



Minutes for the Travis County Commissioners Court December 6, 2022 Voting Session

Minutes Prepared by the Travis County Clerk
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Call to Order

Meeting called to order on December 6, 2022, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Rebecca Guerrero 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

Public Communication

Clerk's Note: There were no speakers for Public Communication.

County Announcements

Clerk's Note: There were no County Announcements.

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 Work Session of November 10, the Voting Session of November 15 and 29, and the Special Voting Session of November 18, 2022. (Judge Brown)

MOTION: Approve Items C1-C4.
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

Second Consent Motion

MOTION: Approve Items 6, 8.a-b, 10, 11, 13.a, 17, 18.a-b, 19, 20, 21, 22.a-b, 23, 24, 25, 29, 30, 31, 32, 34.a-b, 35, 36.a-b, and 38.
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

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to abandon Watercliffe Drive and a portion of Ilean Pearson Road to convert public streets to private streets in Precinct Three. (Commissioner Howard)

MOTION: Open 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

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

2. Receive comments regarding a resolution of no objection for Crystal Bend Apartments to be located at 2313 and 2404 Crystal Bend Dr, Pflugerville, Texas 78660. (Commissioner Shea)

MOTION: Open the Public Hearing.
RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion
SECONDER: County Judge Andy Brown
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)

MOTION: Close the Public Hearing.
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

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 and other health crises, including but not limited to:
 - A. Vaccine distribution, operations, and associated agreements

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services
Hector Nieto, Public Information Officer, Public Information Office (PIO)
Pilar Sanchez, County Executive, HHS

RESULT: DISCUSSED

- B. Periodic update from the Austin/Travis County Public Health Authority
- C. Other necessary measures and actions, including any legal actions, steps, orders, policies, or communications related to COVID-19 and other health crises, and measures necessary to protect public health and safety of employees and residents

(Judge Brown)

RESULT: NO ACTION NECESSARY

5. Receive a briefing on winter weather preparedness activities from the Office of Emergency Management and others. (Commissioners Shea & Howard)

Members of the Court heard from:

Chuck Brotherton, County Executive, Emergency Services
Eric Carter, Emergency Management Coordinator, Emergency Services
Eric Stockton, Chief Deputy, Technology and Operations
Cynthia McDonald, County Executive, TNR
Hector Nieto, Public Information Officer, PIO
William Poole, Major, Travis County Sheriff's Office (TCSO)
Robert Abbott, Chief, Emergency Services District #6 (ESD#6)
Paul Hopingardner, Executive Director, Technology and Operations

RESULT: DISCUSSED

6. Consider and take appropriate action to approve the purchase of breakfast and beverage service for a joint Travis County-City of Austin Winter Weather Response Table-top Exercise to be held at the Austin Convention Center on December 14, 2022. (Judge Brown)

RESULT: ADDED TO CONSENT

Health & Human Services

7. Consider and take appropriate action on a resolution of no objection for Crystal Bend Apartments to be located at 2313 and 2404 Crystal Bend Dr, Pflugerville, Texas 78660. (Commissioner Shea)

Members of the Court heard from:

Jeremy Hill, Project Manager, Amtex Development
Darin Hansen, Vice President, Amtex Development
Julie Joe, Assistant County Attorney

Clerk's Note: Item 7 was tabled until December 13, 2022.

8. Consider and take appropriate action on a request to approve the Environmental Exemptions for the following Program Year 2022 Community Development Block Grant projects/activities with funding provided by HUD:
 - A. PY22 Administration & Planning
 - B. PY22 Home Rehabilitation Program
(Judge Brown & Commissioner Shea)

RESULT: ADDED TO CONSENT

9. Provide monthly updates to the Commissioner's Court on the directives included in the Declaration of a Public Health Crisis & Overdose Prevention Measures. (Judge Brown & Commissioner Gómez)

Members of the Court heard from:

Laura Peveto, Director, Office of Children Services, HHS
Cate Graziani, Co-Executive Director, Texas Harm Reduction Alliance (THRA)
Hector Nieto, Public Information Officer, PIO
Courtney Bissonnet Lucas, Senior Planner, HHS
Chivaz Watson, Executive Director, Working Group 512

RESULT: DISCUSSED

Justice Planning

10. Consider and take appropriate action on the acceptance of a donation of \$10,000.00 from the Greater Austin Crime Commission to the Travis County Sheriff's Office for the purchase of a Police Service Dog (PSD). (Judge Brown)

RESULT: ADDED TO CONSENT

11. 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. (Judge Brown)

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:

Travis Gatlin, Budget Director, Planning and Budget Office (PBO)

MOTION: Approve Item 12.

RESULT: **Passed (3-0)**

MOVER: Commissioner Precinct 4 Margaret Gómez

SECONDER: Commissioner Precinct 1 Jeffrey Travillion

AYES: Andy Brown, Jeffrey Travillion, Margaret Gómez

ABSENT: Brigid Shea, Ann Howard

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

A. Annual application to the Texas Department of Transportation to continue the Underage Drinking Prevention Program in the County Attorney's Office (Commissioner Gómez)

RESULT: ADDED TO CONSENT

14. Receive Update and Take Appropriate Action on Travis County's Local Fiscal Recovery Fund Allocations and Expenditures including but not limited to:

A. Summary of current expenditures within Travis County's Direct and Joint Response (Track 3) allocation

B. Recommendations from the FY 2023 Preliminary Budget to use the Direct and Joint Response (Track 3) allocation for applicable County projects to best respond to the continuing impacts of COVID-19

C. Summary of existing Local Fiscal Recovery Fund allocations

D. Distribute Local Fiscal Recovery Fund Allocation Form to Commissioners Court members and discuss proposed timeline for Commissioners Court member feedback (Commissioner Gómez)

RESULT: POSTPONED

15. Receive a briefing on the survey comment responses from the 2022 Travis County Community Survey to assist with decision-making and policy formation for a variety of County efforts, including but not limited to economic development, strategic planning, and programs funded by ARPA's Local Fiscal Recovery Funds. (Commissioners Shea & Gómez)

RESULT: POSTPONED

16. Consider and take appropriate action on comments received regarding proposed revisions to Travis County Code Chapter 481, the County's public improvement district policy. (Commissioner Gómez)

Members of the Court heard from:

Christy Moffett, Director, Economic Development & Strategic Investments,
PBO

Steven Metcalfe, Partner, Metcalfe Wolff Stuart & Williams LLP

RESULT: DISCUSSED

Purchasing

17. Declare paint totes as surplus and authorize sale via competitive sealed bid, pursuant to Texas Local Government Code § 263.152(a)(1). (Commissioner Travillion)

RESULT: ADDED TO CONSENT

18. Consider and take appropriate action to:
- A. Approve the Memorandum of Understanding between Travis County and Colton Yarborough regarding the transfer of TCSO Canine Apex to its Handler
 - B. Authorize Purchasing Agent to remove assets from inventory pursuant to Texas Local Government Code § 614.217 (Commissioner Travillion)

RESULT: ADDED TO CONSENT

19. Approve exemption and award of Contract No. 4400006723 with Austin/Travis County Reentry Roundtable, in the amount of \$35,000.00, pursuant to Texas Local Government Code § 262 et seq. (Justice Planning) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

20. Approve contract award for Pest Control Services, IFB 2209-001-TM, an estimated requirements contract, to the lowest bidder, A Tex Pest Management. (Transportation & Natural Resources) (Facilities Management) (Juvenile Probation) (Travis County Sheriff's Office) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

21. Approve order exempting contracts for FY 2023 purchases of food items for the Travis County Correctional Complex and Gardner Betts from the competitive procurement process pursuant to County Purchasing Act § 262.024 (a)(8), and to follow the process set forth in Texas Local Government Code § 262.024(d) and the Purchasing Procedures for the award of contracts for food purchases, and authorize Purchasing Agent to issue purchase orders. (Travis County Sheriff's Office) (Juvenile Probation) (Commissioner Travillion)

RESULT: ADDED TO CONSENT

Technology & Operations

22. Consider and take appropriate action on the following Personnel Amendments:
- A. Routine Personnel Actions

- B. Non-Routine Personnel Actions
(Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

23. Receive an update on Travis County Employee Health Care Fund for the period October 1, 2022 to October 31, 2022. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action regarding amendment number nine to the lease agreement between Travis County and Murphy's Deli Franchising, Inc. to operate the deli located at 700 Lavaca Street, Suite 110, Austin, Texas 78701. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

25. Consider and take appropriate action to fill two vacancies on the Travis County Deferred Compensation Oversight Committee with Dondraius Mayhew, District Attorney's Office and Ayda Heredia, Juvenile Probation Department. (Commissioners Travillion & Gómez)

RESULT: ADDED TO CONSENT

26. Receive a briefing and take appropriate action regarding the appointment, employment, evaluation, reassignment, duties, and other personnel matters of a public officer or employee, including salaries for the positions listed below.
(This item may be taken to Executive Session pursuant to Texas Government Code § 551.074, Personnel Matters and Texas Government Code § 551.071, Consultation with Attorney)

- A. County Executive – Emergency Services
- B. County Executive – Technology and Operations
- C. County Executive – Transportation and Natural Resources
- D. County Executive – Planning and Budget Office
- E. County Executive – Health and Human Services
(Judge Brown & Commissioner Travillion)

Judge Brown announced that Items 26.a-e would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann. 551.074, Personnel Matters.

MOTION: Direct HRMD to prepare personnel action forms as discussed in Executive Session and return to court on December 13, 2022, with the salaries to be retroactive to October 1, 2022.

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

Transportation & Natural Resources

27. Consider and take appropriate action regarding a request to authorize the filing of an instrument to abandon Watercliffe Drive and a portion of Ilean Pearson Road to convert public streets to private streets in Precinct Three. (Commissioner Howard)

MOTION: Approve Item 27 and make the roads private.
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

28. Consider and take appropriate action regarding the following requests for The Southwestern Travis County Groundwater Conservation District:

- A. Receive an update from the Southwestern Travis County Groundwater Conservation District
- B. Approval of an Interlocal Agreement between Travis County and the Southwestern Travis County Groundwater Conservation District (District) for funding for operational expenses of the District for fiscal year 2023 (Commissioner Howard)

RESULT: NO ACTION NECESSARY

29. Consider and take appropriate action on the acceptance of the dedication of the public street and drainage facilities within Bella Fortuna Phase 1 - a subdivision in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

30. Consider and take appropriate action on a request to use a Cash Security Agreement for environmental fiscal security for the Lonestar Electric Supply project in Precinct One. (Commissioner Travillion)

RESULT: ADDED TO CONSENT

31. Consider and take appropriate action on Travis County's representatives to the Technical Advisory Committee (TAC) of the Capital Area Metropolitan Planning Organization's (CAMPO). (Commissioner Travillion)

RESULT: ADDED TO CONSENT

32. Consider and take appropriate action regarding a Subdivision Construction Agreement between Travis County and WLH Communities – Texas LLC, in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

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

- A. Plat for recording: Provence Phase 1, Section 8 Final Plat (Long Form Plat - 64 total lots - Lavonde Drive – No City ETJ) in Precinct Three
- B. Subdivision Construction Agreement between Travis County and Masonwood HP, Ltd
(Commissioner Howard)

MOTION: Approve Item 33.

RESULT: **APPROVED - UNANIMOUS**

MOVER: Commissioner Precinct 1 Jeffrey Travillion

SECONDER: Commissioner Precinct 3 Ann Howard

AYES: Jeffrey Travillion, Ann Howard, Margaret Gómez

ABSTAIN: Andy Brown, Brigid Shea

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

- A. Plat for recording: Quad Park 3B-3a Final Plat (Long Form Final Plat – 63 total lots – 26.52 acres – Apogee and Skytex - City of Austin's Limited Purpose) in Precinct Four
- B. Subdivision Construction Agreement between Travis County and Carma Easton, LLC
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

35. Consider and take appropriate action regarding Easton Park Section 5A Preliminary Plan – (Preliminary Plan – nine total lots on 58.63 acres) – located in the City of Austin's Limited Purpose in Precinct Four. (Commissioner Gómez)

RESULT: ADDED TO CONSENT

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

- A. Plat for recording: Slaughter Lane 90-Acre Tract, Phase One Small Lot Final Plat (Long Form Final Plat – 123 single-family lots and four open space/water quality/PUE/drainage/landscape/park easement lots – 64.8855 acres – Slaughter Lane - City of Austin's two-mile ETJ) in Precinct Four

- B. Subdivision Construction Agreement between Travis County and M/I Homes of Austin, LLC
(Commissioner Gómez)

RESULT: ADDED TO CONSENT

- 37. Set a public hearing on January 3, 2023, to receive comments regarding the following drainage easement vacation requests associated with Longview Phase 2 subdivision in Precinct Four:
 - A. Authorize the filing of an instrument to vacate a Drainage Easement in Extraterritorial Jurisdiction with Required Maintenance, dedicated per document #2021153076 of the Official Public Records of Travis County
 - B. Authorize the filing of an instrument to vacate a Drainage Easement in Extraterritorial Jurisdiction with Required Maintenance, dedicated per document #2021153086 of the Official Public Records of Travis County
(Commissioner Gómez)

RESULT: NO ACTION NECESSARY

Other

- 38. Consider and take appropriate action to authorize the Travis County Tax Assessor-Collector (TAC) to sign an Interlocal Cooperation Contract with The University of Texas at Austin to allow UT to provide training classes to TAC employees that will increase their efficiency and effectiveness. (Judge Brown)

RESULT: ADDED TO CONSENT

- 39. Consider and take appropriate action on an appointment to the Capital Area Council of Governments (CAPCOG) General Assembly. (Judge Brown)

Judge Brown announced that Item 39 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

RESULT: DISCUSSED

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

Note 7: Gov't Code Ann 551.0745, Deliberation by Commissioners Court about County Advisory Body

40. Receive briefing and take appropriate action regarding Travis County information security issues. ¹ & ⁶ (Commissioner Travillion & Howard)

RESULT: NO ACTION NECESSARY

41. Consider and take appropriate action on an offer received by Travis County for the County's purchase of Parcel #1, required for planned infrastructure improvements as part of the County Line Road @ Elm Creek 2018 CO Project in Precinct Four. ¹ & ² (Commissioner Gómez)

Judge Brown announced that Item 41 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: Accept the offer as recommended by Transportation Natural Resources (TNR) in Executive Session.

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

42. Consider and take appropriate action on an offer received by Travis County for the County's purchase of any and all ownership interests in Parcel #3, required for planned infrastructure improvements as part of the County Line Road @ Elm Creek 2018 CO Project in Precinct Four. ¹ & ² (Commissioner Gómez)

Judge Brown announced that Item 42 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: Accept the offer as recommended by TNR in Executive Session.

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

43. Consider and take appropriate action to add one acre of land to an existing conservation easement within the Balcones Canyonlands Preserve in Precinct Three. ¹ & ² (Commissioner Howard)

Judge Brown announced that Item 42 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 the second amendment to the Concordia Conservation Easement.
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

44. Receive legal briefing regarding insurance claims for damage sustained during Winter Storm Uri and take appropriate action to authorize providing notice of claims to FM Global. ¹ (Judge Brown)

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

MOTION: Authorize the County Attorney's Office to provide pre-suit notice of claims to FM Global.
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

45. Consider and take appropriate action on the possible disposition of a Travis County building in North Central Austin. ² (Commissioner Gómez)

Judge Brown announced that Item 45 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.072, Real Property.

MOTION: Direct Facilities Management to proceed as discussed in Executive Session.
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

46. Receive a briefing and take appropriate action on a request from Public Rights Project that Travis County join as a signatory to a proposed joint amicus brief to be filed in No. 21-1449, *Glacier Northwest v. Int'l B'hood of Teamsters, Local 174*, pending before the U.S. Supreme Court. 1 (Judge Brown)

Judge Brown announced that Item 46 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation.

MOTION: Approve Travis County joining as a signatory to a proposed amicus brief in Docket No. 21-1449, *Glacier Northwest v. Int'l B'hood of Teamsters, Local 174*, pending before the U.S. Supreme Court, and delegate signature authority to Travis County Attorney Delia Garza.

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

Adjourn

Minutes Approved by the Commissioners Court

Date of Approval

Andy Brown, County Judge