



Minutes for the Travis County Commissioners Court September 7, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on September 7, 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 2 Brigid Shea

SECONDER: Commissioner Precinct 4 Margaret Gómez

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 the 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 3 Ann Howard

SECONDER: Commissioner Precinct 2 Brigid Shea

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

Second Consent Motion

MOTION: Approve Items 6, 9, 10, 11.a-c, 12, 13, 16, 17, 18, 19, 20, 21, 23.a-b, 24, 25, 27, 29, 30, 31, and 33.
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

Public Hearings

1. Receive comments regarding recommendations to name the existing County building located at 3518 FM 973 S., Del Valle, Texas 78617. (Commissioner Gómez)

MOTION: Open the Public Hearing.
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

Members of the Court heard from:

Roger El Khoury, Director, Facilities Management Department (FMD)
Piper Lemoine, Travis County resident
Marcus De Leon, former Travis County Commissioner
Latisha McCune, Travis County Resident
Lindsey Romero, Travis County resident
Juanita Knox, Travis County resident

MOTION: Close the Public Hearing.
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

2. 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)

MOTION: Open the Public Hearing.
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

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

Resolutions & Proclamations

3. Approve proclamation recognizing September 2021 as "National Preparedness Month." (Commissioners Shea & Howard)

Members of the Court heard from:

Tony Callaway, Travis County Fire Marshal
Eric Carter, Emergency Management Coordinator, Emergency Services

MOTION: Approve Item 3.
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

Emergency Services

4. 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

5. 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

RESULT: NO ACTION NECESSARY

- B. Vaccine distribution, operations, and associated agreements

- C. Rental & utility assistance programs and initiatives, including necessary actions, measures, agreements, and delegation of authority
- D. Other necessary measures and actions, including any legal actions, steps, orders, policies, or communications related to COVID-19 and measures necessary to protect public health and safety of employees and residents
- E. Consider and take appropriate action on plans to meet disbursement requirements of the Emergency Rental Assistance Program (ERAP), including entering into an interlocal agreement or other agreement with another entity for the disbursement of funds and implementation of ERAP
(Judge Brown)

Judge Brown announced that Items 5.b-e would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

Members of the Court heard from:

Patrick Phillips, Chief Deputy, Emergency Services
 George Morales III, Constable, Precinct 4
 Hector Nieto, Public Information Officer, Public Information Office (PIO)
 Sherri Fleming, County Executive, Travis County Health and Human Services(HHS)

MOTION: Authorize HHS (Health and Human Services) to use the Landlord Bulk Payment Contract as amended by Court action and direction to distribute ERAP funds and that Sherri Fleming, County Executive, HHS, be authorized to execute this agreement on behalf of the County.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 3 Ann Howard

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

Health & Human Services

- 6. Consider and take appropriate action to approve and ratify Amendment No. 2 to the Community Development Block Grant–Disaster Recovery (CDBG-DR) GLO Contract No. 19-138-000-B478. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 7. Consider and take appropriate action to authorize execution and delivery by the County Judge of the Certificate of Governing Body for the benefit of all persons interested in the Strategic Housing Finance Corporation of Travis County Multifamily Housing Revenue Bonds (Rosemont at Oak Valley) Series 2021. (Judge Brown)

Members of the Court heard from:

Trelisha Brown, Division Director, Travis County Attorney's Office

MOTION: Approve Item 7.

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

Intergovernmental Relations

8. Receive briefing on legislative matters from the second called special session of the 87th Legislature. (Commissioners Travillion & Shea)

Members of the Court heard from:

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

RESULT: DISCUSSED

Justice Planning

9. Consider and take appropriate action on a memorandum of understanding between Travis County, the Travis County Juvenile Board, and the following independent school districts: Austin, Del Valle, Eanes, Lake Travis, Lago Vista, Leander, Manor, Pflugerville, and Round Rock, regarding the Travis County Juvenile Justice Alternative Education Program (JJAEP) for School Year 2021–2022. (Judge Brown)

RESULT: ADDED TO CONSENT

Planning & Budget

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

RESULT: ADDED TO CONSENT

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

- A. Annual contract with the Office of the Attorney General for the Victim Coordinator and Liaison Grant (VCLG) Program in the District Attorney's Office
- B. Annual contract with the Office of the Attorney General for the Other Victim Assistance (OVAG) grant in the County Attorney's Office
- C. Annual contract with the Texas Department of Transportation to continue the Underage Drinking Prevention Program in the County Attorney's Office (Commissioner Gómez)

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action on an order accepting and approving an annual service plan update to the service and assessment plan and an updated assessment roll for the Bella Fortuna Public Improvement District. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

13. Consider and take appropriate action on an order accepting and approving an annual service plan update to the service and assessment plan and an updated Improvement Area #1 assessment roll for the WildHorse Ranch Public Improvement District. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

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. Consider and take appropriate action to approve revisions to Purchasing Procedures Guide, Section 8. (Commissioner Travillion)

Members of the Court heard from:

Bonnie Floyd, Travis County Purchasing Agent

MOTION: Approve Item 15.

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

16. Approve Modification No. 1 to Contract No. 4400005063 with Doucet & Associates, Inc., in the amount of \$12,130.00, for Howard Lane water quality control assessment. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

17. Approve Modification No. 4 to Contract No. 4400002551 with John Matthew Fabian, PSYD, JD, LLC, on an as-needed basis, for psychological/psychiatric Services. (Criminal Courts) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

18. Approve Interlocal Agreement No. 4400005892 with Harris County for a cooperative purchasing program. (Purchasing Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

19. Approve 12-month extension (Modification No.11) to Contract No. 4400002120, with McGinnis Lochridge, in the amount of \$10,000.00, for legal services. (Auditor's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Approve contract award for Travis County Criteria Manuals Development, RFQ No. 2002-007-AR, in the amount of \$368,525.00, to the most highest qualified respondent, SE3, LLC. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve Modification No. 1 to Contract No. 4400005303 with SE3, LLC for third-party review of the development and/or transportation permit applications for Transportation & Natural Resources. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

22. Approve Modification No. 7 to Contract No. 4400003760 with Stantec Consulting Services, Inc., in the amount of \$50,877.64, for the design of the Bee Creek Sports Complex. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: NO ACTION NECESSARY

Technology & Operations

23. Consider and take appropriate action on:
- A. Routine personnel actions
 - B. Non-routine personnel actions
(Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on an automobile total loss claim recommendation for the date of loss of June 15, 2021. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

25. Appoint Travis County Risk Manager, Adam Green, as mediation representative in Cause No. D-1-GN-21-000822, *Hilman Gregor Gutierrez-Sierra vs. Travis County*, in the 250th Judicial District Court, Travis County, Texas.
(*This item may be taken in Executive Session under the Consultation with Attorney exception.*)
(Judge Brown)

RESULT: ADDED TO CONSENT

26. Consider and take appropriate action on recommendations to name the existing TravisCounty building located at 3518 FM 973 S., Del Valle, Texas 78617.
(Commissioner Gómez)

MOTION: Name the Southeast Community Center for Jesse Limon Colunga and forward the recommendation to the Travis County Historical Commission for confirmation.

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

Transportation & Natural Resources

27. Consider and take appropriate action on a request to approve an interlocal agreement with the City of Austin for the development and construction of the Austin to Manor Trail, Phase II Project in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action on 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)

MOTION: Approve Item 28.

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

29. Consider and take appropriate action on a request to use a cash security agreement for site restoration fiscal surety for the West Travis County Public Utility Agency 30" Transmission Main Project, in Precinct Three. (Commissioner Howard)

RESULT: ADDED TO CONSENT

30. Approve setting a public hearing on October 5, 2021, to receive comments regarding a request to authorize the filing of an instrument to vacate a drainage and lateral support easement, recorded as Document #2008149582 of the Official Public Records of Travis County, in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

31. Consider and take appropriate action on a request to approve an advanced funding agreement and associated resolution with the Texas Department of Transportation (TxDOT) for the design and construction of the FM 973 Pedestrian Improvements Project in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

Other

32. 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)

RESULT: NO ACTION NECESSARY

33. Consider and take appropriate action on a license agreement for the use of Riverbend Centre as an early voting and Election Day site for the November 2, 2021, General and Special Elections. (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

34. Consider and take appropriate action regarding real estate in Northwest Travis County.
1 & 2 (Judge Brown)

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.

RESULT: DISCUSSED

35. 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. Agreement with Tesla to extend Harold Green Road and status 1 & 2
 - C. Amendment, modification, or extension of Economic Development Performance Agreement, Colorado River Project, LLC (Tesla) ¹
 - D. Other related issues 1 & 2
(Commissioner Travillion)

RESULT: NO ACTION NECESSARY

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge