



Executive Committee | Summary Minutes

10 a.m., Wednesday, Sept. 14, 2022

Hilton Austin Airport

9515 Hotel Drive

Austin, Texas 78719

Present (23)

Mayor Brandt Rydell, City of Taylor, **Chair**
Judge James Oakley, Burnet County, **1st Vice Chair**
Mayor Lew White, City of Lockhart, **2nd Vice Chair**
Commissioner Debbie Ingalsbe, Hays County, **Secretary**
Mayor Jane Hughson, City of San Marcos,
Parliamentarian
Judge Paul Pape, Bastrop County, **Immediate Past Chair**
Council Member Mackenzie Kelly, City of Austin
Mayor Connie Schroeder, City of Bastrop
Council Member Kevin Hight, City of Bee Cave
Judge Brett Bray, Blanco County
Commissioner Joe Don Dockery, Burnet County

Judge Hoppy Haden, Caldwell County
Judge Joe Weber, Fayette County
Council Member Ron Garland, City of Georgetown
Council Member Esme Mattke Longoria, City of Leander
Commissioner Steven Knobloch, Lee County
Judge Ron Cunningham, Llano County
Mayor Pro Tem Doug Weiss, City of Pflugerville
Council Member Matthew Baker, City of Round Rock
Council Member Janice Bruno, City of Smithville
Commissioner Ann Howard, Travis County
Commissioner Brigid Shea, Travis County
Commissioner Cynthia Long, Williamson County

Absent (5)

Commissioner Russ Boles, Williamson County
Representative John Cyrier
Representative Celia Israel

Representative Terry Wilson
Representative Erin Zwiener

1. **Call to Order and opening remarks by the Chair**

Mayor Rydell called the meeting to order at 10:06 a.m. and led the pledges to national and state flags.

2. **Consider Approving Minutes for the August 10, 2022 Meeting**

Mayor Rydell asked the board to consider the minutes. A motion was made by Mayor Hughson to approve the August 10, 2022, meeting minutes. Commissioner Ingalsbe seconded the motion. The motion passed unanimously with Mayor Rydell and Mayor White abstaining because they weren't present in August.

3. **Consider Approving a Resolution for TxDOT Contract for FY 2023-2024**

Andrew Hoekzema, Director of Regional Planning and Services

Mr. Hoekzema explained CAPCOG has received various funding amounts from the Texas Department of Transportation (TxDOT) to work on projects with rural counties since about 2013. He said most recently CAPCOG has received \$45,000 per year of the biennium for such projects; however, TxDOT wants to increase the funding to \$300,000 for the next two-year cycle, about \$150,000 per year.

Mr. Hoekzema said the goal of the proposed TxDOT contract during the biennium would be for CAPCOG to help local jurisdictions get projects closer to a shovel-ready designation as well as to do GIS work that benefits the counties and TxDOT.

A motion was made by Judge Cunningham to approve the TxDOT Contract for FY 2023-24. Mayor White seconded the motion.

Council Member Bruno asked if CAPCOG would be able to supply an engineer to complete project plans. Mr. Hoekzema said CAPCOG wouldn't provide engineering services but would assist with other planning measures to get projects ready for funding. Ms. Voights said CAPCOG can help find funding sources, develop site options, and do other task related preparing projects.

Mayor Rydell called for a vote on the resolution. The motion passed unanimously.

4. Consider Approving Contract with Texas Transportation Institute (TTI) for On-Road Emissions Inventory Development and Assistance

Andrew Hoekzema, Director of Regional Planning and Services

Mr. Hoekzema said CAPCOG receives Rider 7 funding to complete air quality projects that are technical in nature. He said they are using a portion of the funds to install two new monitors, and another portion will be used to develop emissions inventories. He noted, CAPCOG and TTI have developed a scope of work for a 2020-2030, on-road emissions inventory. He mentioned additional funds from Rider 7 will be used to purchase equipment and analyze a fleet monitoring program with participating jurisdictions. The latter program is anticipated to be brought to the board in November.

A motion was made by Judge Cunningham to approve the contract with TTI for an on-road emissions inventory development and assistance. Mayor Hughson seconded the motion. The motion passed unanimously.

5. Consider Approving Conformance Review Finding for 130 Environmental Park's Application to Expand Hours to 24/7

Andrew Hoekzema, Director of Regional Planning and Services

Mr. Hoekzema reminded the board that while CAPCOG has submitted a new Regional Solid Waste Plan to the Texas Commission on Environmental Quality (TCEQ), it is to operate under its old plan until the new plan is accepted by the TCEQ. Guided by the old plan, the Solid Waste Advisory Committee (SWAC) recommended that an initial application to expand the hours of the 130 Environmental Park didn't conform to the regional solid waste plan. Mr. Hoekzema said, however, the applicant amended their application prior to the Executive Committee meeting with proposed new hours of 5 a.m. to 7 p.m. Monday through Friday and 6 a.m. to 7 p.m. Saturday.

A motion was made by Judge Haden to postpone the item until the application's amendments could be re-evaluated by the SWAC. Commissioner Shea seconded the motion. Council Member Baker asked about the application's timeline and comment period. Mr. Ken May, CAPCOG regional programs coordinator, said comments will likely be closed before the board can make a new recommendation. Mayor Pro Tem Weiss asked if it would harm the amended application if CAPCOG approved a nonconformance finding of the original application and note it was evaluating the amendment. Council Member Baker said such action could provide protection from the application being re-amended to the original hours. The board discussed how to make a motion that would allow them to provide comment on the facilities applications before it closed.

Judge Haden amended his motion to proceed with the finding of nonconformance based the unamended application that expanded operating hours to 24 hours a day, seven days a week; however, requested that the SWAC deliberate the amended application with the reduced operating hours and bring their conformance determination back to the board at a subsequent meeting which could take place before the next scheduled Executive Committee meeting. Commissioner Long seconded the motion amendment. The motion passed unanimously.

6. Consider Conformance Review Recommendation to TCEQ on Zigco Liquid Waste/Compost Facility Application in Williamson County

Andrew Hoekzema, Director of Regional Planning and Services

Mr. Hoekzema said the SWAC lacked enough information to decide whether the grease trap waste processing facility conformed with the region's solid waste management plan. He said the application lacked items such as references to odor, a drainage facility on the property, a flood plain on the property, soil conditions, and if it is permissible under Williamson County's siting ordinance.

Commissioner Long said Williamson County believes the facility would violate its solid waste siting ordinance and noted that a lack of information should mean a determination of nonconformance. Council Member Baker also said his experience at the TCEQ taught him to be wary of entities promising new

technology to solve waste issues.

A motion was made by Commissioner Long to recommend nonconformance the Zigco Liquid Waste/Compost Facility. Commissioner Shea seconded the motion. The motion passed unanimously.

7. Consider Approving Revisions to CAPCOG 2022-2042 Regional Solid Waste Management Plan

Andrew Hoekzema, Director of Regional Planning and Services

Mr. Hoekzema said CAPCOG had submitted its 2022-42 Regional Solid Waste Management Plan and made several edits requested by the TCEQ staff. The state agency's latest request was to remove the land-use compatibility requirement from the plan's conformance review process. Mr. Hoekzema stated according to the state agency, the conformance review process is not the appropriate tool to determine land-use compatibility and it belongs at the local level.

Ms. Voights noted that the land-use compatibility could be addressed in a city or county's siting ordinance and encouraged all entities to work with CAPCOG to develop one if they didn't have one. Commissioner Long mentioned she was unsure if a siting ordinance has any teeth as the TCEQ seemingly ignores Williamson County's while processing solid waste facilities' state applications. Judge Pape questioned if the request was coming from state agency's staff or if it was the direction of the TCEQ's Commissioners. He raised concerns about losing more local control over what type of facilities are being located in a county. Mr. Hoekzema said he didn't know if the direction was being provided by the commissioners and said it not CAPCOG's place to question the state's staff. Several board members recommended the board make its voice heard on the topic as well as individual jurisdictions providing comments during TCEQ's Sunset review. Mr. May explained that CAPCOG needed an approved plan to continue to receive solid waste funding. The board discussed how to address their concerns without threatening funding to the solid waste grant program.

A motion was made by Mayor Hughson to approve the revisions to the CAPCOG 2022-42 Regional Solid Waste Management Plan, but also for staff to draft a separate resolution stating local control for evaluating land-use compatibility is important for determining the location of solid waste facilities. Commissioner Shea seconded the motion. The motion passed unanimously.

8. Consider Adopting a Resolution Declaring October as CAPCOG Cybersecurity Awareness Month

Martin Ritchey, Director of Homeland Security

Mr. Ritchey said CAPCOG is working on a whole community approach to increasing cybersecurity across the 10-county region and will be putting together a social media campaign that includes the national Shields Up campaign for promoting cybersecurity awareness.

A motion was made by Commissioner Dockery to declare October as Cybersecurity Awareness Month. Commissioner Ingalsbe seconded the motion. The motion passed unanimously.

9. Consider Approving Title III – Nutrition Program FY2023 Older Americans Act Services Rates

Patty Bordie, Director of Director of Aging Services

Ms. Bordie said approving Title III rates is an annual process and that proposed increase in rates are due to increased food cost. She noted that providers will continue to see an increase in the number of people served as many vendors started to serve more people throughout the COVID-19 pandemic. Ms. Bordie also noted that final funding awards to the nutrition providers will be dependent upon notice of award allocations from the Texas Health and Human Services Commission anticipated in December 2022.

A motion was made by Judge Pape to approve the Title III – Nutrition Program FY 2023 Older Americans Act Service Rates. Judge Cunningham seconded the motion. The motion passed unanimously.

10. Consider Approving Appointments to Advisory Committees

Deborah Brea, Executive Assistant

Ms. Brea said that Commissioners Shea and Howard requested to replace Laura Slocum with Jillian Guirguis on the Criminal Justice Advisory Committee, and that Judge Haden requested to replace Commissioner Roland with himself on the Solid Waste Advisory Committee.

A motion was made by Commissioner Long to approve the appointments. Commissioner Ingalsbe seconded the motion. The motion passed unanimously.

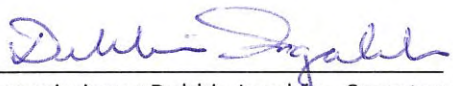
11. Staff Reports

Betty Voights, Executive Director

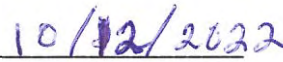
Ms. Voights said she didn't have any staff reports.

12. Adjourn

Mayor Rydell adjourned the meeting at 11:05 a.m.



Commissioner Debbie Ingalsbe, Secretary
Executive Committee
Capital Area Council of Governments



Date