, 6.a-d, 8, 9, 10, 11, 12, 13.a, 15, 16.a-b, 17.a-b, 18, 20, 22, 23, 24.a-b, 25, and A3.
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

Resolutions & Proclamations

1. Approve resolution recognizing Pretrial Services (Judge Brown)

Members of the Court heard from:

Rodolfo Perez, Director, Adult Probation, Community Supervision and Corrections Department (CSCD)

MOTION: Approve Item 1.
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

2. Consider and take appropriate action regarding items related to COVID-19.
 - 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:

Dr. Karen Smith, Volunteer Medical Director, Manor Covid-19 Disaster Relief Task Force
Larry Wallace, Jr., Mayor of Manor
Jennifer Flack, Travis County resident

RESULT: DISCUSSED

3. 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 Gómez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

Clerk's Note: The Court noted that if conditions improve the order can be lifted by the County Judge or the Fire Marshal without action by the Commissioners Court.

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

RESULT: ADDED TO CONSENT

Planning & Budget

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

RESULT: ADDED TO CONSENT

6. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, and permissions to continue:
 - A. Application amendment to the Texas Parks and Wildlife Department for a Boating Access Grant Program in the Transportation and Natural Resources Department
 - B. Contract amendment with the Texas Parks and Wildlife Department (TPWD) for the 4-H CAPITAL Youth Outdoor Ambassador Program in the Health and Human Services Department

- C. Contract amendment for the FY 2020 agreement with the Texas Department of Housing and Community Affairs for the Low-Income Home Energy Assistance Program (LIHEAP) in the Health and Human Services Department
- D. Contract amendment for the FY 2020 agreement with the Texas Department of Housing and Community Affairs for the Comprehensive Energy Assistance Program (CEAP) in the Health and Human Services Department (Commissioner Gómez)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on:

- A. Coronavirus Aid, Relief, and Economic Security (CARES) Act funding allocations from the Coronavirus Relief Fund (CRF) and related updates and needed items to help fully expend allocated funds within Federal guidelines and
- B. Funding allocations for the American Rescue Plan Act. (Commissioner Gomez)

Members of the Court heard from:

Travis Gatlin, Budget Director, Planning and Budget Office (PBO)
Diana Ramirez, Director, Economic Development & Strategic Investments,
PBO
Jessica Rio, County Executive, PBO

MOTION: Reallocate the funds as requested.
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

MOTION: Approve the recommended budget adjustments.
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

Purchasing

- 8. Approve contract award for professional engineering services, Southeast Metro All Abilities Playground, RFQ No. 1912-001-LJ in the amount of \$60,645.55, to the most highly qualified respondent, Hitchcock Design Group. (Transportation and Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

9. Approve and Ratify orders exempting the purchase of traffic control equipment from TRP Construction, LLC in response to the COVID Drive-Thru Mass Vaccination Events, in the amount of \$97,814.00, as authorized by Commissioners Court on February 23, 2021, March 2, 2021, March 9, 2021, and March 23, 2021 pursuant to County Purchasing Act §262.024(A)(2). (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

10. Approve and Ratify the updated Site Rental Agreement with Circuit of the Americas in response to the COVID Drive-Thru Mass Vaccination Events, in the amount of \$36,089.61 as authorized by Commissioners Court on February 23, 2021, March 2, 2021, March 9, 2021 and March 23, 2021 pursuant to County Purchasing Act §262.024(A)(2). (Emergency Services Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

11. Approve and Ratify orders exempting the purchase of traffic management services from eMotive Logistics from the competitive procurement process and ratification of Purchase Orders, in the amount of \$61,918.75, in response to the ,COVID Drive-Thru Mass Vaccination Events, as authorized by Commissioners Court on February 23, 2021, March 2, 2021, March 9, 2021, and March 23, 2021 pursuant to County Purchasing Act §262.024(A)(2). (Emergency Services Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

12. Receive update on Travis County Employee Health Care Fund for the period October 1, 2020 to February 28, 2021.(Commissioners Gomez & Travillion)

RESULT: ADDED TO CONSENT

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

A. Proposed Routine Amendments (Commissioners Gomez & Travillion)

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action to adopt the voluntary provisions of the newly signed American Rescue Plan (ARP), in conjunction with the Families First Coronavirus Relief Act (FFCRA) COVID-19 Emergency Paid Sick Leave and Emergency Family Medical Leave plan, that goes in to effect April 1, 2021. (Commissioner Travillion and Commissioner Gomez)

Members of the Court heard from:

Shannon Weidauer, Director, Human Resources Management Department
(HRMD)

Robin Wright, Financial Systems Director - ERP, Auditor's Office

MOTION: Approve Item 14.
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

Transportation & Natural Resources

15. Consider and take appropriate action on the City of Jonestown's request to annex a portion of Johnson Road in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

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

- A. Approve the Sun Chase South Section 5 Final Plat (Final Plat - 43 single-family lots – 1,941 linear feet if proposed streets – 11.064 acres – Sparkling Light Drive
- water and wastewater will be provided by the City of Austin - City of Austin two-mile ETJ).
- B. Approve the Travis County Subdivision Construction Agreement with Qualico CR, LP in Precinct Four. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

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

- A. Approve the Turners Crossing North Phase 1 Final Plat (Final Plat - 314 single-family lots, one commercial lot, one multi-family lot, one water tower lot, one amenity lot, nine park/drainage and landscape lots – 16,559 linear feet if proposed streets – 118.861 acres – Turnersville Road N. - water and wastewater will be provided by the City of Austin - City of Austin two-mile ETJ);and
- B. Approve the Travis County Subdivision Construction Agreement with Meritage Homes of Texas, LLC., Trendmaker Homes, Inc., and Taylor Morrison of Texas, Inc. in Precinct Four. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

18. Receive comments regarding the naming of a County Road – to be named Duke Covert Drive – that intersects SH 71 in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action regarding a request to approve the TNR Road & Bridge FY 2021 Work Plan. (Commissioners Travillion & Shea)

Members of the Court heard from:

David Hunter, PW Assistant Director, Road Maintenance, Transportation
and Natural Resources (TNR)
Morgan Cotten, Director, Public Works, TNR

MOTION: Approve Item 19.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard,
Margaret Gómez

20. Approve setting a public hearing on April 20, 2021, to receive comments concerning a temporary detour and restriction of all traffic on Littig Road beginning on or about May 15, 2021, and continuing through January 15, 2022, or until work is complete in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action on a Final Plat for recording: Presidential Meadows Section 18 (Long Form Final Plat - 87 single-family lots – 14.005 acres - City of Manor ETJ) in Precinct One. (Commissioner Travillion)

Members of the Court heard from:

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

MOTION: Disapprove Item 21 with conditions.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 2 Brigid Shea
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Brigid Shea, Ann Howard, Margaret Gómez
ABSENT: Jeffrey Travillion

22. Consider and take appropriate action on a request to use an Alternative Fiscal Agreement for The Ridge at Blackhawk Phase 1, Section 1, in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action regarding a letter of support for Texas Water Trade regarding their proposal to the Lone Star Prize for Clean Water for All Texans. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on the following requests:
- A. Approve the Turners Crossing North Phase 2 Final Plat (Final Plat - 297 single- family lots, one commercial lot, six park/drainage and landscape lots – 10,235 linear feet of proposed streets – 100.665 acres – Turnersville Road N. - waterand wastewater will be provided by the City of Austin - City of Austin two-mile ETJ).
 - B. Approve the Travis County Subdivision Construction Agreement with Meritage Homes of Texas, LLC., Trendmaker Homes, Inc., and Taylor Morrison of Texas, Inc. in Precinct Four. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

Other

25. Consider and take appropriate action on an order to establish and appoint Early Voting ballot board and central count station personnel for May 1, 2021 Election. (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

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-051.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

28. Consider and take appropriate action on an offer received by Travis County for the purchase 9,614 square feet (approximately 0.2207 acres) of County-owned land, sought by the Texas Department of Transportation (TxDOT) and identified as parcel#16, required for the State's planned roadway improvements to R.M. 620 South in Precinct Three.^{1&2} (Commissioner Howard)

Judge Brown announced that Item 28 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.

Members of the Court heard from:

Cynthia McDonald, County Executive, TNR

MOTION: Authorize staff to negotiate a counteroffer with TXDOT consistent with the terms discussed in Executive Session.

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 Gómez

29. Receive legal briefing and take appropriate action in *State of Texas v. City of Austin, et al*; Cause No 1-GN-21-001046; in Travis County District Court 98th Judicial District.¹ (Judge Brown)

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

RESULT: DISCUSSED

30. Receive legal briefing and take appropriate action regarding *City of Austin, et al. v. Kinder Morgan Texas Pipeline, et al.*, Case No. 1:20-cv-00138-RP, in the U.S. District Court, Western District of Texas, Austin Division.¹ (Judge Brown)

Judge Brown announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

RESULT: DISCUSSED

Added Items

- A1. Receive comments regarding temporary detour and restriction of all traffic on Yager Lane south of Parmer Lane to install a new electric transmission main pole and power lines in Precinct One. (Commissioner Travillion) (Related to Item A2)

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 Gómez

Members of the Court heard from:

Morgan Cotten, Director, Public Works, Transportation and Natural Resources (TNR)

MOTION: Close the Public Hearing
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

- A2. Consider and take appropriate action regarding temporary detour and restriction of all traffic on Yager Lane south of Parmer Lane to install a new electric transmission main pole and power lines in Precinct One. (Commissioner Travillion) (Related to Item A1)

MOTION: Approve Item A2.
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

- A3. Order modifying the designation of Early Voting polling places for the May 1, 2021 General and Special Elections. (Judge Brown)

RESULT: ADDED TO CONSENT

- A4. Receive legal briefing and take appropriate action regarding the appointment of the Health Authority for Travis County.
(This item will be taken into Executive Session under the Consultation with Attorney exception.) (Commissioner Shea)

RESULT: NO ACTION NECESSARY

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge