



Minutes for the Travis County Commissioners Court August 10, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on August 10, 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 3 Ann Howard
Commissioner Precinct 4 Margaret J. Gómez

Absent Commissioner Precinct 2 Brigid Shea

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, 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)

MOTION: Approve Items C1-C3.

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

Second Consent Motion

MOTION: Approve Items 4, 5, 6, 7, 8.a-c, 9, 10.a-c, 12.a, 15, 16, 18, 19.a-b, 20, 22, 23, 24.a-b, 25, and 27.

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

MOTION: Add Items C4 and 17 to the Consent Motion.

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

Clerk's Note: The Court noted that the Consent Motion now contains Items C1 - C4, 4, 5, 6, 7, 8.a-c, 9, 10.a-c, 12.a, 15, 16, 17, 18, 19.a-b, 20, 22, 23, 24.a-b, 25, and 27.

- C4. Approve the minutes for the Commissioners Court Voting Sessions of July 13, 20 & 27, the Special Voting Session of July 7, and the Special Joint Session of July 20, 2021. (Judge Brown)

RESULT: ADDED TO CONSENT

Resolutions & Proclamations

1. Consider and take appropriate action on the "Lights Out Texas" Resolution. (Commissioners Travillion & Shea)

Members of the Court heard from:

Debra Scott, Environmental Project Manager, BCCP, Transportation and Natural Resources (TNR)

MOTION: Approve Item 1.

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

Emergency Services

2. 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

3. 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)

Judge Brown announced that Items 3.b&d would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services
Sherri Fleming, County Executive, Travis County Health and Human Services
(HHS)

MOTION: Approve increased funding for COVID vaccination outreach.
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

4. Consider and take appropriate action on an amendment to the program letter of agreement with the University of Texas Medical Branch at Galveston to allow pathology residents to engage in educational opportunities at the Medical Examiner's Office.
(Commissioners Shea & Howard)

RESULT: ADDED TO CONSENT

5. Consider and take appropriate action on the appointment of Iris E. Laryea to the Emergency Services District (ESD) 4 Board of Commissioners, for a term effective immediately and ending December 31, 2022. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Health & Human Services

6. Consider and take appropriate action to approve the Environmental Review and Clearance for Forest Bluff Street Improvements, a Community Development Block Grant project receiving grant funds from Program Years 2019, 2020, and 2021, provided by HUD. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action to approve the Environmental Review and Clearance for Austin's Colony Street Improvements, a Community Development Block Grant project receiving Program Year 2018 and 2019 grant funds provided by HUD. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on items related to the Community Development Block Grant program available through HUD:
 - A. Approve the final draft and related project budgets, including public comments received and final revisions to the Program Year 2021 (PY21) Action Plan
 - B. Authorize the County Judge to sign the certifications, Standard Form 424, and Standard Form 424D for the PY21 Action Plan
 - C. Authorize submission of the PY21 Action Plan to the U.S. Department of Housing and Urban Development
(Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action to approve the final draft of the substantially amended CDBG PY20 Action Plan. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on items related to the Community Development Block Grant CARES Act (CDBG-CV) funding received from the U.S. Department of Housing and Urban Development (HUD) to prevent, prepare for, and respond to COVID-19:

- A. Approve the final draft, including comment received, project budgets, and final edits to the following:
 - 1) Substantially amended PY19–23 Consolidated Plan
 - 2) Substantially amended PY19 Action Plan
 - 3) Substantially amended Citizen Participation Plan (CPP)
- B. Authorize the County Judge to sign applicable certifications and SF-424s
- C. Authorize submission to the HUD San Antonio Field Office, Region VI (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

Planning & Budget

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

RESULT: NO ACTION NECESSARY

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

- A. Permission to continue the FY 2021 AmeriCorps Program in the Health and Human Services Department
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 13. Consider and take appropriate action on a request by County staff for a 45-day extension, from August 15, 2021, to September 28, 2021, to provide a report to the Commissioners Court to address the tasks outlined in the June 15, 2021, resolution relating to the Travis County Adult Correctional Systems Needs Analysis and Master Plan. (Commissioners Shea & Gómez)

Members of the Court heard from:

Christy Moffett, Interim Director, Economic Development & Strategic Investments, Planning and Budget Office (PBO)

MOTION: Approve the requested 45-day extension.
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 3 Ann Howard

FRIENDLY

AMENDMENT: Extend all other deadlines set in the resolution from June 15, 2021, Item 29, by 45 days.

MOVER: County 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, Ann Howard, Margaret Gómez

ABSENT: Brigid Shea

14. Consider and take appropriate action on the following related to negotiation of an economic development performance agreement with Samsung Austin Semiconductor, LLC:
- A. Evaluation and development of potential terms of the agreement
 - B. Modeling of Economic, social and equitable impact of potential terms
 - C. Other related items
(This item may be taken into Executive Session under the Consultation with Attorney and Economic Development Negotiations exceptions.)
(Commissioner Travillion)

Judge Brown announced that Items 14.a-c would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation and Gov't. Code Ann 551.087, Economic Development Negotiations.

RESULT: DISCUSSED

Purchasing

15. Approve Change Order No. 4 to Contract No. 4400005508 with Trimbuilt Construction, Inc., in the amount of \$105,394.00, for the Nelda Wells Spears Tax Office renovation. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

16. Approve termination of Contract No. 4400000791 with Sarah Cortez, for comprehensive juvenile sex offender treatment program services. (Juvenile Probation)(Commissioner Travillion)

RESULT: ADDED TO CONSENT

17. Approve and ratify orders exempting the purchase of COVID disinfecting services from Code 4 Emergency Services, LLC from the competitive procurement process for Purchase Order # 4100178981, in the amount of \$11,250, in response to urgent needs at the County jail, pursuant to County Purchasing Act Section 262.024(A)(2). (Travis County Sheriff's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

18. Approve and ratify orders exempting the purchase of medical services (paramedic/EMT services), from Code 4 Emergency Services, LLC, from the competitive procurement process and ratification of Purchase Order # 4100179249, in the amount of \$24,750, in response to COVID Mass Vaccination Events, as authorized by Commissioner Court on February 23, 2021, March 2, 2021, and March 9, 2021, pursuant to County Purchasing Act Section 262.024(A)(2). (Travis County Sheriff's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

19. Consider and take appropriate action on the following items for Human Resources Management Department:
- A. Routine Personnel Actions
 - B. Non-Routine Personnel Actions
(Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

20. Consider and take appropriate action on the reappointments of Dain Herbat and James Kinsey as Travis County's representative and alternate representative (respectively) to the Greater Austin Area Telecommunications Network (GAATN) Board, for terms effective August 10, 2021, and ending August 10, 2023. (Commissioners Travillion & Howard)

RESULT: ADDED TO CONSENT

21. Consider and take appropriation action on procedures related to setting the FY 2022 salaries of elected officials. (Commissioners Travillion & Gómez)

Members of the Court heard from:

Todd Osburn, Compensation Manager, Human Resources Management
Department(HRMD)
Shannon Weidauer, Director, HRMD

MOTION: Approve the setting of the public hearing for August 31, 2021 and the advertisement with a cap of 3% on any pay increase.
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

Transportation & Natural Resources

22. Approve setting a public hearing on September 7, 2021, to receive comments regarding a request to authorize the filing of an instrument to vacate a portion of a drainage easement located over and across Lot 22, Block 2, The Overlook Estates Phase 1, a subdivision in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

23. Approve setting a public hearing on September 14, 2021, to receive comments regarding a plat for recording: Resubdivision of Lot 4A, Easton Park Section 1B, Amended Plat (Resubdivision Final Plat – four total lots – 25.433 acres – 7401 E. William Cannon – City of Austin Limited Purpose) in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on the following requests associated with the Vantage at McKinney Falls Apartments site project in Precinct Four:

- A. Construction agreement with BMR Land, LLC
- B. Traffic mitigation agreement with BMR Land, LLC
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

Other

25. Receive the Travis County Adult Probation Fiscal Year 2022–2023 Proposed State Budget. (Judge Brown)

RESULT: ADDED TO CONSENT

26. Consider and take appropriate action on a request from the County Clerk for the reimbursement and payment of legal fees related to the Clerk's legal defense. (*This item may be taken into Executive Session under the Consultation with Attorney exception.*) (Judge Brown)

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

MOTION: Find the request for legal defense costs to be paid serves a legitimate public interest, and also move to authorize the reimbursement of legal defense costs in the amount \$10,000 to Dana Debeauvoir, County Clerk, and reimbursement of cost incurred through payment of attorney's fees in the amount of \$40,000.00 to Joe Turner and attorney's fees in the amount of \$25,000.00 to Chad Dunn.

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

27. Consider and take appropriate action regarding the postponement of adoption of one or more orders authorizing the issuance and sale of Travis County Healthcare District Certificates of Obligation to August 24, 2021. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

28. Receive briefing and update from the Housing Authority of Travis County, the Strategic Housing Finance Corporation of Travis County, County staff, and others regarding mitigation efforts at Rosemont at Oak Valley, located at 2800 Collins Creek Drive, and at any other housing in response to the 2021 Natural Disaster/Catastrophe – Winter Storm that may impact the response to and recovery from COVID-19 and take appropriate action, including but not limited to:

- A. Directing staff to take appropriate steps to assist finding housing
- B. Allocate necessary funding
- C. Any other necessary steps
(*This item may be taken into Executive Session under the Consultation with Attorney exception.*)
(Judge Brown)

Members of the Court heard from:

Sherri Fleming, County Executive, HHS
Patrick Howard, CEO, Strategic Housing Finance Corporation
Daniel Garza, Rosemont at Oak Valley resident
Gloria Vera-Bedilla, Rosemont at Oak Valley resident
Erica Cervantes, Member, Neighbors at Rosemont Tenants Association
Jennifer Richards, Attorney, Texas Rio Grande Legal Aid representing tenants
from Rosemont at Oak Valley
Mincho Jacob, Travis County resident
Linda de la Garzas, Neighbors at Rosemont Tenants Association

Gabby Garcia, Organizer, BASTA
Keica Prince, Member, Neighbors at Rosemont Tenants Association
Sade Forch, Member, Neighbors at Rosemont Tenants Association
Robbye Meyer, Director, Strategic Housing Finance Corporation (SHFC)
Jessica Rio, County Executive, PBO

MOTION: Direct staff to move forward encumbering ERAP funds to cover the draft budget and report back to the Commissioners Court with updates.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 3 Ann Howard

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

ABSENT: Brigid Shea

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

29. Receive legal briefing and take appropriate action on issues related to potential out-of-state employees and remote work. 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 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 30.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

Added

- A1. Consider and take appropriate action on a request to provide staff direction to study and make recommendations regarding the feasibility of establishing a public improvement district in Precinct One, to be named "Wild Rye Public Improvement District," that will provide on-site affordable housing. *(This item may be taken into Executive Session under the Consultation with Attorney and Real Property exceptions.)*
(Commissioner Travillion)

Judge Brown announced that Item A1 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: Direct staff to evaluate the request and bring back recommendations to the Commissioners Court as soon as possible.

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