



Travis County Commissioners Court May 25, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on May 25, 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 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 3 Ann Howard

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 May 11 and the Special Joint Session of May 11, 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, 10.a-b, 12, 13.a-b, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 31, 32.a-b, 33.a-c, 34, and 35.
MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: Commissioner Precinct 4 Margaret Gómez

Members of the Court heard from:
Trevor Hance, Travis County resident
Christy Mews, Travis County resident

FRIENDLY:
AMENDMENT: Remove Item 17 from the Second Consent Motion.
MOVER: Judge Andy Brown
RESULT: **FRIENDLY AMENDMENT ACCEPTED**

Clerk's Note: A Vote on the Standing Motion was taken.

RESULT: **APPROVED - UNANIMOUS**
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard,
Margaret Gómez

Clerk's Note: The Court noted that the second consent motion approve the following items 8, 10.a-b, 12, 13.a-b, 15, 16, 18, 19, 20, 21, 22, 23, 26, 27, 28, 31, 32.a-b, 33.a-c, 34, and 35.

MOTION: Amend the Second Consent Motion by adding Item 25.a.
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

Clerk's Note: The Court noted that the second consent motion approve the following items 8, 10.a-b, 12, 13.a-b, 15, 16, 18, 19, 20, 21, 22, 23, 25.a, 26, 27, 28, 31, 32.a-b, 33.a-c, 34, and 35.

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to vacate a drainage easement recorded as document #2016150795 of the Official Public Records of Travis County and located within Easton Park Section 3A, Phase 2, a subdivision in Precinct Four. (Commissioner Gomez)

MOTION: Open the Public Hearing
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

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 4 Margaret Gómez
SECONDER: Commissioner Precinct 1 Jeffrey Travillion
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Resolutions & Proclamations

2. Approve Proclamation recognizing Chief Medical Director Dr. Mark Escott for his service to the Travis County community. (Judge Brown & Commissioner Shea)

RESULT: NO ACTION NECESSARY

3. Approve Proclamation recognizing 15 Years of the Parks Loaner Life Jacket Program. (Commissioner Shea)

Members of the Court heard from:

Alissa Mangum, Executive Director, Colin's Hope
Elizabeth Boriack, Drowning Prevention Program Coordinator, Dell Children's Medical Center
Dan Chapman, Chief Park Ranger, TNR

MOTION: Approve Item 3.
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

4. Approve a resolution honoring the contributions to African American home ownership of the Texas Association of Real Estate Brokers, Inc. (TAREB). (Commissioner Travillion)

Members of the Court heard from:

Robert Wright, Director, National Association of Realtors

MOTION: Approve Item 4.
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

5. Approve proclamation to declare Tuesday, May 25, 2021 as Employee Recognition Day. (Commissioners Shea & Travillion)

MOTION: Approve Item 5.
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

6. 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:

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

RESULT: DISCUSSED

7. Consider and take appropriate action regarding the following:
 - A. Outdoor burning in the unincorporated areas of Travis County.
 - B. County response to natural disaster or other emergency. (Judge Brown)

RESULT: NO ACTION NECESSARY

Health & Human Services

8. Consider and take appropriate action to approve the 2021 Work-based learning/Summer Youth Employment Program Interlocal agreement between the City of Austin and Travis County Health & Human Services. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on the Community Development Block Grant (CDBG) PY21 Action Plan Projects. (Judge Brown & Commissioner Gomez)

RESULT: NO ACTION NECESSARY

10. Consider and take appropriate action on the following related to the environmental clearance for the Program Year 2015 Southeast Metro All Inclusive Park Project funded, in part, by the Community Development Block Grant through HUD:

- A. Certify a revision to the previously approved environmental review, and
- B. Authorize the County Judge to sign the required forms. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on the following related to the Travis County Health Authority:

- A. Accept resignation from Dr. Mark Escott, M.D, effective May 30, 2021, as Interim; and,

Members of the Court heard from:

Sherri Fleming, County Executive, HHS

MOTION: Approve Item 11.a.

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

- B. Appoint Desmar Walkes, M.D., as Health Authority and accept Ming Tang, M.D. and Sharon Melville, M.D. as Alternate Health Authorities for Travis County, effective May 31, 2021.
(Judge Brown & Commissioner Gomez)

MOTION: Approve Item 11.b.

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

Planning & Budget

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

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, and permissions to continue:
- A. Contract amendment with the Texas Department of Housing and Community Affairs for the Comprehensive Energy Assistance Program and Coronavirus Aid, Relief and Economic Security Act (CEAP CARES) in the Health and Human Services Department
 - B. Contract amendment with the Corporation for National and Community Service for the Retired and Senior Volunteer Program grant in Health and Human Services.
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

14. Consider and take appropriate action on a resolution approving and authorizing a financing agreement for the Turner's Crossing Public Improvement District.
(Commissioner Gómez)

Members of the Court heard from:

Christy Moffett, Director, Economic and Strategic Planning, Planning and Budget Office (PBO)
Gus Peña, Travis County resident

MOTION: Approve the resolution in Item 14.
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

Purchasing

15. Approve Modification No. 6 to Contract No. 4400004470 with Central Waste and Recycling, LLC, for estimated requirements, for Refuse Collection Services. (Countywide) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

16. Approve exemption and ratification of Contract No. 4400005710 with We Are Blood, in the amount of \$274,521.00, for COVID-19 Convalescent Plasma Program Services. (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

17. Approve contract award for professional consulting services, Hamilton Pool Road Project Phase 2, RFQ No. 2002-007-AR, in the amount of \$413,888.50, to the most highly qualified respondent, Binkley & Barfield, Inc. (Transportation & Natural Resources) (Commissioner Travillion)

Members of the Court heard from:

Morgan Cotten, Director, Public Works, TNR

RESULT: DISCUSSED

18. Approve contract award for Fire Extinguisher/Sprinkler Systems Inspections and Services, IFB No. 2103-003-SK, in the amount of \$70,538.40, to the low bidder, Koetter Fire Protection (Facilities Management Department, Transportation and Natural Resources Department, Sheriff's Office and Juvenile Probation) (Commissioner Travillion).

RESULT: ADDED TO CONSENT

19. Declare used equipment as surplus and authorize trade-in for purchase of new equipment, pursuant to Section 263.152(a)(2) of the Texas Local Government Code. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Approve ratification of Modification No. 4, in the amount of \$1,875.00, to Contract No. 4400002518 with Konnech, Inc., for Pollchief Election Management System. (County Clerk) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve ratification and Modification No. 8 to Contract No. 4400003924 with Election Systems and Software, LLC, in the estimated amount of \$106,800.00, for Voting System and Services. (County Clerk) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Approve Modification No. 10 to Contract No. 4400003420 with Tyler Technologies, Inc., in the amount of \$175,872.00, for the software license and implementation, maintenance, and support agreement. (Information Technology Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

23. Approve contract award for Third Party Administration, Medical Bill Audit and Case Management Services for Workers' Compensation and Liability Claims, RFP No. 2011- 004-BK, in the amount of \$500,847.00, to the highest-ranked Respondent, Sedgwick Claims Management Services, Inc. (Human Resources Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

24. Approve Job Order Contract Purchase Order No. 4100175435 with JT Vaughn Construction, LLC, in the amount of \$571,977.37, for Travis County Sheriff's Office Academy (Sheriff's Office) (Commissioner Travillion)

RESULT: NO ACTION NECESSARY

25. Consider and take appropriate actions regarding the purchase of pharmaceuticals, medical equipment, supplies and distribution including at least:

- A. Approval of exemption for these purchases from AmerisourceBergen pursuant to County Purchasing Act §262.024(A)(2) and

RESULT: ADDED TO CONSENT

- B. Approval of cooperative purchasing organization applications and participation agreements with contractors available from cooperative purchasing organizations for these purchases. (Sheriff's Office, STAR *Flight*) (Commissioner Travillion).

RESULT: NO ACTION NECESSARY

26. Approve Contract No. 4400005711 with Curative Medical Associates PA, at no cost to the County, for COVID-19 Vaccine Administration. (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

27. Receive update on Travis County Employee Health Care Fund for the period October 1, 2020 to April 30, 2021. (Commissioners Gomez & Travillion)

RESULT: ADDED TO CONSENT

28. 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

29. Consider and take appropriate action on issuing a call for recommendation to name the existing Travis County building located at 3518 FM 973 S., Del Valle, Texas 78617. (Commissioner Gomez)

Members of the Court heard from:

Roger El Khoury, Director, Facilities Management Department (FMD)
Andrea Colunga Bussey, Travis County resident

MOTION: Issue the call for recommendations in Item 29.
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

Transportation & Natural Resources

30. Consider and take appropriate action on a request to authorize the filing of an instrument to vacate a drainage easement recorded as document #2016150795 of the Official Public Records of Travis County and located within Easton Park Section 3A, Phase 2, a subdivision in Precinct Four. (Commissioner Gomez)

MOTION: Approve Item 30.
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

31. Approve setting a public hearing on June 22, 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 line of Lots 1168 & 1169, Apache Shores Section 2, a subdivision in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

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

- A. Plat for recording: Easton Park 3A Phase 1 Final Plat – (Long Form Final Plat – 182 Total Lots on 59.067 Acres) –located in City of Austin Limited Purpose in Precinct Four; and
- B. Subdivision Construction Agreement between Travis County and Carma Easton, LLC.
(Commissioner Gomez)

RESULT: ADDED TO CONSENT

33. Approve setting a public hearing on June 15, 2021, to receive comments regarding the following requests associated with Easton Park Section 1B, Lot 4 subdivision in Precinct Four:
- A. Authorize the filing of an instrument to vacate a drainage easement dedicated per document #2017023065 of the Official Public Records of Travis County; and Authorize the filing of an instrument to vacate a drainage easement dedicated per document #2015088014 of the Official Public Records of Travis County; and
 - B. Authorize the filing of an instrument to vacate a portion of lateral support easement dedicated per document #2016150895 of the Official Public Records of Travis.
(Commissioner Gomez)

RESULT: ADDED TO CONSENT

34. Approve rescheduling a public hearing from May 25, 2021, to June 15, 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 line of Lots 225 & 226, Apache Shores First Installment, a subdivision in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

35. Approve setting a public hearing on June 22, 2021, to receive comments regarding a request to authorize the filing of an instrument to vacate a section of right-of-way on Los Olivios Way, as dedicated by Prado Ranch Phase 1, a subdivision in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

36. 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)

Members of the Court heard from:

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

Joshua Bernstein, Partner, Norton Rose Fulbright

Dave Anderson, Director of Land Use Policy, Drenner Group PC representing applicant

Alan Colby, applicant

Charles Schroeder, Travis County resident

Art Donovan, Travis County resident

Barbara Misle, Travis County resident

MOTION: Accept the recommendations to vacate the easement.

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 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

37. 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

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

Judge Brown announced that Item 38 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

RESULT: DISCUSSED

39. 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

40. Receive legal briefing, consider, and take appropriate action on conducting an investigation / 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 40 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

MOTION: Approve the hiring of Shafeeqa Giarratani to investigate allegations of racial bias in Criminal Justice and Planning, authorize the County Judge to sign the contract with the consultant in an amount not to exceed \$50,000.00, and to approve the Planning and Budget Office to use the reserve within the Risk Management Fund for the contract to be budgeted in the Human Resources

Management Department.
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

41. Consider and take appropriate action on offer to purchase a parcel owned by Travis County in Central Austin ¹ & ² (Commissioner Shea)

RESULT: NO ACTION NECESSARY

42. 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 ^{1&2}
 - B. Permitting and compliance issues ¹
 - C. Amendment, modification or extension of Economic Development Performance Agreement, Colorado River Project, LLC (Tesla) ¹
 - D. Other related issues ^{1&2}
(Commissioner Travillion)

Judge Brown announced that Items 42.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

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge