



Minutes for the Travis County Commissioners Court April 27, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on April 27, 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 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez
ABSENT: Brigid Shea

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 April 13, 2021 and the Special Joint Session of April 13, 2021. (Judge Brown)

MOTION: Approve Items C1-C4.
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

Second Consent Motion

MOTION: Approve Items 5, 8.a-b, 11, 12.a-j, 13, 14, 15, 20, 21, 23, 24.a-b, 25, 26, and 30.
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

Public Hearings

1. Receive comments regarding a temporary detour and restriction of all traffic on Finial Drive for construction beginning on or about May 5, 2021, and continuing through October 15, 2021, or until work is complete, in Precinct Four.
(Commissioner Gómez)

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

Members of the Court heard from:

Brian Burk, Senior Engineer, 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

Resolutions & Proclamations

2. Approve proclamation recognizing May 1, 2021 as National Wildfire Community Preparedness Day. (Commissioners Shea & Howard)

Members of the Court heard from:

Tony Callaway, Travis County Fire Marshal

MOTION: Declare May 1st, 2021, National Wildfire Community Preparedness Day.
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

Emergency Services

3. 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)

RESULT: NO ACTION NECESSARY

4. 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

5. Consider and take appropriate action to ratify and approve a Memorandum of Understanding with Austin Voices for Education and Youth (AVEY) and the Northeast Austin Promise Neighborhood (NAPN) partners to submit a grant application to the U.S. Department of Education Office of Innovation and Improvement for a Promise Neighborhood Implementation Grant. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

Intergovernmental Relations

6. Approve a resolution recommending that Governor Greg Abbott, the Texas Legislature, and the Texas Education Agency ensure all supplemental funds allocated from the federal government flow to local education agencies without additional restrictions

beyond what the federal government has stipulated. (Commissioners Shea and Travillion)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, Intergovernmental Relations Office (IGR)
Ann-Marie Sheely, Division Director, Travis County Attorney's Office
Hector Nieto, Public Information Officer, Public Information Office (PIO)

MOTION: Approve the resolution in Item 6.
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

Planning & Budget

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

Members of the Court heard from:

Travis Gatlin, Budget Director, Planning and Budget Office (PBO)

MOTION: Approve Item 7.
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

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

- A. Annual application to the Bluebonnet Electric Cooperative for the Energy Assistance Program in Health and Human Services
- B. Annual contract with the Texas Indigent Defense Commission to continue the Formula Grant – Indigent Defense Grant Program in the Criminal Courts (Commissioner Gómez)

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on the following capital items:

- A. Discussion of timely use of debt proceeds for capital projects (This item may be taken into Executive Session under the Consultation with Attorney exception)

Judge Brown announced that Item 9.a would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

RESULT: DISCUSSED

- B. Recommended adjustments to prioritize the use of existing debt proceeds; and

Members of the Court heard from:

Aerin-Renee Pfaffenberger, Capital Analyst Sr., PBO

MOTION: Approve Item 9.b.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

ABSENT: Brigid Shea

- C. Changes to 2021 spring issuance project list and related update to the County's debt model.
(Commissioner Gómez)

Members of the Court heard from:

Travis Gatlin, Budget Director, PBO

Aerin-Renee Pfaffenberger, Capital Analyst Sr., PBO

MOTION: Approve Item 9.c.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

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

ABSENT: Brigid Shea

10. Consider and take appropriation action regarding the future allocation of the American Rescue Plan Act (ARPA) funding including:

- A. Development of draft Phase I budgets for applicable programs that began with Coronavirus Relief Funds (CRF);
- B. Commissioners Court's compiled list of potential program areas and funding strategies for the allocation of funds.
(Commissioners Gómez & Shea)

Members of the Court heard from:

Cathy McHorse, Vice president, Success by 6 Coalition, United Way of Greater Austin

Cynthia Smith McCollum, Executive Director, Open Door Preschool

Jessica Rio, County Executive, PBO

Sherri Fleming, County Executive, Travis County Health and Human Services

(HHS)

Anthony Mac, Travis County resident

Eberto Perez, Travis County resident

Amanda Woog, Executive Director, Texas Fair Defense Project

Michelle Mejia, Early Childhood Organizer, Go Austin/Vamos Austin

Ranjana Natarajan, Faculty, UT at Austin School of Law

Janis Bookout, Co-Founder, Community Resilience Trust

Alicia Torrez, Travis County resident

Rebecca Sanchez, Administration and Development Associate, Grassroots Leadership

Elliott Smith, Co-Founder Kitchen Sink Strategies

Claudia Muñoz, Co-Executive Director, Grassroots Leadership

Annette Price, Co-Executive Director, Grassroots Leadership

RESULT: DISCUSSED

Purchasing

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 \$77,860.38, 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, March 23, 2021, and April 6, 2021 pursuant to County Purchasing Act §262.024(A)(2). (Emergency Services Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

12. Approve contract awards for Disaster Health and Medical Staffing Services, RFS No. 2010-009-KD, on as needed basis contracts, to all respondents, as follows: (Emergency Services)
 - A. Contract No. 4400005660, Acadian Ambulance Service, Inc. dba Safety Management Systems, LLC.
 - B. Contract No. 4400005661, American Health Staffing Group, Inc. dba AHS Staffing, LLC.
 - C. Contract No. 4400005662, Ascend National, LLC.
 - D. Contract No. 4400005663, Diskriter, Inc.
 - E. Contract No. 4400005664, Maxim Healthcare Services Holdings, Inc. dba Maxim Healthcare Staffing Services, Inc.
 - F. Contract No. 4400005665, Donald L. Mooney Enterprises, LLC dba Nurses Etc. Staffing
 - G. Contract No. 4400005666, Staff Today, Inc.

- H. Contract No. 4400005667, SuiteMate Staffing Solutions, Inc.
- I. Contract No. 4400005668, Tryfacta, Inc.
- J. Contract No. 4400005669, Innovative Gateway Talent dba TulaRay (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 13. Approve and Ratify orders exempting the purchase of tent rentals from Aztec/Shaffer, LLC in response to the COVID Drive-Thru Mass Vaccination Events, in the amount of \$4,441.72, as authorized by Commissioners Court on February 23, 2021, March 2, 2021, March 9, 2021, March 23, 2021, and April 6, 2021, pursuant to County Purchasing Act §262.024(A)(2). (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 14. Approve and Ratify orders exempting the purchase of traffic control equipment from TRP Construction, LLC, from the competitive procurement process in response to the COVID Drive-Thru Mass Vaccination Events, in the amount of \$60,264.00, as authorized by Commissioners Court on February 23, 2021, March 2, 2021, March 9, 2021, March 23, 2021, and April 6, 2021, pursuant to County Purchasing Act §262.024(A)(2). (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 15. Approve contract award for the participant funded, Dental Services Plans, RFP No. 2012-002-BK, to the highest-ranked proposer, United Healthcare Insurance Company. (Human Resources Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 16. Approve order exempting the purchase of Technical Plan Review Services for the Tesla GFTX Project from Waxler Fire Protection Engineering, LLC, in the amount of \$76,400.00, from the competitive procurement process, pursuant to County Purchasing Act § 262.024(a)(4). (Fire Marshal Office) (Commissioner Travillion)

MOTION: Approve Item 16.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 2 Brigid Shea

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

ABST: Margaret Gómez

- 17. Receive briefing regarding one-year pilot period for online disclosure of completed Ethics Sworn Declaration, Lobbying Activity and Political Contributions pursuant to Travis County Code Chapter 33, Ethics Policy, and provide direction to Purchasing Office. (Purchasing Office) (Commissioner Travillion)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, IGR
C.W. Bruner, Director, Operations and Procurement, Purchasing
Bonnie Floyd, Travis County Purchasing Agent

MOTION: Direct staff to continue collecting information,
RESULT: **APPROVED - UNANIMOUS**
MOVER: County Judge Andy Brown
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard,
Margaret Gómez

18. Approve and Ratify orders exempting the purchase of clinical management and coordination of vaccination services from Ascension Seton, from the competitive procurement process in response to the COVID Drive-Thru Mass Vaccination Events, in the amount of \$2,250,000.00, as authorized by Commissioners Court on February 23, 2021, March 2, 2021, March 9, 2021, March 23, 2021 and April 6, 2021, pursuant to County Purchasing Act §262.024 (A)(2). (Emergency Services) (Commissioner Travillion)

RESULT: NO ACTION NECESSARY

19. Approve exemption and contract award of Technical Plan Review Services for the Tesla GFTX Project, in the amount of \$82,825.00, with SLS Consulting, LLC. (Fire Marshal Office) (Commissioner Travillion)

MOTION: Approve Item 19.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard
ABSTAIN: Margaret Gómez

Technology & Operations

20. Consider and take appropriate action regarding the second amendment to the license agreement between Travis County and Sterling Events Hospitality, Ltd. for the concession operations at the Exposition Center. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action regarding the fourth amendment to the lease agreement between Travis County and Travis County Housing Authority for the space located at 502 Highland Mall Blvd., Austin Texas. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

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

A. Routine Personnel Actions

MOTION: Approve Item 22.a.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez
ABSENT: Brigid Shea

B. Non-Routine Personnel Actions

- 1) Personal Action Form for Chief Deputy for Travis County Constable, Precinct 1. *(Item may be taken into executive session under Texas Government Code, Section 551.071 Consultation with Attorney or 551.074 Personnel.)*
(Commissioners Travillion and Gomez)

Judge Brown announced that Item 22.b 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 promotion at Step 14.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: County Judge Andy Brown
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez
ABSENT: Brigid Shea

Transportation & Natural Resources

23. Consider and take appropriate action regarding a temporary detour and restriction of all traffic on Littig Road for construction 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

24. Consider and take appropriate action on the following requests:

- A. Approve the West Bella Fortuna Preliminary Plan (335 single-family lots, 10 landscape/ park/ drainage lots, and 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); and

- B. Approve the First Amendment to Amended and Restated Bella Fortuna Roadway Construction Phasing Agreement in Precinct Four. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

- 25. Consider and take appropriate action on a Traffic Mitigation Agreement between Rahim K. Marediya (Developer) for the Blue Bluff Retail Center project in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

- 26. Approve setting a public hearing on May 25, 2021, to receive comments regarding a request to authorize the filing of an instrument to vacate a public utility easement located along the common lot lines of Lots 225 & 226, Apache Shores First Installment, a subdivision in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

- 27. Consider and take appropriate action on the following requests:
 - A. Proclaiming May 3-7, 2021 as Air Quality Awareness Week; and
 - B. Receive an air quality update from the Capital Area Council of Governments. (Commissioners Shea & Travillion)

Members of the Court heard from:

Andrew Hoekzema, Regional Planning and Services Director, Capital Area Council of Governments (CAPCOG)

MOTION: Declare May 3-7, 2021, Air Quality Awareness Week.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 3 Ann Howard

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

ABSENT: Brigid Shea

- 28. Receive briefing regarding the Net Zero Carbon Emissions Implementation Plan First Draft. (Commissioner Shea)

Members of the Court heard from:

Jon White, Director, Natural Resources and Environmental Quality Division, TNR

RESULT: DISCUSSED

29. Consider and take appropriate action regarding request to accept the Master Site Plan reports for the West Service Center and Parks West facilities. (Commissioner Travillion and Commissioner Shea)

Members of the Court heard from:

Sydnia Crosbie Chief Deputy, TNR

Stanley Fee, Project Manager, Cobb Fendley & Associates Inc

MOTION: Receive the plan and begin a discussion regarding priorities and specific phased in requests.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 3 Ann Howard
AYES: Andy Brown, Jeffrey Travillion, Ann Howard, Margaret Gómez
ABSENT: Brigid Shea

Other

30. Accept County Treasurer's quarterly report for the Travis County Employee Enrichment Fund. Quarter of January 1, 2021 thru March 31, 2021. (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

31. 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

32. 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

33. Receive legal briefing and take appropriate action in *State of Texas v. City of Austin, et al*; Cause No 1-GN-21-001046.¹ (Judge Brown)

RESULT: NO ACTION NECESSARY

34. Receive legal briefing and authorize County Attorney to accept, reject, or counter settlement offer received in Travis County, Texas vs. Seven Bar Properties, LLC; Cause No. C-1-CV-18-010456.¹ & ² (Commissioner Travillion)

Judge Brown announced that Item 34 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: Approve the proposed mediated settlement of \$187,000, agree to relocate the property's proposed driveway apron to align with a median cut, and pay the costs associated with this redesign.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

ABSENT: Brigid Shea

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge