



Minutes for the Travis County Commissioners Court October 12, 2021 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on October 12, 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 4 Margaret Gómez

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 the 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 September 28, 2021, Special Joint Session of September 28, 2021, and Special Voting Session of September 30, 2021. (Judge Brown)

- C5. Approve an order ratifying affirmation of Travis County Code Chapter 23, Investment Policy and Procedures, as previously approved by the Court on September 28, 2021.(Judge Brown)

MOTION: Approve Items C1-C5.
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

Second Consent Motion

MOTION: Approve Items 5, 6, 8, 9.a-c, 12, 13, 14, 15, 16, 17, 18.a, 19, 21, 23, 27, and 28.
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

Public Hearings

1. 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)

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 October 2021 as "Breast Cancer Awareness Month." (Judge Brown)

Members of the Court heard from:

Sally Hernandez, Travis County Sheriff

MOTION: Approve Item 2.

RESULT: **APPROVED - UNANIMOUS**

MOVER: County Judge Andy Brown

SECONDER: Commissioner Precinct 4 Margaret Gómez

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

Emergency Services

3. 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

4. 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, incentives, operations, and associated agreements
- C. Rental & utility assistance programs and initiatives
- 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 (Judge Brown)

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services

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

JodyAnn McIntosh, Executive Fellow, FUSE Project

MOTION: Move forward with a pilot testing out the vaccine incentive model.
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

5. Consider and take appropriate action to approve and ratify the FY 2022 renewal and Modification No. 9 of the Families with Voices interlocal agreement with Integral Care. (Judge Brown & Commissioner Gómez)

RESULT: ADDED TO CONSENT

Intergovernmental Relations

6. Consider and take appropriate action on appointments to the Boards of the Strategic Housing Finance Corporation and the Housing Authority of Travis County. (Judge Brown)

RESULT: ADDED TO CONSENT

Justice Planning

7. Consider and take appropriate action regarding the decommissioning of Travis County Sheriff's Office Building 250 and removal of the 48 corresponding beds from the jail system's official capacity. (Commissioner Shea)

Members of the Court heard from:

Sally Hernandez, Travis County Sheriff

Sally Pena, Major, Corrections Bureau, Travis County Sheriff's Office (TCSO)

Wes Priddy, Major, Administration, TCSO

MOTION: Approve Item 7.
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

Planning & Budget

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

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on the following grant programs, applications, contracts and related special budgets, and permissions to continue:
 - A. New contract with the Texas Water Development Board for a Flood Infrastructure Fund Grant in the Transportation & Natural Resources Department
 - B. New contract with FUSE Corps for the FUSE Corps Fellowship in the District Attorney's Office
 - C. Contract amendment with the Texas Bar Foundation for the Texas Bar Foundation – Pot of Gold Program in Juvenile Probation (Commissioner Gómez)

RESULT: ADDED TO CONSENT

10. 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)

RESULT: NO ACTION NECESSARY

Purchasing

11. Approve exemption and award of Contract No. 4400005928 with Central Texas Allied Health Institute, in the amount of \$250,000.00, for clinical management and coordination of vaccination services from the competitive procurement process, pursuant to County Purchasing Act § 262.024(a)(1). (Emergency Services)
(Commissioner Travillion)

Members of the Court heard from:

Bonnie Floyd, Travis County Purchasing Agent

MOTION: Approve Item 11.
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

12. Approve termination of Contract No. 4400000607 for professional case management services and Contract No. 440000680 for psychiatric and counseling services for Collaborative Opportunities for Positive Experience (COPE) with Pathways Youth and Family Services, Inc. (Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

13. Approve exemption and ratification of Purchase Order # 4100180775 to GG's Construction LLC, in the amount of \$133,830.48, for the repair of water damage from a winter storm. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

14. Approve exemption and award of Contract No. 4400005888 with Rolando L. Rios, Attorney at Law, in the amount of \$130,000.00, for redistricting consulting services.(Intergovernmental Relations) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

15. Approve Modification No. 1 to Contract No. 4400005684 with SLS Consulting, LLC, in the amount of \$49,295.00, for technical plan review services for the Tesla GFTX Project. (Fire Marshal's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

16. Approve Change Order No. 6 to Contract No. 4400005508 with Trimbuilt Construction, Inc., in the amount of \$350,370.24, for the new Tax Office renovation. (Facilities Management Department) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

17. Approve Modification No. 1 to Contract No. 4400005682 with Waxler Fire Protection Engineering, LLC, in the amount of \$53,375.00, for technical plan review services for the Tesla GFTX Project. (Fire Marshal's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

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

- A. Routine personnel actions
(Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on the allocation of space vacated by the Travis County Healthcare District at the East Community Center located in Manor, Texas, to the Health & Human Services Department. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

20. Consider and take appropriate action regarding the uses of reservations and associated fees for Travis County Parks. (Commissioner Travillion)

RESULT: NO ACTION NECESSARY

21. Set a public hearing on October 26, 2021, to receive comments regarding providing the Travis County Transportation & Natural Resources County Executive the authority to temporarily restrict the use of a County-maintained road, Lime Creek Road, between the City of Volente corporate limit to the City of Cedar Park corporate limit. (Commissioner Howard)

RESULT: ADDED TO CONSENT

22. Consider and take appropriate action on:

- 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
- B. Subdivision construction agreement with Carma Easton, LLC (Commissioner Gómez)

MOTION: Approve Items 22.a-b.

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

23. Consider and take appropriate action regarding a plat for recording: Jennings Place (Small Lot Subdivision) Final Plat (70 total lots – 64 single-family and six open space, drainage, water quality, and emergency access lots – 11.494 acres – Nuckols Crossing Road – City of Austin two-mile ETJ) in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on:
- A. Prospect Park Phase 1 Final Plat (long-form final plat – 797 total lots on 228.857 acres – 775 single-family, 17 greenbelt lots, and five lots for drainage/landscape/sidewalk easements – City of Austin Limited Purpose) in Precinct Four
 - B. Subdivision construction agreement with Carma Easton, LLC (Commissioner Gómez)

Members of the Court heard from:

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

MOTION: Approve Items 24.a-b.
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

25. Consider and take appropriate action on:
- A. West Bella Fortuna Phase 1 Final Plat (105 single-family lots, three drainage lots, three park and landscape lots, and one life-station lot – 2,864 linear feet of proposed streets – 45.833 acres – Comano Drive – water and wastewater provided by the City of Austin – City of Austin two-mile ETJ) in Precinct Four
 - B. Subdivision construction agreement with Clayton Properties Group, Inc. (Commissioner Gómez)

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long-Range Planning, TNR
Jerry Patterson, Member, Onion Creek Subdivision Board of Directors

MOTION: Approve Items 25.a-b.
MOVER: Commissioner Precinct 4 Margaret Gómez
SECONDER: Commissioner Precinct 3 Ann Howard

FRIENDLY

AMENDMENT: Include all the parties impacted in the discussion.

MOVER: Commissioner Precinct 2 Brigid Shea

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

26. Consider and take appropriate action on:

- A. West Bella Fortuna Phase 2 Final Plat (102 single-family lots and one drainage/park lot – 4,120 linear feet of proposed streets – 20 acres – Bella Fortuna Drive– water and wastewater provided by the City of Austin – City of Austin two-mile ETJ) in Precinct Four
- B. Subdivision construction agreement with Clayton Properties Group, Inc. (Commissioner Gómez)

Members of the Court heard from:

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

MOTION: Approve Items 26.a-b.

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

Other

27. Consider and take appropriate action on an order to establish and appoint members of an Early Voting Ballot Board and to establish a Central Counting Station and appoint a central counting station presiding judge, a central counting station alternate presiding judge, and central counting station personnel, all for the November 2, 2021, General and Special Elections. (Judge Brown)

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action to approve a license agreement for the use of space at the Shops at Mira Vista as an early voting and Election Day polling 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

29. Receive legal briefing and take appropriate action on a report from the County Attorney's Office regarding ways to strengthen protections and enforcement of civil rights within our community, including our LGBTQIA+ community.¹ (Judge Brown)

Judge Brown announced that Item 29 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

MOTION:

Direct County Executives for HRMD/ITS, PBO and Purchasing to work with the Travis County Attorney's office to implement the following changes to the Travis County Code:

1. Amend Chapter 112, Affirmative Action Plan to include in the composition of the County's workforce persons from different sexualorientations, gender identities, and expressions;
2. Amend Chapter 109, under the definition of discrimination and harassment to include sexual orientation, gender identity, and expression;
3. Update criteria in Chapter 28, Economic Development Incentives to require that an applicant provide County with a writtenequal employment policy that includes sexual orientation, gender identity, and expression as a protected class;
4. Amend Chapter 277, Affordable and Fair Housing to include sexual orientation, gender identity, and expression in addition torace, ethnicity and economic status;
5. Direct HRMD to offer training to all County employees that focuses on Diversity, Equity and Inclusion such as implicit bias training and LGBTQIA+ inclusivity training; and return to Court withrecommendations for a required training for Commissioners Court employees and departments;
6. Direct the County Executives to come up with a plan and timeline to update existing Travis County code with languagereflecting these goals;

7. Work with Purchasing following receipt of the Disparity Study to address the options of having certifications and definition of Historically Underutilized Businesses (HUBs) include LGBTQIA+ individuals as qualifying minorities.

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

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

Judge Brown announced that Item 30 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

31. 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)

RESULT: NO ACTION NECESSARY

32. Consider and take appropriate action on a counter-offer received by Travis County for the County's purchase of real property, to include Parcel #14E, required for planned improvements as part of the 2018 CO Arroyo Doble / Twin Creeks project in Precinct Three. ¹ & 2 (Commissioner Howard)

Judge Brown announced that Item 32 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: Make a counter-offer as discussed in Executive Session.
RESULT: **APPROVED - UNANIMOUS**
MOVER: Commissioner Precinct 3 Ann Howard
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

Added Items

- A1. Consider and take appropriate action regarding the purchase of real property in Southern Travis County. *(This item will be taken into Executive Session under the Consultation with Attorney and Real Property exceptions.)* (Judge Brown)

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 Roger El Khoury, Facilities Management and Tom Nuckols, County Attorney's Office to reach out regarding this property to do due diligence and conduct an appraisal.
MOVER: County Judge Andy Brown
SECONDER: Commissioner Precinct 4 Margaret Gómez

FRIENDLY AMENDMENT: And any other staff deemed necessary.
MOVER: Commissioner Precinct 2 Brigid Shea
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

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge