



Minutes for the Travis County Commissioners Court May 11, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on May 11, 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, 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 April 27 and the Special Joint Session of April 27, 2021. (Judge Brown)

MOTION: Approve Items C1-C4.

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

Second Consent Motion

MOTION: Approve Items 8.a-d, 10, 11, 12, 13, 14, 15, 17.a, 18, and 19.
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

1. Approve Proclamation recognizing May 2021 as Asian Pacific American Heritage Month. (Judge Brown)

Members of the Court heard from:

Nicholas Chu, Travis County Justice of the Peace, Precinct #5
Todd Wong, Judge, County Court-at-Law #1
Dimple Malhotra, Judge, County Court at Law #4

MOTION: Approve Item 1.
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

Emergency Services

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

RESULT: NO ACTION NECESSARY

3. Consider and take appropriate action regarding items related to the County's response to and recovery from COVID-19, including vaccine distribution, operations, and agreements, and other necessary measures and actions. (Judge Brown)

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services

MOTION: Expand the action of the Court taken on February 23, 2021 and March 2, 2021 to include exempting contracts for goods and services related to vaccination efforts at the Travis County Exposition Center and designated pop up locations under Section 262.023 Local Government Code, because they are contracts for purchase of goods and services necessary to protect the health and safety of County residents, and authorize the County Judge to sign the necessary agreements.

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

MOTION: Authorize Emergency Services to use, and waives fees for the use of, the Travis County Exposition Center for vaccination distribution, and ask the County Executive to return to Court with any necessary agreement for that use.

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

Health & Human Services

4. Receive update on the Travis County Poverty Brief using the 2015-2019 American Community Survey 5-Year Estimates. (Judge Brown & Commissioner Gomez)

Members of the Court heard from:

Lawrence Lyman, Director, Research and Planning Division, Travis County Health and Human Services (HHS)
 Rochelle Olivares, Planner Sr, HHS
 April Klein, Planner, HHS
 Octavio Ulloa, Planner, HHS

RESULT: DISCUSSED

Planning & Budget

5. Consider and take appropriate action on the adoption of:
 - A. An order authorizing the issuance and sale of one or more series of Travis County, Texas Unlimited Tax Road Bonds, in the aggregate principal amount not to exceed \$22,000,000; levying a tax in payment thereof; providing for the award of the sale thereof in accordance with specified parameters; authorizing the execution and delivery of documents and agreements in connection

therewith; approving the preparation of one or more official statements; and enacting other provisions relating thereto;

- B. An order authorizing the issuance and sale of one or more series of Travis County, Texas Certificates of Obligation, in the aggregate principal amount not to exceed \$35,830,000; Levying a tax in payment thereof; providing for the award of the sale thereof in accordance with specified parameters; authorizing the execution and delivery of documents and agreements in connection therewith; approving the preparation of one or more official statements; and enacting other provisions relating thereto; and
- C. An order authorizing the issuance of one or more series of Travis County, Texas Limited Tax Refunding Bonds, in the aggregate principal amount not to exceed \$5,500,000; Levying a tax in payment thereof; providing for the award of the sale thereof in accordance with specified parameters; authorizing the execution and delivery of documents and agreements in connection therewith; approving the preparation of one or more official statements; and enacting other provisions relating thereto.(Commissioner Gómez)

Members of the Court heard from:

Aerin-Renee Pfaffenberger, Capital Analyst Sr., Planning and Budget Office
(PBO)

Blake Roberts, Director, PFM
Travis Gatlin, Budget Director, PBO

MOTION: Approve Items 5.a-c.
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

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

RESULT: NO ACTION NECESSARY

- 7. Consider and take appropriate action on the development, funding and implementation of a community engagement plan for Local Fiscal Recovery Funds allocation and other federal funding programs under ARPA (American Rescue Plan Act). (Commissioners Gómez & Shea)

Members of the Court heard from:

Diana Ramirez, Director, Economic Development & Strategic Investments,
PBO

Travis Gatlin, Budget Director, PBO
Christy Moffett, Director, Economic and Strategic Planning, PBO

Bonnie Floyd, Travis County Purchasing Agent
Jessica Rio, County Executive, PBO
Cathy McHorse, Vice president, Success by 6 Coalition, United Way
of Greater Austin
Janis Bookout, Co-Founder, Community Resilience Trust
Zenobia Joseph, Travis County resident

MOTION: Direct staff to pursue recommendations regarding the community engagement plan and bring back any proposed contracts to Commissioners Court for further action.

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

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 Texas Indigent Defense Commission for the Public Defender's Office and Managed Assigned Counsel Enhancement Grant in the Public Defender's Office
- B. Annual application to the Texas Indigent Defense Commission for the MHPD Felony Expansion grant in Justice Planning (Mental Health Public Defender)/ Justice and Public Safety
- C. Annual contract with Reliant Energy Retail Services, LLC for the Reliant Energy CARE Program grants in the Health and Human Services Department
- D. Contract amendment with the Corporation for National and Community Service (CNCS) for the AmeriCorps Program grant in the Health and Human Services Department
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

9. Receive an update on the Colorado River Project, LLC (also referred to as Tesla), and consider and take appropriate action, regarding:

- A. Agreement with Tesla to extend Harold Green Road and status; (Notes 1 and 2)
- B. Tesla's request to apply equivalent methods of protection to obtain building permits as related to standards set forth in the International Fire Code; (Note 1)
- C. Amendment, modification, or extension of Economic Development Performance Agreement, Colorado River Project, LLC (Tesla); (Note 1) and

- D. Other related issues. (Notes 1 and 2)(*The Commissioners Court will consider this item in executive session under Texas Government Code Section 551.071, Consultation with Attorney (Note 1), and Section 551.072, Real Property (Note 2)*)).
(Commissioner Travillion)

Judge Brown announced that Items 9.a-d 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.

RESULT: DISCUSSED

Purchasing

10. Approve Modification No. 1 to Contract No. 4400002685 with Hilltop Securities Inc., an as-needed contract, for Financial Advisory Services. (Planning and Budget Office)
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

11. Approve Modification No. 4 to Contract No. 4400002650 with PFM Financial Advisors, LLC, an as-needed contract, for Financial Advisory Services. (Planning and Budget Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

12. Approve ratification and modification of Modification No. 48, in the amount of \$18,000.00, to Contract No. 4400000562 with Easy Access, Inc., for Tax Office Computer System. (Tax Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

13. Approve 12-month extension (Modification No. 2) to, and Ratify, Interlocal Agreement No. 4400004356 with Austin Independent School District (AISD), in the amount of \$100,000.00, for Family Resource Center Services. (Health and Human Services)
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

14. 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 \$110,481.39, 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, April 6, 2021, April 27, 2021 pursuant to County Purchasing Act §262.024(A)(2). (Emergency Services Office)
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

15. 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 \$72,062.12 as authorized by Commissioner Court on February 23, 2021, March 2, 2021; March 9, 2021, March 23, 2021 and pursuant to County Purchasing Act 262.024 (A)(2). (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

16. Approve Contract No. 4400005711 with Curative Medical Associates PA, for COVID-19 Vaccine Administration. (Emergency Services) (Commissioner Travillion)

RESULT: NO ACTION NECESSARY

Technology & Operations

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

- A. Routine Personnel Actions (Commissioners Gomez & Travillion)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

18. Consider and take appropriate action on the First Amendment to Out of District Water and Wastewater Service Agreement with the Travis County Municipal Utility District No. 12 (MUD 12) in connection with the Bee Creek Sports Complex Project in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action regarding proposed historical marker placement at Tom Hughes Park, Travis County Parks. (Commissioner Travillion & Commissioner Shea)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate a drainage easement located on Lot 4, George Family Partnership Subdivision, in Precinct Three. (Commissioner Howard)

RESULT: NO ACTION NECESSARY

Other

21. Consider and take appropriate action on an order canvassing election returns, declaring results for the May 1, 2021 General and Special Elections and creating Travis County Emergency Services District No. 17. (Judge Brown)

Members of the Court heard from:

Dana DeBeauvoir, Travis County Clerk

Barbara Wilson, Assistant County Attorney

MOTION: Waive the reading of the precinct by precinct results and accept the order canvassing the election returns.

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

MOTION: Approve the order creating Emergency Services District #17.

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

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

22. 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

23. 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

24. 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

25. Receive legal briefing, consider, and take appropriate action on conducting a departmental environmental assessment and review including but not limited to the Justice Planning Department and hire appropriate consultant(s).¹ (Judge Brown)

Judge Brown announced that Item 25 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

RESULT: DISCUSSED

Clerk's Note: The Court noted that Travis County takes all allegations of racial bias in the workplace and its operations very seriously and will be taking time to review options in hiring a third party to look into the allegations.

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

Judge Brown announced that Item 26 would be considered in Executive Session pursuant to Gov't Code Ann. 551.071, Consultation and Gov't Code Ann 551.089, IT Security.

RESULT: DISCUSSED

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge