



Minutes for the Travis County Commissioners Court November 30, 2021 Voting Session

**Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on November 30, 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

County Announcements

Clerk's Note: The County Judge noted that on Saturday December 4, 2021, there will be several events:

- *Safer Together Overdose Prevention and Harm Reduction Saves Lives, a free event where all donations will go to the Sims Foundation;*
- *The Austin NAACP will also hold its annual banquet at the Austin Hyatt Regency where the DeWitty Overton award winner, Aurora Martinez Jones, Judge, 126th District Court, will be announced, and;*
- *The Onion Creek, Old San Antonio Road Bridge #302 Dedication will be held.*

Consent

- C1. Consider and take appropriate action regarding:
- A. Receive bids related to the week of November 1, 2021 from County Purchasing Agent, correcting backup for November 16, 2021 voting session.
 - B. Receive bids related to the week of November 8, 2021 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.a-b-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: Approve Items 5, 9, 10.a-b, 11, 15, 16, 17, 18, 19, 20, 21, 22.a, 23, 25, 27.a-b, 32.a-b, 35, 36, and A1.
RESULT: **Passed (5-0)**
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 Resolution of No Objection (RONO) for Hog Eye Apartments to be located at 9630 Decker Lake Rd, Austin, Travis County, Texas 78724, in the unincorporated area of 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:

Monique Coleman, Planning Manager, Community Development Block Grant Program. Travis County Health and Human Services (HHS)
Zenobia Joseph, Travis County resident

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

2. Receive comments regarding a request to authorize the filing of an instrument for the partial vacation of Commanders Point 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 3 Ann Howard
SECONDER: Commissioner Precinct 4 Margaret Gómez
AYES: Andy Brown, Jeffrey Travillion, Brigid Shea, Ann Howard, Margaret Gómez

3. 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 2 and 3, Hidden Hills 1, Resubdivision of Portions of Tracts 7, 18, & 21 of the Lakehurst Subdivision, a subdivision in Precinct Three. (Commissioner Howard)

MOTION: Open the Public Hearing.
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

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

4. Receive comments regarding a request to authorize the filing of an instrument for the partial vacation of Ralph White Addition in Precinct Three. (Commissioner Howard)

MOTION: Open the Public Hearing.

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

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 3 Ann Howard

SECONDER: Commissioner Precinct 2 Brigid Shea

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

Auditor

5. Receive revenue and expenditure reports, and other statutorily required reports, for the month of September 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

6. 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)
7. 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

RESULT: NO ACTION NECESSARY

C. Rental & utility assistance programs and initiatives

Members of the Court heard from:

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

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

Dashiell Daniels, Budget Analyst II, PBO

Kirsten Siegfried, Director, Family Support Services Division, HHS

MOTION: Approve Option 2.

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

- 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)

RESULT: NO ACTION NECESSARY

Health & Human Services

8. Consider and take appropriate action on a Resolution of No Objection (RONO) for Hog Eye Apartments to be located at 9630 Decker Lake Rd, Austin, Travis County, Texas 78724, in the unincorporated area of Precinct One. (Commissioner Travillion)

MOTION: Approve Item 8.

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

Intergovernmental Relations

9. Consider and take appropriate action on the establishment of and appointments to a county adult sexual assault response team. (Judge Brown)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action to:
- A. Set a hearing on December 14, 2021 to consider and adopt an order making revisions to certain Travis County election precincts in accordance with Chapter 42 of the Texas Election Code
 - B. Designate the Travis County Tax Office to send out required notices related to changes in election precincts in accordance with Chapter 42 of the Texas Election Code.
(Judge Brown)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on recommendations for interim charges for the 87th Texas Legislature. (Commissioners Travillion & Shea)

RESULT: ADDED TO CONSENT

Planning & Budget

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

Members of the Court heard from:

Jessica Rio, County Executive, PBO

MOTION: Approve Budget Amendment A1 in Item 12.

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

Clerk's Note: The Court noted that Budget Amendment A2 would be postponed until the December 7, 2021, voting session.

13. 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 Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Postconviction Testing of DNA Evidence grant in Justice Planning
 - B. Annual application to the Corporation for National and Community Service for the Retired and Senior Volunteer Program in Health & Human Services (Commissioner Gómez)

Members of the Court heard from:

Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Bradley Hargis, Executive Director, Capital Area Private Defenders Service
(CAPDS)
Stacie Leiberman, Director, Forensic Project, CAPDS
Saran Crayton, Attorney VI, District Attorney's Office
Jessica Rio, County Executive, PBO

MOTION: Approve Items 13.a-b.
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

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)

RESULT: NO ACTION NECESSARY

Purchasing

15. Approve contract award for Permanent Water Quality Control Services, IFB No. 2108-009-RJ, an as needed contract, to the sole bidder, ADK Environmental, Inc. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

16. Approve and ratify orders exempting the purchase of traffic management from Cordillia Investments LLC, from the competitive procurement process and ratification of purchase orders, in the amount of \$35,800.00, in response to COVID drive-thru mass vaccination events, as authorized by Commissioners Court on May 11, 2021, pursuant to County Purchasing Act § 262.024(A)(2). (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

17. Approve contract award for Fire Alarm Inspection, Monitoring, Maintenance, and Repair, IFB No. 2110-005-SK, for estimated requirements, to the low bidder, Firetron, Inc. (Facilities Management Department, Transportation & Natural Resource Department, Sheriff's Office and Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

18. Approve contract award for the Rental of Portable Changeable Message Signs, IFB No. 2108-005-MH, for estimated requirements, to the sole bidder, Herc Rentals Inc. (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

19. Approve contract award for Traffic Management Services, IFB No. B2108-019-JR, for estimated requirements, to the low bidder, Luna Services dba 360 Parking. (Emergency Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Approve Exemption and Award of Contract No. 4400005929 with Texas Closed Captioning, LLC, as needed basis, for closed captioning services from the competitive procurement process, pursuant to the County Purchasing Act § 262.024(a)(1). (Health & Human Services) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve contract award for Asphaltic Road Materials, IFB No. 2110-002-WL, for estimated requirements, to the low bidder, Texas Materials Group. (Transportation & Natural Resources) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

22. Consider and take appropriate action on:

- A. Routine Personnel Actions
(Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

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

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action on pathologist salaries in the Medical Examiner's Office. (Commissioners Travillion & Gómez)

RESULT: NO ACTION NECESSARY

25. Consider and take appropriate action on Emergency Services' request to make five positions non-exempt on the COVID Vaccination Team. (This item may be taken into Executive Session under consultation with attorney and personnel exceptions). (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

Transportation & Natural Resources

26. Consider and take appropriate action on design options for the 2017 bond Critical Safety Project, Pedernales Canyon Trail Drainage Improvement. (Commissioner Howard)

Members of the Court heard from:

Morgan Cotten, Director, Public Works, Transportation and Natural Resources (TNR)
Troy Wenzel, Fire Chief, Pedernales Fire Department
Karen Huber, Former Travis County Commissioner
Melissa Page, Travis County Resident
Robin Bagley, Travis County Resident
Ann-Marie Sheely, Division Director, Travis County Attorney's Office
Cynthia McDonald, County Executive, TNR

MOTION: Advise staff to move forward with a plan to add warning signals and devices and no longer pursue the bridge-culvert project.
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

27. Consider and take appropriate action on the following subdivision construction agreements with KB Home Lone Star, Inc. for Presidential Meadows Sections 17 & 18 subdivisions, in Precinct One.
- A. Subdivison Construction Agreement-Presidential Meadows Section 17
- B. Subdivison Construction Agreement-Presidential Meadows Section 18 (Commissioner Travillion)

RESULT: ADDED TO CONSENT

28. Consider and take appropriate action on a cash security agreement with Prairie Summit Partners, LLC for a construction fiscal surety posting for boundary street improvements associated with Meadow Lane RV Park, a site project in Precinct Two. (Commissioner Shea)

Items 28 and 29 are associated with one another and were called for concurrent discussion.

Members of the Court heard from:

Anna Bowlin, Division Director, Development Services and Long-Range Planning, TNR
Spencer Filmore, Owner, The Boston Group LLC
Cara Crugnale, Travis County resident
Rita Wishnefsky-Scharf, Travis County resident
Dean Jacob Kim, Travis County resident
Carmen Kim, Travis County resident
Mae Crugnale, Travis County resident
Gina Smart, Travis County resident
Sadie Smart, Travis County resident

MOTION: Approve Item 28 and in Item 29 approve the exemption from platting on the conditions that;

1. Primary access be on Summit Drive and gated emergency only access be on Meadow Lane
2. That the applicant execute and record an acceptable restrictive covenant.

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

29. Consider and take appropriate action regarding an exemption from platting requirements for the Meadow Lane RV Park in Precinct Two. (Commissioner Shea)

Items 28 and 29 are associated with one another and were called for concurrent discussion. Please refer to Item 28 for a summary of the action taken by the Court.

30. Consider and take appropriate action regarding a request to authorize the filing of an instrument for the partial vacation of Commanders Point in Precinct Three. (Commissioner Howard)

MOTION: Approve Item 30.

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

31. Consider and take appropriate action to authorize the filing of an instrument to vacate a public utility easement located along the common lot line of Lots 2 and 3, Hidden Hills 1, Resubdivision of Portions of Tracts 7, 18, & 21 of the Lakehurst Subdivision, a subdivision in Precinct Three. (Commissioner Howard)

MOTION: Vacate the public utility easement as requested.

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

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

- A. Plat for recording: Provence Phase 1, Section 4B Final Plat (Long Form Plat - 69 total lots - Lavonde Drive – No City ETJ) in Precinct Three
- B. Subdivision construction agreement with Masonwood HP, Ltd.
(Commissioner Howard)

RESULT: ADDED TO CONSENT

33. Consider and take appropriate action regarding a request to authorize the filing of an instrument for the partial vacation of Ralph White Addition in Precinct Three.
(Commissioner Howard)

MOTION: Approve this partial subdivision vacation.

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

34. Consider and take appropriate action on the submission of comments to the Public Utility Commission of Texas Project No. 52373 - Review of Wholesale Electric Market Design in connection with electric grid failure during Winter Storm Uri. (Commissioner Shea)

Members of the Court heard from:

Jon White, Director, Natural Resources and Environmental Quality Division,
TNR

Jennifer Hopgood, Assistant County Attorney

MOTION: Approve Item 34.
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

Clerk's Note: The Court discussed the letter being reviewed by the County Attorney's Office and brought back for final approval on December 7, 2021.

Other

35. Consider and take appropriate action on interlocal agreement with Del Valle Independent School District (DVISD) regarding truancy services and programs. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

36. Consider and take action to authorize the Travis County Tax Assessor-Collector to lease additional Registration and Title System (RTS) workstations from the Texas Department of Motor Vehicles (TxDMV) for Centex Auto Title, a full-service deputy of the Travis County Tax Assessor-Collector. (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

37. 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

- 38. Receive legal briefing and take appropriate action regarding property leased from Travis County located at 2501 South Congress Ave., Austin, Texas. ¹ & ² (Judge Brown)

Judge Brown announced that Item 38 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 Items

- A1. Consider and take appropriate action on the FY21 Equitable Sharing Agreement and Certification for federal forfeiture proceeds for the Constable 1, Constable 2, Constable 3, Constable 4 and Constable 5 offices. (Judge Brown)

RESULT: ADDED TO CONSENT

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge