



Minutes for the Travis County Commissioners Court June 22, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on June 22, 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 2 Brigid Shea

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)

MOTION: Approve Items C1-C3.

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: 4, 7, 8, 9, 10.a-b, 11, 14, 15, 17, 20, 21.a-g, 22, 23, 24, 25.a-e, 26, 28, 29.a, 31, 34, 35.a-b, 36, 37, 38.a-b, 39, and 41.

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 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)

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:

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 2 Brigid Shea

SECONDER: Commissioner Precinct 3 Ann Howard

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

2. 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)

MOTION: Open the Public Hearing.

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

Members of the Court heard from:

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

MOTION: Close the Public Hearing.
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

Resolutions & Proclamations

3. Consider and take appropriate action regarding Pride Month 2021 proclamation.
(Judge Brown)

MOTION: Approve Item 3.
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

Auditor

4. Receive revenue and expenditure reports, and other statutorily required reports, for the month of April 2021 from the County Auditor's Office. The reports are submitted electronically as allowed by local government code § 114.023 (a) and prescribed by the County Auditor. (Judge Brown)

RESULT: ADDED TO CONSENT

Emergency Services

5. 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

- 6. Receive briefing and take appropriate action regarding items related to the County's response to and recovery from COVID-19, including but not limited to:
 - A. Periodic update from the Austin/Travis County Public Health Authority
 - B. Vaccine distribution, operations, and associated agreements
 - C. Rental & utility assistance programs and initiatives
 - D. Other necessary measures and actions (Judge Brown)

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services
Adrienne Stururp, Interim Director, Austin Public Health (APH)
Dr. Desmar Walkes, Health Authority, Austin Public Health and Health Authority, Austin-Travis County
Geronimo Rodriguez, Chief Advocacy Officer, Ascension Texas
Sherri Fleming, County Executive, Travis County Health and Human Services (HHS)

RESULT: DISCUSSED

Health & Human Services

- 7. Consider and take appropriate action to approve the Transit Empowerment Fund 2021 Deeply Discounted and No Cost Transit Pass Program Memorandum of Understanding with the Transit Empowerment Fund Board of the Austin Community Foundation. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

- 8. Consider and take appropriate action on a draft of the Travis County CDBG PY21 Action Plan to be posted for public comment. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

- 9. Consider and take appropriate action to approve the substantial amendment to the Community Development Block Grant Program Year (PY20) Action Plan. The PY20 Action Plan is substantially amended to remove the City of Rollingwood from the Travis County CDBG service area. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action for the Travis County CDBG Citizen Participation Plan:
 - A. Approve the public comment draft of the Citizen Participation plan, which has been substantially amended for public comment, and
 - B. Approve the public comment period of June 23 – July 7, 2021 (15-day period). (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on the substantially amended public comment draft of the PY19–23 Consolidated Plan and PY19 Action Plan, and approve the Public Comment Period of July 12 – July 16, 2021. (Judge Brown & Commissioner Gomez)

RESULT: ADDED TO CONSENT

Intergovernmental Relations

12. Consider and take appropriate action on appointments to the Integral Care Board of Trustees:
 - A. Reappoint Emmitt Hayes for an additional term set to expire September 30, 2023; and
 - B. Issue a Call for Applications in order to fill a vacancy with a term set to expire September 30, 2023
(Judge Brown)

RESULT: NO ACTION NECESSARY

13. Receive briefing on 87R legislative session and activities. (Commissioners Travillion & Shea)

Members of the Court heard from:

Julie Wheeler, Intergovernmental Relations Officer, Intergovernmental Relations Office (IGR)

RESULT: DISCUSSED

Justice Planning

14. Consider and take appropriate action on a request from the Travis County Sheriff's Office (TCSO) regarding the State Plan of Operation (SPO) between the State of Texas and TCSO. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

Planning & Budget

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

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action on proposed changes to the Tax Year 2021 (Fiscal Year 2022) Optional 65 and Older and Disabled Homestead Exemptions. (Commissioner Gómez)

Members of the Court heard from:

Jessica Rio, County Executive, Planning and Budget Office (PBO)
Travis Gatlin, Budget Director, PBO

MOTION: Table Item 16 until next week, June 29, 2021.

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

17. Consider and take appropriate action to approve resolutions approving a tax-exempt bond financing by Travis County Housing Finance Corporation for the following projects: Agave East Apartments, Capitol View Flats, Enclave on Ross Apartments, and Meadow Apartments. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action on American Rescue Plan Act (ARPA) Local Fiscal Recovery Fund Recommendations for Initial Funding Allocations and Status of Community Engagement Process. (Commissioners Shea & Gomez)

Members of the Court heard from:

Diana Ramirez, Director, Economic Development & Strategic Investments,
PBO
Travis Gatlin, Budget Director, PBO
Sherri Fleming, County Executive, HHS
Cynthia McDonald, County Executive, TNR

RESULT: DISCUSSED

19. Consider and take appropriate action regarding update on the development of the FY 2022 Budget and remaining key calendar dates. (Commissioner Gómez)

Members of the Court heard from:

Jessica Rio, County Executive, PBO
Travis Gatlin, Budget Director, PBO

RESULT: DISCUSSED

Purchasing

20. Approve contract award for Trap Rock, Grade 5T and 6T, IFB No. B2104-014-WL, for estimated requirements, to the sole bidder, Vulcan Construction Materials LLC. (Transportation and Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve Social Services Contract Modifications to rollover funds balance from Fiscal Year 2020 Program Budgets to Fiscal Year 2021 Program Budgets, as follows:(Health and Human Services)
- A. Modification No. 4 to Contract No. 4400001753, with Austin Travis County Integral Care, to rollover the funding balance of \$2,950.00 from FY'2020 Program Budget to FY'21 Program Budget of \$68,096.00, for a total not to exceed amount of \$71,046.00 for FY'21.
 - B. Modification No. 10 to Contract No. 4400001860, with Workforce Solutions Capital Area Workforce Board, to rollover the funding balance of \$53,858.00 from FY'20 Program Budget to FY'21 Program Budget of \$744,499.00, for a total not to exceed amount of \$798,357.00 for FY'21.
 - C. Modification No. 2 to Contract No. 4400002561, with Literacy Coalition of Central Texas, to rollover the funding balance of \$30,000.00 from FY'20 Program Budget to FY'21 Program Budget of \$241,196.00, for a total not to exceed amount of \$271,196.00 for FY'21.
 - D. Modification No. 2 to Contract No. 4400002562, with Capital IDEA, to rollover the funding balance of \$99,495.00 from FY'20 Program Budget to FY'21 Program Budget of \$760,800.00, for a total not to exceed amount of \$860,295.00 for FY'21.
 - E. Modification No. 9 to Contract No. 4400002566, with American Youthworks, to rollover the funding balance of \$71,851.00 from FY'20 Program Budget to FY'21 Program budget of \$100,000.00, for the Travis County Metro Park Program, for a total not to exceed amount of \$171,851.00 for FY'21.
 - F. Modification No. 1 to Contract No. 4400003334, with Goodwill Industries of Central Texas, to rollover the funding balance of \$7,316.00 from FY'20 Program Budget to FY'21 Program Budget of \$75,097.00, for a total not to exceed amount of \$82,413.00 for FY'21.
 - G. Modification No. 1 to Contract No. 4400003980, with YWCA of Greater Austin, to rollover the funding balance of \$14,771.00 from the FY'20 Program Budget to the FY'21 Program Budget of \$133,050.00, for a total not to exceed amount of \$147,821.00 for FY'21.
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Approve Modification No. 16 to Contract No. 4400001100 with Life Insurance Company of North America, participant funded, for Voluntary Benefit Coverage for Travis County Employees, Retirees and Covered Dependents. (Human Resources Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

23. Approve Modification No. 1 to Contract No. 4400005179 with OptumRx, Inc., amount is based on enrollment, for Health Plan Pharmacy Benefit Management. (Human Resources Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

24. Approve Termination of Contract No. 4400000699 with Casey O'Neal, Ph.D., for Psychological Evaluations. (Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action regarding the purchase of pharmaceuticals, including: (STAR Flight, Sheriff's Office)
- A. Change in designation of Group Purchasing Organization (GPO) from Premier Purchasing Partners, L.P. to Minnesota Multi-State Contracting Alliance for Pharmacy (MMCAP) Infuse and authorize Purchasing Agent to notify MMCAP.
 - B. Expansion of membership application and facility agreement with MMCAP Infuse to include purchase of pharmaceuticals and other supplies for Travis County Jail System and Star Flight from its contract vendors.
 - C. Select Cardinal Health Inc. as the contract vendor.
 - D. Authorize Nimesh S. Patel, PharmD, Pharmacy Supervisor, Travis County Jail System, to complete and sign Declaration of Eligibility and change its GPO selection to MMCAP Infuse for Asegua Therapeutics LLC, Astra Zeneca, Eli Lilly and Company, Gilead Sciences, Inc., GlaxoSmithKline and any other pharmaceutical manufacturer that may become available.
 - E. Authorize James Michael Kempema, MD, Medical Director for Travis County STAR Flight, Aeromedical First Response, to complete and sign Declaration of Eligibility and change its GPO selection to MMCAP Infuse for Asegua Therapeutics LLC, Astra Zeneca, Eli Lilly and Company, Gilead Sciences, Inc., GlaxoSmithKline and any other pharmaceutical manufacturer that may become available.
(Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

26. Consider and take appropriate action regarding the Travis County holiday schedule for the period of October 1, 2021, through December 31, 2022. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

27. Consider and take appropriate action on FY 2021 Benchmark Study. (Commissioners Travillion & Gomez)

RESULT: NO ACTION NECESSARY

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

RESULT: ADDED TO CONSENT

29. 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

30. Consider and take appropriate action on the following employee healthcare items for Fiscal Year 2022 (FY22) plan year, effective October 1, 2021:

- A. FY22 contribution levels for Travis County Employee Health Plan
B. FY22 Health Benefit plan with addition of UHC program
C. Annual Open Enrollment dates of August 2 – 31, 2021
(Commissioners Travillion & Gómez)

Members of the Court heard from:

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

Shannon Steele, Benefits Manager, HRMD

MOTION: Approve Items 30.a-d,

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 3 Ann Howard

AYES: Andy Brown, Ann Howard, Margaret Gómez

ABSENT: Jeffrey Travillion Sr, Brigid Shea

Transportation & Natural Resources

31. Approve setting a public hearing for July 27, 2021, to receive comments regarding a request for a total plat vacation of Stoneridge Estates Subdivision in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

32. Consider and take appropriate action regarding the quarterly status update on the 2017–2022 Bond Program in Travis County. (Commissioners Travillion & Shea)

Members of the Court heard from:

Morgan Cotten, Director, Public Works, TNR

RESULT: DISCUSSED

33. Consider and take appropriate action 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)

MOTION: Approve Item 33.

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

34. Consider and take appropriate action on a Traffic Mitigation Agreement between Aspire One, LLC and Travis County for the Ross Road Multifamily development in Precinct Four. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

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

- A. Preliminary Plan: Schwetman Tract, Preliminary Plan (Small Lot Subdivision - 513 Total Lots on 103.927 acres) – 500 single-family and 13 open space, amenity center, lift station, water plat, drainage, and landscape lots) – Old Webberville Road – Water will be provided by the Manville Water Supply Corporation, and Wastewater will be provided by the Hornsby Bend Utility Company – City of Austin two-mile ETJ in Precinct One.
- B. Phasing Agreement for the Schwetman Tract Preliminary Plan between Starlight Homes Texas LLC, a Delaware limited Company, and Travis County. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

36. Consider and take appropriate action on a Traffic Mitigation Agreement between 10115 Bradshaw, LLC and Travis County for Bradshaw Retail Center Development in Precinct Four. (Commissioner Gomez)

RESULT: ADDED TO CONSENT

37. Consider and take appropriate action regarding an exemption from platting requirements for Andrew Browns Cabin and RV Village in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

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

- A. Approve the Sun Chase South Section 8 Final Plat (90 single- family lots, one greenbelt/ drainage lot – 20.157acres – Sweet Mimosa Drive and Sparkling Light Drive – 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 Qualico CR, LP in Precinct Four.
(Commissioner Gomez)

RESULT: ADDED TO CONSENT

39. Consider and take appropriate action on the following request: Approve Travis Settlement Section 4 Resubdivision of Lot 255 (one single-family lot into two lots – 5.27 acres – Blacksmith Cove – water will be provided by an on-site well and wastewater will be provided by an on-site septic system – City of Lakeway ETJ) in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

40. Consider and take appropriate action 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)

MOTION: Approve Item 40.

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

Other

41. Consider and take appropriate action regarding the following tax collection agreements:

- A. Rose Hill PID
- B. Manor Heights PID (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

42. Receive legal briefing, consider settlement offer, and take appropriate action in *Smith et al. v. City of Austin et al.*, Civil Action No. 1:18-cv-505. ¹ (Judge Brown)

Judge Brown announced that Item 42 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

Items 42 and 44 are associated with one another and were called for concurrent discussion.

MOTION:

Approve the plaintiff settlement offer in *Smith et al v City of Austin et al* and *Senko et al v City of Austin et al* including the total amount of \$580,000, which includes \$50,000 in attorney fees with \$280,000 apportioned to the plaintiffs, and Travis County committing an earmark of \$250,000 in the FY2022 budget towards programs related to the prosecution of sexual assault and the support of sexual assault victims. Any unused portion of that earmark's allocation will carry over until the next fiscal year. This resolution will enable Travis County to place our energy into implementing policy objectives rather than defending large multiparty litigation and thereby benefitting all victims of sexual assault without struggling with the question of pending legal liability. Finally authorize the County Judge to sign the ultimate

settlement agreements.

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

43. Consider and take appropriate action regarding the acquisition of a conservation easement on approximately 70 acres of land in connection with the Balcones Canyonlands Conservation Plan in Precinct Three. ¹ & 2 (Commissioner Howard)

Judge Brown announced that Item 43 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 at the price as discussed in Executive Session.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 2 Brigid Shea

SECONDER: Commissioner Precinct 3 Ann Howard

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

44. Receive legal briefing, consider settlement offer, and take appropriate action in *Senko et al. v. City of Austin et al.*, Civil Action No. 1:20-cv-1047. ¹ (Judge Brown)

Judge Brown announced that Item 44 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

Items 42 and 44 are associated with one another and were called for concurrent discussion. Please refer to Item 42 for a summary of the action taken by the Court.

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge

