



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Yolanda Reyes, (512)854-9106

Elected/Appointed Official/Dept. Head: Leslie Browder, County Executive, Planning and Budget

Commissioners Court Sponsor: Judge Samuel T. Biscoe

AGENDA LANGUAGE: Consider and take appropriate action on budget amendments, transfers and discussion items.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:
Please see attached documentation.

STAFF RECOMMENDATIONS: Please see attached documentation.

ISSUES AND OPPORTUNITIES: Please see attached documentation

FISCAL IMPACT AND SOURCE OF FUNDING: Please see attached documentation.

REQUIRED AUTHORIZATIONS:

Leslie Browder – Planning and Budget Office, (512)854-9106

Leroy Nellis – Planning and Budget Office, (512)854-9106

Jessica Rio – Planning and Budget Office, (512)854-9106

County Judge's Office, (512)854-9555

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials should be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

BUDGET AMENDMENTS AND TRANSFERS12/28/2012**FY 2013****NEW BUDGET**

BA#	INTERNAL ORDER/WBS FUND	COST CENTER	COMMITMENT	Dept.	Line Item	Increase	Decrease	Pg #
N1	0001	123001	481040	Dist. Atty	Donation		\$10,000.00	1
	0001	123001	500070	Dist. Atty	Salary-Temp. Empl	\$10,000.00		
N2	4050	149029	422390	FMD	Rd.Work Serv Revenue		\$481,513.53	4
	4050	149029	511930	FMD	Reimbursable Construc.Serv	\$481,513.53		
N3	4050	149029	422390	FMD	Rd.Work Serv Revenue		\$394,245.00	4
	4050	149029	511930	FMD	Reimbursable Construc.Serv	\$394,245.00		

AMENDMENTS

BA#	INTERNAL ORDER/WBS FUND	COST CENTER	COMMITMENT	Dept.	Line Item	Increase	Decrease	Pg #
A1	0001	198000	580010	Reserves	Allocated Reserves		\$7,067.00	9
	0001	130001	500080	JP Pct. 5	Visiting Judges	\$7,067.00		

OTHER

O1	Approve cell phone allowance for Slot 18 in Emergency Services							12
O2	Internal funding of Slot 3 in the County Judge's Office; FY 14 Target increase for ongoing funding							14




PLANNING AND BUDGET OFFICE

TRAVIS COUNTY, TEXAS

314 W. 11th Street
P.O. Box 1748
Austin, Texas 78767

MEMORANDUM

TO: Commissioners Court

FROM: Katie Petersen Gipson, Planning and Budget Analyst, Sr. 

DATE: December 18, 2012

RE: Budget donated funds received in Commissioners Court through agenda item 9 on the Commissioners Court Agenda from December 21, 2012.

On December 21, 2012, the Commissioners Court approved through item 9 the receipt of a donation from the Downtown Austin Alliance to assist the District Attorney's Office to continue an assistant District Attorney to work on downtown crime issues. The County Auditor's Office has certified the donation as \$10,000 of additional revenue and the department has submitted a budget adjustment to budget the donated funds. Pursuant to the FY 2013 Budget rules, PBO is submitting this new revenue budget adjustment for Commissioners Court approval.

PBO has reviewed this budget adjustment and believes it is consistent with the intent by which the donation was accepted by the County and recommends approval of the transfer.

cc: Jessica Rio, Budget Director
Leslie Browder, County Executive, PBO
Vicki Skinner, District Attorney's Office
Beverly Evans, District Attorney's Office



Rosemary Lehmborg ★ Travis County District Attorney

P.O. Box 1748 Austin, Texas 78767 • Telephone: 512-854-9400 • Fax: 512-854-9695

MEMORANDUM

TO: Travis County Judge and Commissioners
FROM: Vicki Skinner, District Attorney's Office
DATE: December 10, 2012
SUBJECT: Donation from Downtown Austin Alliance

The District Attorney's Office requests approval to accept a \$10,000 donation from the Downtown Austin Alliance (DAA). The DAA is presenting this donation to assist the District Attorney's Office in continuing the assignment of a full-time Assistant District Attorney position to the downtown area.

Since January, 2002 an Assistant District Attorney has been dedicated to working on cases relating to violent crime, career criminals, narcotics and nuisance abatement matters in Austin's Downtown Business District. This Attorney works closely with the Austin Police Department Downtown Area Command, the Downtown Crime Advisory Board and the downtown community to eliminate the illegal activity of known criminals, activities associated with the sale and distribution of narcotics, firearm violations, nuisance activities from downtown properties and other serious criminal offenses that endanger citizens and harm the quality of life downtown.

The donations from the Downtown Austin Alliance, as well as the funding provided through an interlocal agreement with the City of Austin, have allowed the District Attorney's Office to continue dedicating an Assistant District Attorney to this cooperative program. The donations and interlocal funds are used to hire temporary staff to assist in covering the permanent responsibilities of the position.

We appreciate this donation from the Downtown Austin Alliance and look forward to the ongoing success of this community-based, multi-organizational approach to eliminating crime in the Downtown Business District.

cc: David Jungerman, Auditor's Office
Katie Petersen, Planning and Budget Office
Jim Connolly, County Attorney's office

Header Information for Entry Doc Number 400001503

Doc. Number 400001503 Doc. Status Undone FM Area 1000
 Budget. Cate. Payment Doc. Year 2013 Doc. Date Dec 11, 2012
 Value Type Budget Version 0 Doc. Type TRAN
 Budget Type 6 Fiscal Year 2013 Year. Cash. Eff
 Process UI BALA Process BALS Original. Applic. BWB Doc. Family
 Creation Date Dec 18, 2012 Creation Time 08:33:35
 Creator EVANSB Year Cohort Public Law
 Resp. Person Legislation

Additional Data

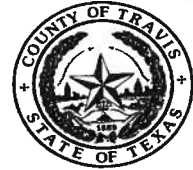
Header Text Donation from Downtown Alliance

TextName

Lines
 Total Document 0 USD

Line	Fund	Budget Period	Funds Center	Comm. Item	FuncArea Grant	Funded Program	Local Amount	Text Line
000001	0001		1230010001	481040	1210	NON-FUNDED-PROGRAM	10,000	Revenue - Donation from Downtown Alliance
000002	0001		1230010001	500070	1210	NON-FUNDED-PROGRAM	-10,000	Budget for temporary salaries

Agri December 21, 2012



PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

314 W. 11th Street
P.O. Box 1748
Austin, Texas 78767

MEMORANDUM

TO: Commissioners Court
FROM: Travis R. Gatlin, Assistant Budget Director
Travis R. Gatlin
DATE: December 21, 2012
SUBJECT: Approval of Special Budgets for Additional Certified Revenue Received for TNR Road Projects

The County Auditor's Office has certified additional revenue for approved road projects related Interlocal Agreements with the City of Austin and City of Lakeway. I have attached the revenue certification forms from the County Auditor's Office. Pursuant to the FY 2013 Budget Rules, PBO is requesting Commissioners Court approval of the new budgeted related to this revenue.

Please let me know if you have any questions.

cc: Leslie Browder, Jessica Rio, Diana Ramirez, PBO
Steven Manilla, Cynthia McDonald, Donna Williams-Jones, (TNR)

TRAVIS COUNTY
AUDITOR'S OFFICE

NICKI RILEY, CPA
COUNTY AUDITOR



TRAVIS COUNTY
ADMINISTRATION BUILDING
P.O. BOX 1748
AUSTIN, TX. 78767
(512) 854-9125
FAX: (512) 854-9164

872772

To: Leslie Browder
County Executive, Planning and Budget

From: *NR* Nicki Riley
County Auditor

Subject: Certification of Revenue – Travis County FY 2012 HMAc/Alternative Paving
Program – City of Lakeway

Date: December 19, 2012

I hereby certify \$394,245 as additional revenue to be used by the Transportation and Natural Resources Department for overlay of roads within the City of Lakeway. This figure represents the amount received from the City of Lakeway for improvements under the Travis County FY 2012 HMAc Overlay project.

The funds should be allocated as follows:

<u>Fund</u>	<u>Fund Center</u>	<u>Account</u>	<u>Account Description</u>	<u>Amount</u>
4050	1490294050	422390	Road Work Service Revenue	\$394,245.00

If you have any questions, please call.

NR/dw

cc: Paul S. Lyon, First Assistant County Auditor *PL*
Patti Smith, Chief Assistant County Auditor
Hannah York, Auditor Financial Analyst
Tracy LeBlanc, Financial Analyst – Revenues
Jessica Rio, Assistant Budget Director, PBO
Cynthia McDonald, Financial Manager, TNR
Donna Williams-Jones, Sr. Financial Analyst, TNR

TRAVIS COUNTY
AUDITOR'S OFFICE

NICKI RILEY, CPA
COUNTY AUDITOR



TRAVIS COUNTY
ADMINISTRATION BUILDING
P.O. BOX 1748
AUSTIN, TX. 78767
(512) 854-9125
FAX: (512) 854-9164

872773

To: Leslie Browder
County Executive, Planning and Budget

From: *NR* Nicki Riley
County Auditor

Subject: Certification of Revenue – Decker Lake Road Improvements

Date: December 19, 2012

I hereby certify \$481,513.53 as additional revenue to be used by the Transportation and Natural Resources Department for road improvements to Decker Lake Road. This amount represents the City of Austin's financial contribution to accommodate the City's request for thicker pavement.

The funds should be allocated as follows:

<u>Fund</u>	<u>Fund Center</u>	<u>Account</u>	<u>Account Description</u>	<u>Amount</u>
4050	1490294050	422390	Road Work Service Revenue	\$481,513.53

If you have any questions, please call.

NR/dw

cc: Paul S. Lyon, First Assistant County Auditor *PL*
Patti Smith, Chief Assistant County Auditor
Hannah York, Auditor Financial Analyst
Tracy LeBlanc, Financial Analyst – Revenues
Jessica Rio, Assistant Budget Director, PBO
Cynthia McDonald, Financial Manager, TNR
Donna Williams-Jones, Sr. Financial Analyst, TNR

Header Information for Entry Doc Number 400001581

Doc. Number 400001581 Doc. Status Preposted FM Area 1000
 Budget. Cate. Payment Doc. Year 2013 Doc. Date Dec 19, 2012
 Value Type Budget Version 0 Doc. Type TRAN
 Budget Type 6 Fiscal Year 2013 Year. Cash. Eff
 Process UI BALA Process BALS Original. Applic. BWB Doc. Family

Additional Data
 Creator WILLIAD Creation Date Dec 20, 2012 Creation Time 13:20:55
 Resp. Person DONNA WILLIAMS JONES Year Cohort Public Law

Header Text New Budget Setup City Austin Decker Lake Rd Legislation

TextName

Lines
 Total Document 963,027.06 USD

Line	Fund	Budget Period	Funds Center	Comm. Item	FuncArea Grant	Funded Program	Local Amount	Text Line
000001	4050		1490294050	422390	1710	NOT-RELEVANT RDCN1490000010303	481,513.53	Establish Budget City Austin Decker Lake Rd
000002	4050		1490294050	511930	1710	NOT-RELEVANT RDCN1490000010303	481,513.53	Establish Budget City Austin Decker Lake Rd

ASL
Dec. 21, 2012

Header Information for Entry Doc Number 400001580

Doc. Number 400001580 Doc. Status Preposted FM Area 1000
 Budget. Cate. Payment Doc. Year 2013 Doc. Date Dec 19, 2012
 Value Type Budget Version 0 Doc. Type TRAN
 Budget Type 6 Fiscal Year 2013 Year. Cash. Eff
 Process UI BALA Process BALS Original. Applic. BWB Doc. Family
 Creation Date Dec 20, 2012 Creation Time 10:53:48
 Creator WILLIAD Year Cohort Public Law
 Resp. Person DONNA WILLIAMS JONES
 Legislation

Additional Data

Header Text New Budget Setup City Lakeway Revenue FY12 HMAC
 TextName

Total Document
 788,490 USD

Line	Fund	Budget Period	Funds Center	Comm. Item	FuncArea Grant	Funded Program	Local Amount	Text Line
000001	4050		1490294050	422390	1710	600063	394,245	Establish Budget City Lakeway FY12 HMAC Overlay
000002	4050		1490294050	511930	1710	600063	394,245	Establish Budget City Lakeway FY12 HMAC Overlay

R = Axi Dec 21, 12



PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

314 W. 11th Street
P.O. Box 1748
Austin, Texas 78767

MEMORANDUM

TO: Commissioners Court

FROM: Alan Miller, Planning and Budget Analyst, Sr. *AM*

DATE: December 10, 2012

RE: Request to transfer funds from the Allocated Reserve to Justice of the Peace, Precinct #5 to assist with a backlog of Department of Public Safety drivers license revocation cases.

Justice of the Peace, Precinct #5 Herb Evans was asked by the Texas Department of Public Safety to assist with discharging a backlog of 600 driver's license revocation cases. These cases are normally handled by all of the JPs; however, these filings are under the control of DPS and there has been a delay in filings that has created the backlog. This appears to be an internal DPS issue and is outside of the control of the Travis County Justices of the Peace.

At this point the backlog of cases is such that they can be largely resolved within the year with the addition of 4 hours per week of hearing time through the use of a visiting judge. If this request is delayed until FY 2014, the overall backlog will be such that it has been estimated that it cannot be easily resolved within the same amount of funding.

Therefore, Judge Evans has requested \$7,067 from the Allocated Reserve to fund an additional visiting Judge for half a day for the remainder of the year. There are no issues regarding space or security for this additional time. JP#5 has a visiting judge budget of \$20,192 and fully utilizes these funds each year; PBO concurs that this need cannot be met within the existing funds within the JP #5 budget.

Judge Evans and PBO discussed that the continuation of this program into FY 2014 would need to be considered as part of the FY 2014 budget process.

PBO recommends approval of this one time transfer to resolve the identified backlog.

cc: Leslie Browder, PBO
Jessica Rio, PBO
Judge Herb Evans, Justice of the Peace, Precinct 5
Heather Kellum, Justice of the Peace, Precinct 5's Office

To: The Hon. Sam Biscoe, County Judge
The Hon. Ron Davis, Commissioner, Pct. 1
The Hon. Sarah Eckhardt, Commissioner, Pct. 2
The Hon. Karen Huber, Commissioner, Pct. 3
The Hon. Margaret Gomez, Commissioner, Pct. 4

From: Herb Evans, JP5



Cc: Mr. Alan Miller, PBO

Date 12/03/12

Re: Supplemental Budget Request

JP5 is seeking approval of the Commissioners Court for a supplemental budget request of \$7,067.20. The funds are sought to enable us to accommodate a Texas Department of Public Safety request that JP5 hear a backlog of approximately 600 driver's license revocation cases, as well as ongoing filings.

The money is for visiting judge time for one afternoon per week for the balance of this fiscal year. We anticipate this to be an ongoing request for future years, although we will know better next summer whether 4 hours per week will continue to be necessary.

For your information, JP5 has not done these hearings for at least twenty to thirty years, reportedly because DPS personnel did not want to fight the traffic & parking downtown.

JP5 is willing to help, but having to set aside ½ day a week would take too much out of our docket. I would respectfully remind the Commissioners Court that we already have a heavy civil docket. We are also processing roughly 5,000 field release cases per year, requiring judge time to review each case for probable cause and court time to magistrate defendants upon appearance.

Header Information for Entry Doc Number

400001474

Doc. Number 400001474 Doc. Status Preposed FM Area 1000
 Budget. Cate. Payment Doc. Year 2013 Doc. Date Dec 10, 2012
 Value Type Budget Version 0 Doc. Type TRAN
 Budget Type 2 Fiscal Year 2013 Year. Cash. Eff
 Process UI TRAN Process SEND Original. Applic. BWB Doc. Family
 Creation Date Dec 10, 2012 Creation Time 12:06:12
 Creator KELLUMH Year Cohort Public Law
 Resp. Person Legislation

Additional Data

Header Text
 TextName

Total Document USD

Line	Fund	Budget Period	Funds Center	Comm. Item	Func Area Grant	Funded Program	Local Amount	Text Line
000001	0001		1980000000	580010	1120	NOT-RELEVANT NON-FUNDED-PROGRAM	-7,067	Transfer to VJ Funds
000002	0001		1300010001	500080	1220	NOT-RELEVANT NON-FUNDED-PROGRAM	7,067	Transfer to VJ Funds

~~_____~~
 December 10, 2012
 Dec. 21, 12



PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

700 Lavaca, Ste 1560
P.O. Box 1748
Austin, Texas 78767

December 18, 2012

To: Commissioners Court

From: Katie Petersen Gipson, Sr. Planning & Budget Analyst

A handwritten signature in blue ink, appearing to read "Katie Petersen", is written over the "From:" line.

Re: Cell phone allowance

Emergency Services is requesting to internally fund a monthly cellular allowance for a staff member (slot 18) who uses their personal phone for a significant amount of work-related business. According to Travis County Code Chapter 39 of the Wireless Communications Policy, PBO is required to place the item on the Commissioners Court agenda.

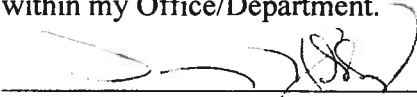
PBO concurs with this request. No actual budget transfer is needed at this time because there is sufficient funding in the appropriate line items.

CC: Danny Hobby, County Executive for Emergency Services
Christine Lego, Emergency Services
Hershel Lee, Travis County Fire Marshall
Leslie Browder, PBO
Jessica Rio, PBO

RECEIVED
12 DEC 17 AM 11:08
TRAVIS COUNTY
PLANNING & BUDGET OFFICE

Travis County Monthly Cellular Service Allowance REQUEST FORM

Pursuant to Travis County Code, Chapter 39, Wireless Communications Policy, I am submitting this request for additions (A) or changes (C) of monthly cellular service allowances within my Office/Department.



 Official/Department Head Signature and Date

12/03/12
 effective date

NOTE: All requests for new monthly allowances or increases to previously approved monthly allowances must first go through PBO, then be processed through the Auditor's Office. Along with this request form, a budget transfer sheet must be completed for a transfer of funds into line items 2002 (6.2%), 2005 (9.64%), 2006 (1.95 POPS positions), 2007 (1.45%), and the remaining into 4107. Unless the allowance is for a limited time, the budget transfer used to fund the allowance can only be made on an annualized permanent basis.

A cellular service monthly allowance is requested for new employee Employee ID #, position title and slot number:	\$10/mo	\$20/mo	\$30/mo
Gregory Anderson, EIN 182608, Assistant Deputy Fire Marshal II, Slot 18	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments: This slot was previously approved for Cellular monthly allowance. The employee holding this slot resigned. The slot has recently been filled by Gregory Anderson.

Reviewed by PBO



 signature and date

Approved by Commissioner's Court

 Date

Processed by Auditor's Office

 signature and date

Return a copy to: Brad Bearden, Emergency & Wireless Communications Manager
 Travis County Emergency Services Phone 854-4895 Fax 854-4786 Email
 Brad.Bearden@co.travis.tx.us



PLANNING AND BUDGET OFFICE
TRAVIS COUNTY, TEXAS

700 Lavaca, Ste. 1560
P.O. Box 1748
Austin, Texas 78767

MEMORANDUM

TO: Members of Commissioners Court
FROM: Aerin-Renee Toussaint, Budget Analyst
DATE: December 20, 2012
RE: Dept. 101 – Slot 3 New Hire

A handwritten signature in black ink, appearing to read "Aerin-Renee Toussaint", written over the "FROM:" line of the memorandum.

The County Judge's Office wishes to hire an individual to fill the currently vacant Executive Assistant to Elected Official position (Slot 3) in the department. This position is responsible for coordinating the Commissioners Court Agenda each week. The prospective new hire is a long-tenured current employee of Travis County, and the department wishes to hire at the same salary the individual is currently receiving. The individual will be moving from Pay Grade 17 to Pay Grade 19, but remaining at the same salary.

The ongoing cost is \$10,382 above the Judge's FY 13 Adopted Budget. Because of temporary salary savings currently in the department, the County Judge's Office has sufficient funds to pay the salary and benefits for the remainder of FY 13.

With the Court's approval, PBO will work with the County Judge's Office to add the appropriate amount to their target budget for FY 14 in order to maintain this salary on an ongoing basis.

PBO recommends approval of this request.

cc: Samuel T. Biscoe, County Judge
Leslie Browder, County Executive, PBO
Todd L. Osburn, HRMD
Jessica Rio, Budget Director, PBO
Melissa Velasquez, County Judge's Office



SAMUEL T. BISCOE
COUNTY JUDGE

TRAVIS COUNTY ADMINISTRATION BUILDING
P.O. BOX 1748 ROOM 520
AUSTIN, TEXAS 78767
(512) 854-9555
(512) 854-9535 FAX

MEMORANDUM

TO: Planning and Budget Office

FROM: Samuel T. Biscoe, Travis County Judge

DATE: December 20, 2012

RE: Department 01 Executive Assistant Elected Official

We are hiring an individual from another County department to fill a vacant position in our office, and would like to keep their salary at the current rate. They are a highly skilled, experienced individual that will provide great value to our office.

We have worked with Planning and Budget to cost the salary for the remainder of Fiscal Year 2013 and will use internal funds to cover the salary.

During the budget cycle we will bring forward a request to have the difference for an on-going basis added to the Fiscal Year 2014 Budget Target.

Allocated Reserve Status (580010)

Amount	Dept Transferred Into	Date	Explanation
\$6,920,945			Beginning Balance
(\$10,000)	TNR	10/16/12	Clean Air Force 2013
(\$11,388)	Various	Various	Approved by CC for FY13 portion of ACC intern program
(\$378,290)	HHS	11/6/12	Parenting in Recovery Program
(\$1,881)	TNR	11/13/12	Constable Staffing
(\$135,679)	Constable Pct. 1	11/15/12	Constable Staffing
(\$10,000)	County Attorney	11/20/12	Legal Advisory Services
(\$12,537)	Tax Office	12/11/12	Reclassification of two positions
\$6,361,170	Current Balance		

Possible Future Expenses Against Allocated Reserve Previously Identified:

Amount	Explanation
(\$137,676)	Civil Courts – Drug Court Grant
(\$200,000)	Civil Courts Legally Mandated Fees – Attorney Fees & Other Court Costs
(\$220,074)	Criminal Courts – Veterans Court Grant
(\$42,497)	Criminal Courts – Bailiff to CPO transition Cost
(\$175,000)	Crim Cts Legally Mandated Fees – Atty Fees & Other Ct Costs for Capital Cases
(\$12,714)	CSCD – MSS Adjustments
(\$36,000)	District Clerk – Collections Software
(\$20,000)	Emergency Services – Hazardous Materials Disposal
(\$250,000)	Facilities Management – Facilities Best Practices Review
(\$200,000)	General Admin – HUB Requirements Disparity Study (\$35,595 funds from State, restricted-use for this purpose)
(\$100,000)	Health & Human Services – PromoSalud Scholarships and Workforce Development
(\$150,000)	HRMD – Revised Tuition Reimbursement Policy
(\$25,885)	HRMD – ACC Internship Program
(\$83,182)	ITS – BEFIT Customer Support Analyst III
(\$60,000)	RMCR – Additional Postage
(\$1,000,000)	TCSO – Overtime
(\$79,681)	Constable Staffing
(\$2,792,709)	Total Possible Future Expenses (Earmarks)
\$3,568,461	Remaining Allocated Reserve Balance After Possible Future Expenditures

Capital Acquisition Resources Account Reserve Status (580070)**CAR RESERVE TRANSFERS**

Amount	pt Transferred In	Date	Explanation
\$2,813,944			Beginning Balance
(\$8,000)	ITS	11/27/12	IT Infrastructure for FMD Projects
(\$82,552)	EMS	12/11/12	Fire fighting aircraft
\$2,723,392 Current Reserve Balance			

Possible Future Expenses Against CAR Reserves Previously Identified During the FY 13 Budget Process:

Amount	Explanation
\$ (817,300)	ITS Infrastructure for FMD Projects
\$ (660,000)	Virtual tape Library option 3
\$ (38,046)	Replacement Boat Motors for Lake Unit
\$ (100,000)	Guardrail-New Installations
\$ (90,000)	Failing Vehicles
\$ (50,000)	Sidewalks-ADA Upgrades
\$ (250,000)	FM 1626 ROW Purchases
\$ (61,954)	Constable Staffing
\$ (2,067,300)	Total Possible Future Expenses (Earmarks)

Emergency Reserve Status (580120)

Amount	Dept Transferred Into	Date	Explanation
\$2,016,924			Beginning Balance
\$2,016,924	Current Reserve Balance		

Fuel & Utility Reserve Status (580130)

Amount	Dept Transferred Into	Date	Explanation
\$1,000,000			Beginning Balance
\$1,000,000	Current Reserve Balance		

Planning Reserve Status (580210)

Amount	Dept Transferred Into	Date	Explanation
\$5,496,000			Beginning Balance
\$5,496,000	Current Reserve Balance		

Juvenile Justice TYC (580260)

Amount	Dept Transferred Into	Date	Explanation
\$418,959			Beginning Balance
\$418,959	Current Reserve Balance		

Smart Bldg. Facility Maintenance Reserve Status (580240)

Amount	Dept Transferred Into	Date	Explanation
\$160,778			Beginning Balance
\$160,778	Current Reserve Balance		

IJS/FACTS Reserve Status (580160)

Amount	Dept Transferred Into	Date	Explanation
\$2,164,795			Beginning Balance
(\$196,951)	ITS	10/23/12	OnBase Software
(\$717,746)	ITS	11/6/12	CUC TechShare
(\$1,146,096)	ITS	12/18/2018	TechShare
\$104,002	Current Reserve Balance		

Transition Reserve Status (580300)

Amount	Dept Transferred Into	Date	Explanation
\$101,889			Beginning Balance
\$101,889	Current Reserve Balance		

Reserve for State Cuts Status (580310)

Amount	Dept Transferred Into	Date	Explanation
\$250,000			Beginning Balance
\$250,000	Current Reserve Balance		

Starflight Maintenance Reserve Status (580320)

Amount	Dept Transferred Into	Date	Explanation
\$1,001,050			Beginning Balance
\$1,001,050	Current Reserve Balance		

1115 Waiver Reserve Status (580200)

Amount	Dept Transferred Into	Date	Explanation
\$1,000,000			Beginning Balance
\$1,000,000	Current Reserve Balance		

Interlocals Reserve Status (580200)

Amount	Dept Transferred Into	Date	Explanation
\$2,166,175			Beginning Balance
(\$1,483,173)	Emergency Services	11/13/12	Regional Radio Service Interlocal
\$683,002	Current Reserve Balance		

Annualization Reserve Status (580200)

Amount	Dept Transferred Into	Date	Explanation
\$65,768			Beginning Balance
\$65,768	Current Reserve Balance		

Salary Savings Reserve Status (580200)

Amount	Dept Transferred Into	Date	Explanation
\$400,000			Beginning Balance
\$400,000	Current Reserve Balance		

Unallocated Reserve Status (580015)

Amount	Dept Transferred Into	Date	Explanation
\$57,195,853			Beginning Balance
(\$2,302,015)	EMS	12/11/12	Reimbursement Resolution
(\$2,941,500)	ITS	12/11/12	Reimbursement Resolution
(\$877,000)	TNR	12/11/12	Reimbursement Resolution
(\$901,912)	FMD	12/11/12	Reimbursement Resolution
\$50,173,426	Current Reserve Balance		

Item 3



Travis County Commissioners Court Agenda Request

Meeting Date: 12/28/2012, 9:00 AM, Voting Session

Prepared By/Phone Number: Katie Petersen Gipson, Planning and Budget Office, 854-9346

Elected/Appointed Official/Dept. Head: Leslie Browder, County Executive Planning and Budget

Commissioners Court Sponsor: Judge Samuel T. Biscoe

Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- A. Revise Memorandum of Understanding for Safe Havens: Supervised Visitation and Safe Exchange Grant Program managed by the Counseling & Education Services department to clarify the role of the Civil District Courts in the program

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

Item A is a minor revision to the memorandum of understanding between all the partners of the Safe Havens grant to clarify the role of the Civil District Courts. Please see departmental memo for details.

STAFF RECOMMENDATIONS:

PBO recommends approval.

ISSUES AND OPPORTUNITIES:

Additional information is provided on the item's grant summary sheet.

FISCAL IMPACT AND SOURCE OF FUNDING:

There are no match requirements for this grant.

REQUIRED AUTHORIZATIONS:

Planning and Budget Office
County Judge's Office

Leslie Browder
Melissa Velasquez

GRANT APPLICATIONS, CONTRACTS AND PERMISSIONS TO CONTINUE
FY 2013

The following list represents those actions required by the Commissioners Court for departments to apply for, accept, or continue to operate grant programs. This regular agenda item contains this summary sheet, as well as backup material that is attached for clarification.

Dept.	Grant Title	Grant Period	Grant Award	County Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	PBO Notes	Auditor's Assessment	Page #
A 40	Safe Havens: Supervised Visitation and Safe Exchange program*	10/1/10-9/30/13	\$400,000	\$0	\$0	\$0	\$400,000	-	R	MC	6

* Amended from original.

PBO Notes:

R - PBO recommends approval.

NR - PBO does not recommend approval

D - PBO recommends item be discussed.

County Auditor's Complexity Assessment measuring Impact to their Office's Resources/Workload

S - Simple

MC - Moderately Complex

C - Complex

EC - Extremely Complex

**FY 2013 Grant Summary Report
Grant Applications approved by Commissioners Court**

The following is a list of grants for which application has been submitted since October 1, 2012, and the notification of award has not yet been received.

Updated 12-21-12 at 4:35pm

Dept	Name of Grant	Grant Term	Grant Award	County Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	Approval Date
117	Southeast Travis County Historical Survey	10/01/12 - 09/30/14	\$7,500	\$0	\$6,000	\$1,500	\$15,000	-	10/30/2012
119	Underage Drinking Prevention Program	10/01/13 - 09/30/14	\$161,204	\$0	\$35,951	\$55,000	\$252,155	3.00	11/6/2012
124	Formula Grant- Indigent Defense Grants Program	10/01/12 - 09/30/13	\$441,998	\$0	\$0	\$0	\$441,998	-	11/27/2012
145	Juvenile probation Pre-Doctoral Psychology Internship Program	7/1/13- 6/30/14	\$34,306	\$0	\$0	\$0	\$34,306	-	12/4/2012
			\$645,008	\$0	\$41,951	\$56,500	\$743,459	3.00	

*Amended from original agreement.

**FY 2013 Grant Summary Report
Grants Approved by Commissioners Court**

The following is a list of grants that have been received by Travis County since October 1, 2012

Dept	Name of Grant	Grant Term	Grant Award	County Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	Approval Date
145	Travis County Eagle Resource Project	09/01/12 - 08/31/13	\$29,930	\$0	\$0	\$0	\$29,930	-	10/2/2012
145	Trama Informed Assessment and Response Program	09/01/12 - 08/31/13	\$192,666	\$0	\$0	\$0	\$192,666	0.50	10/2/2012
137	Sheriff's Office Command and Support Vessel*	9/1/12- 3/31/13	\$250,000	\$0	\$0	\$0	\$250,000	-	10/16/2012
139	Travis County Adult Probation DWI Court	9/1/2012- 8/31/2013	\$229,112	\$0	\$0	\$0	\$229,112	4.00	10/16/2012
147	Emergency Management Performance Grant	10/01/11 - 03/31/13	\$71,221	\$71,221	\$0	\$0	\$142,442	-	10/16/2012
119	Family Violence Protection Team*	10/1/2010 - 03/31/2012	\$699,507	\$168,239	\$0	\$0	\$867,746	4.50	10/23/2012
122	Family Drug Treatment Court	09/01/12 - 08/31/13	\$137,388	\$0	\$0	\$0	\$137,388	1.00	10/23/2012
145	Drug Court & In-Home Family Services	09/01/12 - 08/31/13	\$66,428	\$7,381	\$0	\$0	\$73,809	0.09	10/23/2012
158	Comprehensive Energy Assistance Grant*	01/01/12 - 12/31/12	\$4,546,172	\$0	\$0	\$0	\$4,546,172	-	10/23/2012
158	Low Income Home Energy Assistance Program (LIHEAP) Weatherization Program	04/01/12 - 03/31/13	\$817,334	\$0	\$0	\$0	\$817,334	-	10/23/2012
124	Travis County Veterans' Court	09/01/12 - 08/31/13	\$186,000	\$0	\$0	\$0	\$186,000	2.00	10/30/2012
142	Drug Diversion Court	09/01/12 - 08/31/12	\$132,585	\$0	\$0	\$0	\$132,585	1.00	10/30/2012
158	Parenting in Recovery II	09/30/12 - 09/29/13	\$500,000	\$0	\$214,286	\$0	\$714,286	2.00	11/6/2012
158	Targeted Low Income Weatherization Program (TLIWP)	10/01/12 - 12/31/12	\$42,061	\$0	\$0	\$0	\$42,061	-	11/6/2012
158	Seniors and Volunteers for Childhood Immunization (SVCJ)	09/01/12 - 08/31/13	\$8,845	\$0	\$0	\$0	\$8,845	0.14	11/20/2012
158	Coming of age (DADS)	09/01/12 - 08/31/13	\$24,484	\$24,484	\$0	\$0	\$48,968	-	11/20/2012

Dept	Name of Grant	Grant Term	Grant Award	County Cost Share	County Contribution	In-Kind Contribution	Program Total	FTEs	Approval Date
158	DOE Weatherization Program	04/01/12 - 03/31/13	\$60,471	\$0	\$0	\$0	\$60,471	-	11/20/2012
158	Atmos Energy Share the Warmth	11/01/12 - 10/31/13	\$13,188	\$0	\$0	\$0	\$13,188	-	11/20/2012
139	Travis County Adult Probation DWI Court	09/30/12 - 09/29/13	\$206,515	\$0	\$0	\$0	\$206,515	2.85	11/27/2012
137	State Criminal Alien Assistance Program- SCAAP 12	07/01/10 - 06/30/11	\$492,999	\$0	\$0	\$0	\$492,999	-	11/27/2012
147	"Remembering When" Scholarship	12/02/12 - 11/01/13	\$4,000	\$0	\$0	\$0	\$4,000	-	11/27/2012
158	Comprehensive Energy Assistance Program (CEAP)*	1/1/12- 12/31/12	\$4,546,172	\$0	\$0	\$0	\$4,546,172	4.00	12/4/2012
145	National School Lunch/Breakfast Program*	7/1/12- 6/30/13	\$217,219	\$0	\$0	\$0	\$217,219	-	12/4/2012
158	Title IV-E Child Welfare Services	10/01/12 - 09/30/13	\$36,488	\$81,190	\$0	\$0	\$117,678	-	12/11/2012
137	2012 Byrne Justice Assistance Grant	10/01/12 - 09/30/15	\$86,000	\$0	\$0	\$0	\$86,000	-	12/18/2012
158	2012 Phase 30 Emergency Food and Shelter Program	04/01/12 - 03/31/13	\$25,000	\$0	\$0	\$0	\$25,000	-	12/18/2012
			\$13,621,785	\$352,515	\$214,286	\$0	\$14,188,586	22.08	

*Amended from original agreement.

FY 2013 Grants Summary Report
Permission to Continue

Updated 12-21-12 at 4:35pm

Dept	Name of Grant	Grant Term per Application	Personnel Cost	Operating Transfer	Total Request	Filled FTEs	PTC Expiration Date	Cm. Ct. PTC Approval Date	Cm. Ct. Contract Approval Date	Has the General Fund been Reimbursed?
137	Child Abuse Victim Services Personnel**	9/1/12-8/31/13	\$8,920	\$0	\$8,920	1.00	10/31/2012	8/14/2012	N/A	Yes
119	Family Violence Accelerated Prosecution Program	9/1/12-8/31/13	\$12,620	\$0	\$12,620	1.00	10/31/2012	8/21/2012	N/A	Yes
122	Family Drug Treatment Court	09/01/12 - 08/31/13	\$10,922	\$0	\$10,922	1.00	10/31/2012	8/28/2012	N/A	No
124	Travis County Veterans Court	09/01/12 - 08/31/13	\$25,630	\$0	\$25,630	2.00	10/31/2012	8/28/2012	N/A	Yes
142	Drug Diversion Court	09/01/12 - 08/31/13	\$10,144	\$0	\$10,144	1.00	10/31/2012	8/28/2012	N/A	Yes
145	Juvenile Accountability Block Grant- Local Assessment Center	09/01/12 - 08/31/13	\$13,747	\$0	\$13,747	1.00	11/30/2012	8/28/2012	N/A	Yes
145	Residential Substance Abuse Treatment Program	10/01/12 - 09/30/13	\$15,046	\$0	\$15,046	1.00	12/31/2012	8/28/2012	N/A	Yes
158	Parenting in Recovery (PIR) FY 12	09/30/12 - 09/29/13	\$94,630	\$0	\$94,630	-	12/31/2012	9/25/2012	N/A	No
158	Parenting in Recovery (PIR) FY 13	09/30/12 - 09/29/13	\$84,756	\$0	\$84,756	-	12/31/2012	10/2/2012	N/A	No
Totals			\$276,415	\$0	\$276,415	8.00				

5



TRAVIS COUNTY FY 13 GRANT SUMMARY SHEET

Check One:	Application Approval: <input type="checkbox"/>	Permission to Continue: <input type="checkbox"/>
	Contract Approval: <input checked="" type="checkbox"/>	Status Report: <input type="checkbox"/>
Check One:	Original: <input type="checkbox"/>	Amendment: <input checked="" type="checkbox"/>
Check One:	New Grant: <input type="checkbox"/>	Continuation Grant: <input checked="" type="checkbox"/>
Department/Division:	Travis County Counseling and Education Services	
Contact Person/Title:	Caryl Colburn, Counseling and Education Services Director	
Phone Number:	854-4618	

Grant Title:	OVW FY2010 Safe Havens: Supervised Visitation and Safe Exchange Grant Program		
Grant Period:	From: <input type="text" value="October 1, 2010"/>	To: <input type="text" value="September 30, 2013"/>	
Fund Source:	Federal: <input checked="" type="checkbox"/>	State: <input type="checkbox"/>	Local: <input type="checkbox"/>
Grantor:	U.S. Department of Justice, Office on Violence Against Women		
Will County provide grant funds to a sub-recipient?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>	
Are the grant funds pass-through from another agency? If yes, list originating agency below.	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>	
Originating Grantor:			

Budget Categories	Grant Funds	County Cost Share	Budgeted County Contribution #595010 (Cash Match)	In-Kind	TOTAL
Personnel:	\$ 10,872	\$ 0	\$ 0	\$ 0	\$ 10,872
Operating:	\$ 389,128	\$ 0	\$ 0	\$ 0	\$ 389,128
Capital Equipment:	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Indirect Costs:	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Totals:	\$ 400,000	\$ 0	\$ 0	\$ 0	\$ 400,000
FTEs:	0.00	0.00	0.00	0.00	0.00

Permission to Continue Information					
Funding Source (Cost Center)	Personnel Cost	Operating Cost	Estimated Total	Filled FTE	PTC Expiration Date
	\$ 0	\$ 0	\$ 0	0.00	

Department	Review	Staff Initials	Comments
County Auditor	<input checked="" type="checkbox"/>	JM	
County Attorney	<input checked="" type="checkbox"/>	JC	

Performance Measures					
#	Measure	Actual FY 11 Measure	Projected FY 12 Measure	Projected FY 13 Measure	Projected FY 14 Measure
+ - Applicable Departmental Measures					
1.	To Sub-contract with SafePlace for a Co-Director of the Safe Havens Grant	Completed	On-going	On-going	On-going
2.	To identify & secure a building location that meets the safety & occupation standards established by the Planning Committee.	Completed	On-going	On-going	On-going
3.	Monthly Consulting Committee Meetings	On-going	On-going	On-going	On-going
+ - Measures for the Grant					
1.	To reach underserved clients who cannot afford services.	Planning	Planning/Completed	Implementation	Implementation
Outcome Impact Description					
2.	To reach clients who self-identify as needed services without court intervention.	Planning	Planning	Implementation	Implementation
Outcome Impact Description					
3.	To reach the 43% of households who speak English "less than very well.	Planning	Planning	Implementation	Implementation
Outcome Impact Description					

PBO Recommendation:

This item is a minor revision to the existing memorandum of understanding between all partners in the Safe Havens grant program. The revision is to clarify the role of the Civil District Courts. This grant has no match requirement. PBO recommends approval.

1. Brief Narrative - Summary of Grant: What is the goal of the program? How does the grant fit into the current activities of the department? Is the grant starting a new program, or is it enhancing an existing one?

The goal of the FY2010 U.S. Department of Justice, Office on Violence Against Women, Safe Havens: Supervised Visitation and Safe Exchange Grant Program is to provide supervised visitation and safe exchange of children by and between parents in situations involving domestic violence, sexual assault, and stalking while also protecting children and adult victims from further trauma and violence.

FY2010 funding will permit the County to enhance the existing Safe Havens FY2008 grant by increasing collaboration with other community agencies to create a center that is comprehensive, responsive, affordable, and accessible. The target population is families who have determined, through the courts or independently, that a third party is needed to supervise visitation or facilitate an exchange. Travis County intends to reach underserved clients who cannot afford services; who self-identify as needed services without court intervention; and the 43% of households who speak English "less than very well."

This focus on family violence fits in well with the current activities of the Counseling & Education Services department which provides family violence assessments for the Travis County Courts at Law and is an active member of the Austin/Travis County Family Violence Task Force. This grant will increase community collaboration through the Memorandum of Understanding (MOU) with relevant community partners to plan and develop an effective and responsive supervised visitation and safe exchange center. The MOU reflects the membership of the Collaboration Team which includes the Travis County Attorney's Office, Travis County Counseling and Education Services, Travis County Sheriff's Office, SafePlace, Domestic Relations Office, Austin Police Department Victim Services, and Family Court Judges. The goal of the program is to create an accessible, affordable, and sustainable supervised visitation and exchange center for families who require services that are responsive to and educated about family violence issues. The grant fits into the current activities of the department as Travis County does not have a centralized supervised visitation and exchange center. The Kids Exchange Network is a consortium of private providers that are expensive and are not experts in family violence issues. This grant is a continuation of our FY2008 Planning Grant from the U.S. Department of Justice, Office on Violence Against Women.

2. Departmental Resource Commitment: What are the long term County funding requirements of the grant?

The grant award is \$400,000 over a three year period. The Grant Summary Sheet shows the funding for the first year with all of the subcontractor, SafePlace, funds under "Operating." The Safe Havens Consulting Committee will be working on long term funding sustainability through FY13 and FY14.

3. County Commitment to the Grant: Is a county match required? If so, how does the department propose to fund the grant match? Please explain.

There is no financial match required of Travis County for this grant.

4. Does the grant program have an indirect cost allocation, in accordance with the grant rules? If not, please explain why not.

There is no indirect cost allocation required of Travis County for this grant.

5. County Commitment to the Program Upon Termination of the Grant: Will the program end upon termination of the grant funding: Yes or No? If No, what is the proposed funding mechanism: (1) Request additional funding or (2) Use departmental resources. If (2), provide details about what internal resources are to be provided and what other programs will be discontinued as a result.

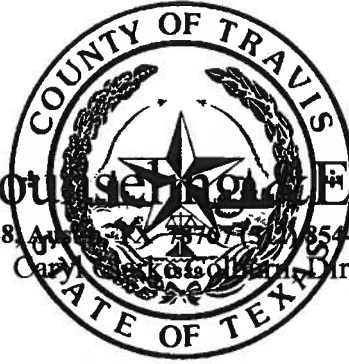
The program will continue in the event the grant funding is discontinued. The future funding mechanism will be determined as part of the implementation phase and will most likely include (1) requesting additional funding in FY2015 and (2) the Safe Havens Consulting Committee will be developing a sustainability plan for PlanetSafe to include other funding sources.

6. If this is a new program, please provide information why the County should expand into this area.

This is not a new program.

7. Please explain how this program will affect your current operations. Please tie the performance measures for this program back to the critical performance measures for your department or office.

The grant fits in well with the mission of the Counseling and Education Services (CES) department. Promoting public safety is one of the critical elements of our mission, as well as, working to decrease the amount of family violence in Travis County by providing comprehensive assessment recommendations for appropriate intervention. CES will have increase persormance measures in the development of programs aimed at decreasing domestic violence in Travis County.



Travis County Counseling & Education Services

P.O. Box 1748, Austin, TX 78778-0748; Phone 854-9540; Fax 854-9146

Caryl Colburn, Director

MEMORANDUM

TO: KATIE PETERSEN GIPSON, PLANNING AND BUDGET ANALYST
FROM: CARYL COLBURN, CES DIRECTOR
THROUGH: ROGER JEFFERIES, JUSTICE AND PUBLIC SAFETY EXECUTIVE MANAGER
SUBJECT: REVISED MOU FOR FY10 SAFE HAVENS GRANT
DATE: DECEMBER 13, 2012
CC: GRETTA GARDNER, SAFE HAVENS GRANT DIRECTOR

A request is being made to the Travis County Commissioners Court to approve a revision to the Memorandum of Understanding (MOU) for the FY10 Safe Havens: Supervised Visitation and Safe Exchange Grant Program by the Counseling & Education Services department who administers the grant for Travis County. The revision is at the request of the U.S. Department of Justice, Office on Violence Against Women (OVW). There is no match required from Travis County on this grant.

We have completed the first phase of our FY10 Safe Havens grant that Travis County received from OVW. This is the final step prior to the second phase of the grant – implementation. All of our deliverables have been approved by OVW, except for receipt of the signed and approved revised MOU. OVW has already approved the revised verbiage. Once OVW receives this MOU they will release our funding and we can open the center, PlanetSafe, located at 1101 Nueces Street.

The initial MOU was approved by the Commissioners Court on March 9, 2010 as a mandatory part of the grant application, Its intent is to greatly increase collaboration with and among relevant community partners who also make up the Consulting Committee. A revision was also requested by OVW and approved by the Commissioners Court in February of 2012 when we added several partners to the Consulting Committee and the location of the new supervised visitation center (1101 Nueces) was approved, as well as, SafePlace as the administrator of the center, PlanetSafe.

This current revision requested by OVW was to add language to the MOU about the Travis County Civil District Courts involvement in the collaboration under Section III. Roles and Responsibilities. The Civil District Courts will be the primary referral source and therefore an important part of PlanetSafe. The revised language does not change the scope of the MOU; it only highlights the courts involvement as a required partner. Judge Lora Livingston, the representative of the court, has approved the language. Jim Connolly, Assistant County Attorney, has also approved the language.

Therefore, staff is seeking approval for the attached revised MOU for the FY10 Safe Havens Grant. Please feel free to give me a call if you would like any more information – 44618.

MEMORANDUM OF UNDERSTANDING

**Travis County
and
Travis County Counseling & Education Services
and
Travis County Domestic Violence & Sexual Assault Survival Center, d/b/a SafePlace
and
Travis County Civil District Courts
and
Travis County Attorney's Office
and
Travis County Domestic Relations Office
and
Travis County Health & Human Services and Veterans Services
and
Travis County Sheriff's Office
and
Travis County Constable – Precinct 5
and
Austin Police Department
and
Life Anew
and
Texas RioGrande Legal Aid, Inc.
and
The University of Texas School of Law Domestic Violence Clinic**

Travis County, Travis County Counseling & Education Services, SafePlace, Travis County Civil District Courts, Travis County Attorney's Office, Travis County Domestic Relations Office, Travis County Health & Human Services and Veterans Services, Travis County Sheriff's Office, the Austin Police Department, Texas RioGrande Legal Aid, and the University of Texas School of Law Domestic Violence Clinic hereby enter into this Memorandum of Understanding (MOU) for purposes of furthering our collaborative relationship and joint delivery of developing and implementing activities under the FY 2010 Safe Havens: Supervised Visitation and Safe Exchange Grant Program. The time period covered by this MOU is October 1, 2010 through September 30, 2013. These entities are members of the Consulting Committee for this project as described below.

I. Collaborative History and Services Provided

Travis County is the local unit of government applying for this grant.

Travis County Counseling & Education Services (TCCES) is the designated county agency to provide oversight and compliance review on behalf of Travis County. TCCES

provides services for adults and juveniles referred from the justice system and other community agencies. It offers alcohol/drug and family violence assessments, case management and referrals to intervention and prevention programs. TCCES has been involved in funding services for victims, including domestic violence victims, for the past twenty years.

SafePlace exists to end sexual and domestic violence through safety, healing and prevention for individuals, families and our community. SafePlace offers a wide range of service to victims of domestic and sexual violence and the Austin/Travis County community as a whole. These include: a 24-hour crisis hotline; 105-bed emergency shelter; 48 transitional housing units; legal advocacy; case management; hospital accompaniment and support to recent rape victims; specialized services for youth and persons with disabilities; community education; and training, among other services. SafePlace is uniquely qualified to provide services as the vendor/sub-recipient of the Safe Havens Grant.

Travis County Civil District Courts govern the civil trial courts that hear and decide family law cases. The Courts routinely hear applications for family violence protective orders, as well as divorce and parent-child lawsuits in which evidence of family violence is present.

Travis County Attorney's Office (TCAO) assists victims of family violence in obtaining two- year protective orders against their abusers. As part of this process, TCAO routinely advocates for safe, supervised exchanges and visitations through agencies trained in monitoring and facilitating child visitations. The TCAO does this by obtaining a Court order requiring that all exchanges and visits between the parties occur in a safe environment.

Travis County Domestic Relations Office (DRO) is the regulatory agency for the Kids Exchange Network in Travis County pursuant to guidelines adopted by the Travis County District Courts. DRO also performs custody evaluations when appointed as *Guardian ad litem* by the District Courts.

Travis County Health & Human Services & Veterans Services (HHS) strives to optimize self-sufficiency for families and individuals in safe and healthy communities. HHS works to achieve these goals by providing services either directly or through private and not for profit agencies. They direct their efforts towards a broad spectrum of goals including the prevention of homelessness, domestic violence, communicable diseases and injuries from falls. Other services include: management of the county's rural transportation program, emergency assistance for basic household needs, home weatherization, services for the deaf and hard of hearing, veterans services, and agricultural extension services. HHS maintains significant community alliances and partnerships with diverse health and human service organizations.

Travis County Sheriff's Office (TCSO) was created in 1840 to prevent crime and keep the community safe. TCSO is the primary law enforcement agency for Travis County. TCSO Victim Services Unit provides services to individuals affected by crime and crisis circumstances in an effort to reduce the impact of trauma and enhance the ability of individuals to rebuild their lives. Individuals receive crisis intervention, assistance with exercising constitutional and/or statutory rights, assistance with safety planning, assistance with Crime Victim Compensation applications, referrals to community agencies, educational and emotional support throughout the criminal justice process, continuity of services between department agencies, and the therapeutic services of the Community Response Team when there is a critical incident or a crime that involves multiple victims or survivors.

Travis County Constable Precinct 5 executes civil process and criminal warrants. Constables are well trained to work with cases involving sexual abuse, domestic violence, and child custody issues. Constables also offer accompaniment for kick out orders through protective orders.

Austin Police Department Family Violence Protection Team (FVPT) is a collaborative, community response to family violence that provides multiple services at one location. They improve access to law enforcement, counseling, crisis management and legal services for survivors of family violence and their children. FVPT has been in place since 1997 and has three components: investigative, legal, and social services. The Austin Police Department is the primary law enforcement agencies within Austin's city limits.

Life Anew, Inc. began in March 2009 as a batterer intervention and prevention program to provide services that promote safety for victims of violent crimes. It is a 52-week program for those who have an assault charge, specifically domestic violence. The ManAlive curriculum is offered exclusively in Texas by Life Anew, Inc.

Texas RioGrande Legal Aid, Inc. (TRLA) is a non-profit organization that provides free legal services to low-income residents of Southwest Texas. TRLA has three projects that address violence against women. The Bi-National Project on Family Violence represents low-income survivors of family violence in cases that involve complex cross border issues. The Domestic Violence & Family Law team provides high quality legal services to victims of domestic violence. The Sexual Assault Legal Assistance Network collaborates with domestic violence, sexual assault shelters, and rape crisis center to ensure timely, appropriate, and comprehensive legal services for the safety and security of victims of non-intimate partner sexual assault.

The University of Texas School of Law Domestic Violence Clinic provides law students the opportunity to represent victims of domestic violence with a variety of civil legal problems including custody, divorce, visitation, housing, consumer, public assistance and procurement of protective orders.

The Consulting Committee meets monthly to design and analyze the core elements of developing and executing a new supervised visitation and safe exchange center; give policy direction to the grant staff; and attend national trainings sponsored by OVW. The agencies represented by the Consulting Committee will be referral sources for supervised visitation and safe exchange.

All Consulting Committee members have been historically involved in collaborative efforts related to responding to domestic violence, sexual assault, dating violence, child abuse and stalking in Travis County. For example, the Family Violence Protection Team (FVPT) includes: the Austin Police Department; SafePlace; Texas RioGrande Legal Aid; Travis County Attorney's Office; Travis County Sheriff's Office; Texas Advocacy Project; and the Travis County District Attorney's Office. FVPT offers integrated services that enable survivors of domestic violence in Austin/Travis County to access legal and supportive services without having to visit several different agencies. Central purposes of this collaboration include ongoing coordination of services among member agencies to ensure a skillful and compassionate response to victims, and effective investigation and prosecution of offenders. The FVPT was created by the Austin/Travis County Family Violence Task Force (FVTF) in 1997.

Established in 1989, the FVTF includes the FVPT organizations, as well as the Domestic Relations Office, Travis County Counseling & Education Services, county, municipal and district courts, The University of Texas at Austin's Domestic Violence Clinic, and other entities. The FVTF created various innovations and best practices that enhance services for domestic violence victims, among which are: establishing the foundation for the coordinated community response to domestic violence, which led to the creation of a dedicated domestic violence county court; mandatory arrest policies; direct filing of family violence assault charges by law enforcement; and local standards for batterers' intervention programs, which has continued to coordinate across systems to ensure batterer compliance. Many of the FVTF members are also members of the Community Action Network's Victim Services Task Force, which is the official planning body for victim services issues in Austin/Travis County, and produces informational documents to raise awareness in the community.

II. Development of the FY 2010 Safe Havens: Supervised Visitation and Safe Exchange Grant Application to the Office on Violence Against Women (OVW)

All of the aforementioned agencies are committed to creating and implementing a comprehensive, responsive, affordable, and accessible supervised visitation and safe exchange center in Travis County. Members of the planning team have contributed to this application in monthly meetings since December 2008. This application is representative of the collective, collaborative planning and resources shared during our monthly meetings. SafePlace and project staff wrote the 2010 Safe Havens grant application, with the shared vision and input of planning partners.

III. Roles and Responsibilities

Travis County is the grantee and will be the fiscal manager for the duration of this grant. Travis County will provide the use of 1101 Nueces Street for the purposes of supervised visitation and safe exchange as indicated in the grant for a monthly rent of ten dollars. Travis County will provide custodial and maintenance support for the building in ordinary course.

The Director of TCCES will supervise the Safe Havens Grant Director. The Safe Havens Grant Director will provide oversight of grant activities by facilitating consulting committee meetings, assuring progress reports are filed in a timely manner, approving vendor invoices, acting as the liaison with OVW and its designated technical assistance provider for the County, and overseeing compliance matters and deliverables.

SafePlace will subcontract with Travis County to provide services for supervised visitation and safe exchange. This includes, but is not limited to, hiring and training staff; managing the daily operations of the center; and complying with the timelines, goals, and objectives as outlined in this grant.

Travis County Civil District Courts will continue to be represented by the Honorable Lora Livingston, Local Administrative Judge, or a judge appointed by Judge Livingston as her designee, on the Consulting Committee and will be a primary referral source for supervised visitation and safe exchange. The representative will be a steward of PlanetSafe with other members of the court and the community at large. The court partner will attend national trainings and may provide local training on the legal system and its role in working with victims of domestic violence, child abuse, sexual assault, and stalking to promote victim safety and offender accountability.

All aforementioned agencies will continue to have representatives on the Consulting Committee.

The Consulting Committee will meet monthly to provide input, direction, and guidance to the work of the supervised visitation and safe exchange center.

Consulting Committee members are stewards of the supervised visitation and safe exchange center in the community.

All agency representatives will continue to update the Committee and project staff on trends in family violence within Travis County, and other relevant matters.

Consulting Committee members agree to attend trainings and conferences sponsored by OVW as needed.

V. Resources

Travis County will donate the time of Caryl Colburn, Director of TCCES, in her role supervising the Safe Havens Grant Director.

Each organization participating in the MOU will allocate sufficient resources in their own budgets to cover the costs of participating in the planning and implementation endeavors outlined in this application. Additionally each organization will allocate sufficient time to accommodate ongoing collaboration and communication throughout the grant period.

All Consulting Committee representatives will explore resources available within their agencies to contribute to the implementation phase of the project (e.g., furnishings, equipment, etc.).

SafePlace's subcontract under this MOU will be in the amount of \$372,461 for the thirty-six month period from October 1, 2010 through September 30, 2013. This monetary subcontract is subject to the approval of Travis County's application to the Office on Violence Against Women, U.S. Department of Justice.

Beyond the subcontract funds, TCCES will contribute product dissemination, meeting, and conference call costs related to the project.

Any of the signing agencies to this MOU may modify or exit this MOU within 30 days via written notice to Travis County.

We, the undersigned, approve the proposed project activities and budget as outlined in this Memorandum of Understanding for the FY 2010 Safe Havens: Supervised Visitation and Exchange Grant Program.

Samuel T. Biscoe
Travis County Judge

Date

Caryl Colburn
Caryl Colburn
Director
Travis County Counseling & Education Services

12-13-12
Date

Julia Spann
Julia Spann
Executive Director
SafePlace

12-17-2012
Date

Lora Livingston
Lora Livingston
Local Administrative Judge
Travis County Civil District Courts

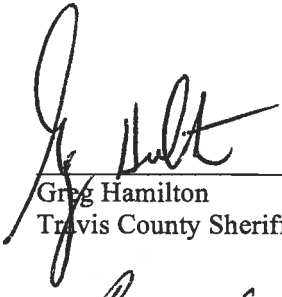
12-13-12
Date

D. A. Escamilla
David A. Escamilla, Esq.
County Attorney

12-14-12
Date

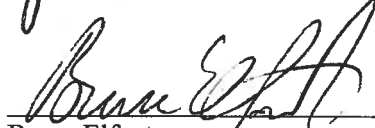
Sherri Fleming
Sherri Fleming
Executive Manager
Travis County Health & Human Services
and Veterans Services

12-12-12
Date



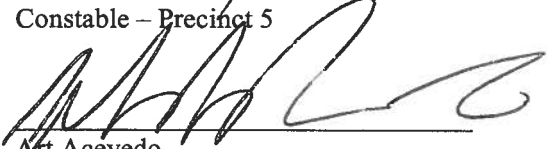
Greg Hamilton
Travis County Sheriff

12/14/12
Date



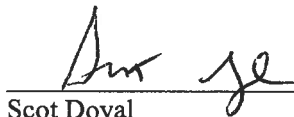
Bruce Elfant
Constable - Precinct 5

12/14/12
Date



Art Acevedo
Chief of Police
Austin Police Department

12/17/2012
Date



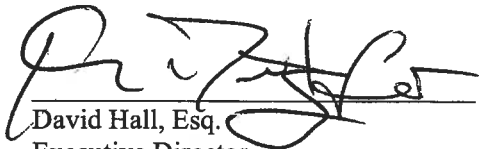
Scot Doyal
Director
Travis County Domestic Relations Office

12-13-12
Date



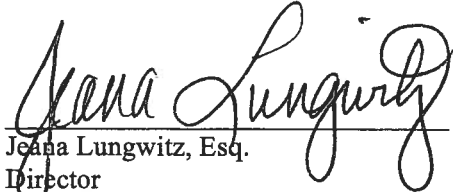
Kim Conley Patton
Executive Director
Life Anew

12-14-12
Date



David Hall, Esq.
Executive Director
Texas RioGrande Legal Aid Inc.,

12-14-12
Date



Jeana Lungwitz, Esq.
Director
University of Texas School of Law
Domestic Violence Clinic

12/13/12
Date

Item 4



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Norman McRee/854-4821

Elected/Appointed Official/Dept. Head: Leslie Browder, County Executive, Planning & Budget *LB*

Commissioners Court Sponsor: Samuel T. Biscoe, County Judge

AGENDA LANGUAGE:

Review and approve the immediate release of reimbursement payment to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$1,187,151.92 for the period of December 14 to December 20, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

See attached.

STAFF RECOMMENDATIONS:

The Director or Benefits Manager has reviewed the reimbursement submitted and concurs with the findings of the audits by the Financial Analyst and the Benefits Contract Administrator and therefore recommends reimbursement of \$1,187,151.92.

ISSUES AND OPPORTUNITIES:

See attached.

FISCAL IMPACT AND SOURCE OF FUNDING:

Employee Health Benefit Fund (8956) – \$1,187,151.92

REQUIRED AUTHORIZATIONS:

John Rabb, 854-2742

Diane Blankenship, 854-9170

Jessica Rio, 854-9106

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

**TRAVIS COUNTY
RECOMMENDATION FOR TRANSFER OF FUNDS**

DATE: December 28, 2012

TO: Members of the Travis County Commissioners Court

FROM: John Rabb, Benefits Manager

COUNTY DEPT.: Human Resources Management Department (HRMD)

DESCRIPTION: United Health Care (UHC) (The Third Party Administrator for Travis County's Hospital and Self Insurance Fund) has requested reimbursement for health care claims paid on behalf of Travis County employees and their dependents.

PERIOD OF PAYMENTS MADE: December 14, 2012 to December 20, 2012

REIMBURSEMENT REQUESTED FOR THIS PERIOD: \$1,187,151.92

HRMD RECOMMENDATION: The Director or Benefits Manager has reviewed the reimbursement submitted and concurs with the findings of the audits by the Financial Analyst and the Benefits Contract Administrator and therefore recommends reimbursement of \$1,187,151.92.

Please see the attached reports for supporting detail information.

**TRAVIS COUNTY
HOSPITAL AND INSURANCE FUND
SUPPORTING DETAIL FOR THE
WEEKLY REIMBURSEMENT REQUEST TO
COMMISSIONERS COURT
FOR THE PAYMENT PERIOD
DECEMBER 14, 2012 TO DECEMBER 20, 2012**

- Page 1. Detailed Recommendation to Travis County Auditor for transfer of funds.**
- Page 2. Chart of Weekly Reimbursements Compared to Budget.**
- Page 3. Paid Claims Compared to Budgeted Claims.**
- Page 4. FY Comparison of Paid Claims to Budget.**
- Page 5. Notification of amount of request from United Health Care (UHC) (Bank of America)**
- Page 6. Last page of the UHC Check Register for the Week.**
- Page 7. List of payments deemed not reimbursable.**
- Page 8. Journal Entry for the reimbursement.**

TRAVIS COUNTY
RECOMMENDATION FOR TRANSFER OF FUNDS

DATE: December 28, 2012
 TO: Nicki Riley, County Auditor
 FROM: Norman McRee, HR Financial Analyst
 COUNTY DEPT. Human Resources Management Department (HRMD)

United Health Care (UHC) (Travis County's Third Party Administrator for our Self Insured Health Care Fund) has requested reimbursement for health care claim payments made on behalf of Travis County employees and their dependents as follows:

PERIOD OF PAYMENTS PAID:
 FROM: December 14, 2012
 TO: December 20, 2012

REIMBURSEMENT REQUESTED: \$ 1,187,151.92

SUPPORTING DETAIL FOR REIMBURSEMENT REQUESTED:

NOTIFICATION OF AMOUNT OF REQUEST FROM UHC*:	\$ 2,559,436.24
LESS: REIMBURSEMENTS PREVIOUSLY APPROVED BY COMMISSIONERS COURT: December 21, 2012	\$ (1,380,972.18)
Adjust to balance per UHC	\$ 8,687.86
TOTAL CLAIMS REIMBURSEMENT REQUESTED BY UHC FOR THIS WEEK**:	\$ 1,187,151.92
PAYMENTS DEEMED NOT REIMBURSABLE	\$ -
TRANSFER OF FUNDS REQUESTED:	\$ 1,187,151.92

The claims have been audited for eligibility and all were eligible in the period covered by the claim.

All claims over \$25,000 (3 this week totaling \$148,596.86) have been audited for data entry accuracy and the following information is correct for each claim audited: date of service, eligibility, nature of service, name of and amount billed by provider, amount billed by date and amount paid by UHC.


Fifteen percent (15%) of all claims under \$25,000 (\$157,011.60) have been audited for data entry accuracy and the following information is correct for each claim identified for this random review: date of service, eligibility, nature of service, name of and amount billed by provider, date and amount paid by UHC. Claims in this random audit met the above requirements but may qualify for more detailed analysis through other resources.

All claims have been reviewed to determine if they have exceeded the \$250,000 stop loss limit. Claims that have exceeded the limit will be reimbursed by Sun Life. Reimbursements are posted as revenue and claims totals shown are gross of stop loss. Cumulative fiscal year stop loss reimbursements from Sun Life total \$545,771.91.


All claims submitted in this transfer have been audited to confirm accuracy of billing and legitimacy of claim under the service provisions of the health care contract and all are contractually legitimate, legally incurred and accurately billed claims.

I certify that all data listed on this recommendation for transfer of funds is correct and that the payments shown have been made solely for the purpose of health insurance claims.


 Diane Poirot, Director, HRMD 12/21/2012
Date

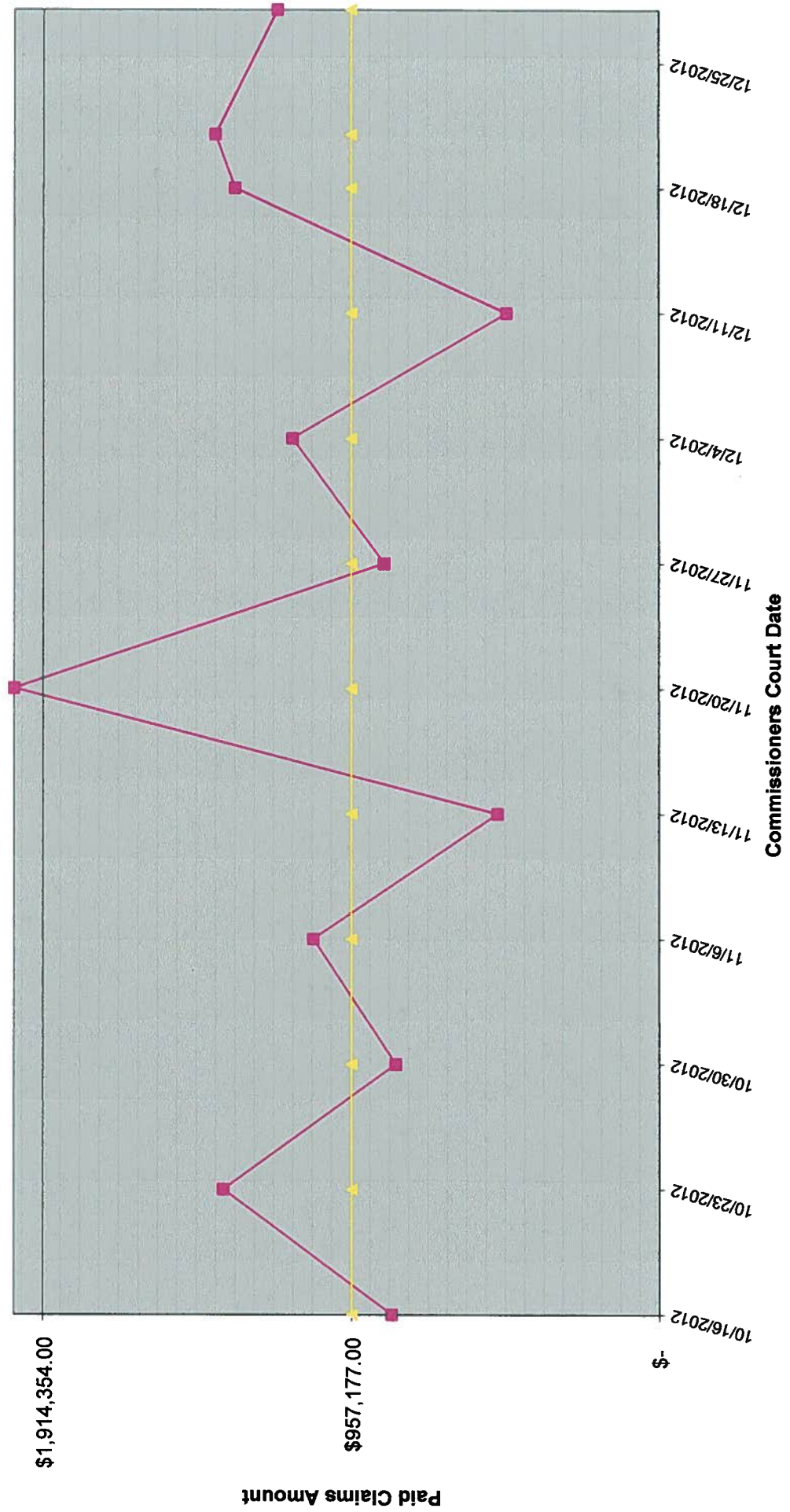

 John Rabb, Benefits Manager 12/21/12
Date


 Shannon Steele, Benefits Administrator 12/21/12
Date


 Norman McRee, Financial Analyst 12/21/12
Date

** Agrees to the total payments for this period per the check register received from UHC. See the final page of this period's check register attached.

Travis County Employee Benefit Plan FY13 Paid Claims vs Weekly Claims Budget of \$957,177.23



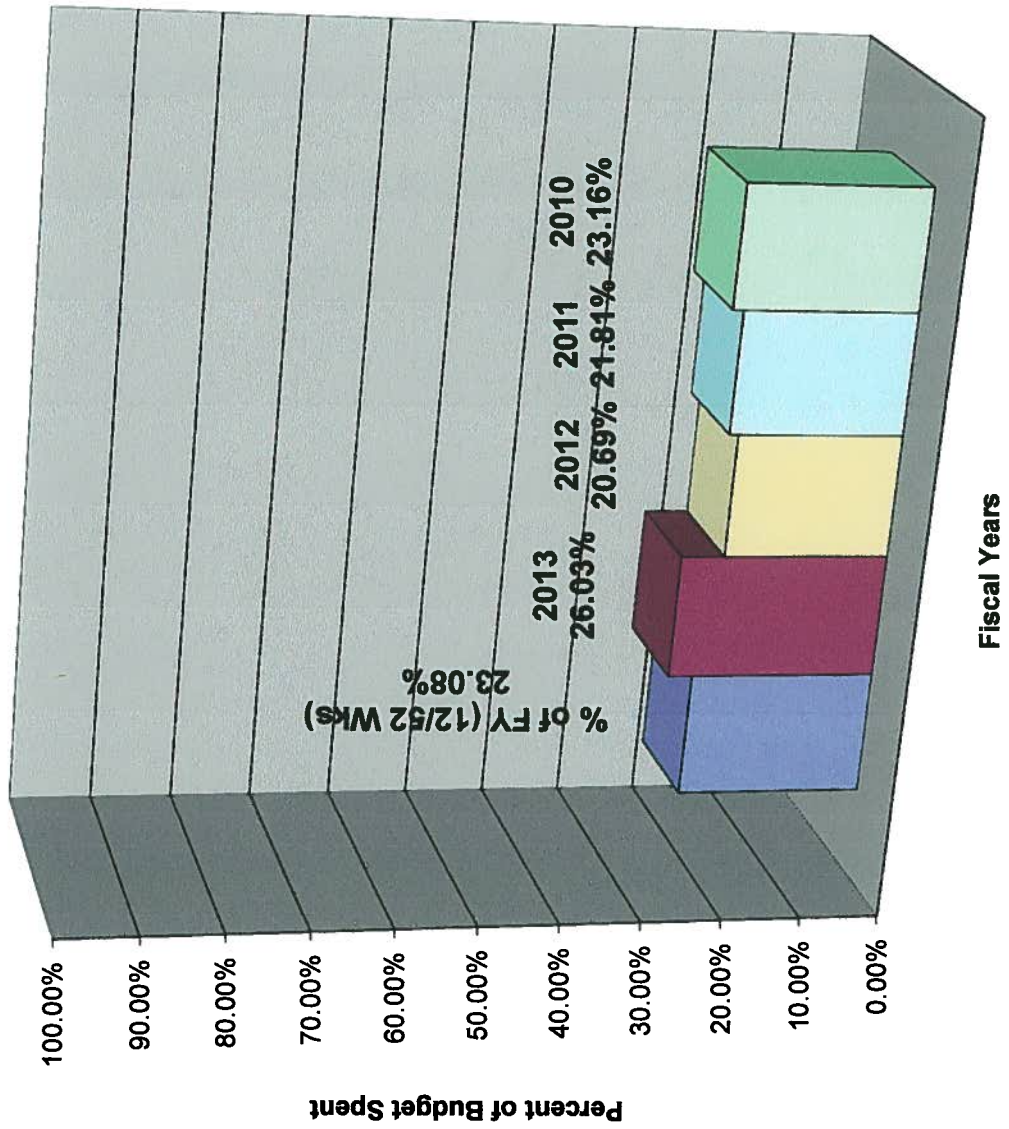
**Travis County Employee Benefit Plan
FY13 Weekly Paid Claims VS Weekly Budgeted Amount**

Wk	Period from	Period To	Voting Session Date	Pd Claims Request Amount	Budgeted Weekly Claims	# of Large Claims	Total of Large Claims	FY 2013 % of Budget Spent	FY 2012 % of Budget Spent
1	9/28/2012	10/4/2012	10/16/2012	\$ 833,295.36	\$ 957,177.23	2	\$ 264,210.15	1.67%	1.42%
2	10/5/2012	10/11/2012	10/23/2012	\$ 1,356,899.90	\$ 957,177.23	3	\$ 398,807.43	4.40%	3.40%
3	10/12/2012	10/18/2012	10/30/2012	\$ 819,640.44	\$ 957,177.23	2	\$ 116,768.50	6.05%	5.60%
4	10/19/2012	10/25/2012	11/6/2012	\$ 1,076,062.49	\$ 957,177.23	1	\$ 68,192.73	8.21%	6.54%
5	10/26/2012	11/1/2012	11/13/2012	\$ 503,241.86	\$ 957,177.23	0	\$ -	9.22%	7.69%
6	11/2/2012	11/8/2012	11/20/2012	\$ 2,004,819.80	\$ 957,177.23	4	\$ 832,945.50	13.25%	10.01%
7	11/9/2012	11/15/2012	11/27/2012	\$ 856,605.61	\$ 957,177.23	7	\$ 345,370.77	14.97%	11.71%
8	11/16/2012	11/22/2012	12/4/2012	\$ 1,140,771.38	\$ 957,177.23	0	\$ -	17.26%	14.05%
9	11/23/2012	11/29/2012	12/11/2012	\$ 474,802.74	\$ 957,177.23	2	\$ 98,896.45	18.21%	14.57%
10	11/30/2012	12/6/2012	12/18/2012	\$ 1,319,676.15	\$ 957,177.23	4	\$ 142,853.98	20.87%	17.30%
11	12/7/2012	12/13/2012	12/21/2012	\$ 1,380,972.18	\$ 957,177.23	8	\$ 726,479.65	23.64%	18.57%
12	12/14/2012	12/20/2012	12/28/2012	\$ 1,187,151.92	\$ 957,177.23	3	\$ 148,596.86	26.03%	20.69%
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
23									
24									
25									
26									
27									
28									
29									
30									
31									
32									
33									
34									
35									
36									
37									
38									
39									
40									
41									
42									
43									
44									
45									
46									
47									
48									
49									
50									
51									
52									

Paid & Budgeted Claims to Date	\$ 12,953,939.83	\$ 11,486,126.77
Paid Claims less Total Weekly Budget		\$ 1,467,813.06

note: Not predictive of impact on reserve, intended to show relationship of weekly claims cost to weekly budget.

Comparison of Claims to FY Budgets Week 12



Norman McRee

From: SIFS FAX@UHC.COM
Sent: Friday, December 21, 2012 12:21 AM
To: Norman McRee
Subject: UHG FUNDING NOTIFICATION

TO: NORMAN MCREE FROM: UNITEDHEALTH GROUP
 FAX NUMBER: (512) 854-3128 AB5
 PHONE: (512) 854-3828

NOTIFICATION OF AMOUNT OF REQUEST FOR: TRAVIS COUNTY

DATE: 2012-12-21 REQUEST AMOUNT: \$2,559,436.24

CUSTOMER ID: 00000701254
 CONTRACT NUMBER: 00701254 00709445
 BANK ACCOUNT NUMBER: 385015850067 ABA NUMBER: 011900445
 FUNDING ADVISE FREQUENCY: DAILY
 FREQUENCY: FRIDAY INITIATOR: CUST METHOD: ACH BASIS: BALANCE

CALCULATION OF REQUEST AMOUNT

+ ENDING BANK ACCOUNT BALANCE FROM: 2012-12-20	\$632,735.48
- REQUIRED BALANCE TO BE MAINTAINED:	\$2,668,041.00
+ PRIOR DAY REQUEST:	\$00.00
= UNDER DEPOSIT:	<u>\$2,035,305.52</u>
+ CURRENT DAY NET CHARGE:	\$524,130.72
+ ISSUED CREDIT AMOUNT:	\$00.00
+ FUNDING ADJUSTMENTS:	\$00.00
REQUEST AMOUNT:	<u>\$2,559,436.24</u>

ACTIVITY FOR WORK DAY: 2012-12-14

CUST PLAN	CLAIM	NON CLAIM	NET CHARGE
0632	\$36,166.21	\$00.00	\$36,166.21
TOTAL:	\$36,166.21	\$00.00	\$36,166.21

UNITED HEALTHCARE CHECK REGISTER FOR TRAVIS COUNTY SUBMITTED 2012_12_20

CONTR_NBR	PLN_ID	PLN_ID	TRANS_AMT	SRS_DESG_NBR	CHK_NBR	GRP_ID	CLM_ACCT_NBR	ISS_DT	TRANS_TYP_CD	TRANS_DT	WK_END_DT
701254	632	632	\$ (227.52)	A1	85511	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (227.62)	RI	1820180	AI	46	5/3/2010	50	12/19/2012	12/20/2012
701254	632	632	\$ (234.59)	A1	20347	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (256.03)	A1	51338	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (259.00)	A1	37608	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (302.93)	A1	15401	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (309.44)	A1	20349	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (375.90)	QG	341542	AE	8	12/11/2012	50	12/17/2012	12/20/2012
701254	632	632	\$ (391.40)	A1	32531	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (391.40)	A1	64926	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (428.47)	A1	79412	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (434.68)	A1	94449	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (438.73)	A1	49866	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (520.79)	QG	21166841	AH	1	10/5/2012	50	12/20/2012	12/20/2012
701254	632	632	\$ (567.51)	A1	109153	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (567.51)	A1	85897	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (631.66)	QG	31018635	AH	46	12/15/2012	50	12/21/2012	12/20/2012
701254	632	632	\$ (839.19)	A1	68559	AA	2	12/17/2012	200	12/21/2012	12/20/2012
701254	632	632	\$ (1,124.66)	A1	88259	AA	2	12/17/2012	200	12/21/2012	12/20/2012

1,187,151.92

Travis County Hospital and Insurance Fund - County Employees UHC Payments Deemed Not Reimbursable

For the payment week ending: 12/20/2012

<i>CONTR_#</i>	<i>TRANS_AMT</i>	<i>SRS</i>	<i>CHK_#</i>	<i>GRP</i>	<i>ACCT#</i>	<i>CLAIM</i>	<i>ISS_DATE</i>	<i>TRANS_CODE</i>	<i>TRANS_DATE</i>
----------------	------------------	------------	--------------	------------	--------------	--------------	-----------------	-------------------	-------------------

Total: \$0.00

7

Travis County - Employee Health Benefits Fund (8956)

Journal Entry for the Reimbursement to United Health Care

For the payment week ending: 12/20/2012

Type	EE/RR	Cost Center	G/L Account	Transaction Amount
CEPO	EE	1110068956	516010	\$ 126,223.46
	RR	1110068956	516110	\$ 15,908.99
			Total CEPO	\$ 142,132.45
EPO	EE	1110068956	516030	\$ 228,344.89
	RR	1110068956	516130	\$ 44,218.92
			Total EPO	\$ 272,563.81
PPO	EE	1110068956	516020	\$ 723,067.61
	RR	1110068956	516120	\$ 49,388.05
			Total PPO	\$ 772,455.66
			Grand Total	\$ 1,187,151.92



Travis County Commissioners Court Agenda Request

Meeting Date: 12/28/12

Prepared By/Phone Number: Cynthia Lam-Roldan, 854-4822

Elected/Appointed Official/Dept. Head: Leslie Browder, 854-9106

Commissioners Court Sponsor: Judge Samuel T. Biscoe

A handwritten signature in black ink, appearing to be "LB", located to the right of the "Elected/Appointed Official/Dept. Head" line.

AGENDA LANGUAGE:

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

- A. Proposed routine personnel amendments; and
- B. Non-routine requests from Emergency Services for a variance to Travis County Code § 10.03002, General Overview for Determining Pay Policy.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

Attached are Personnel Amendments for Commissioners Court approval.

A. Routine Personnel Actions – Pages 2 – 3.

B. Non-Routine Personnel Actions – Pages 4 - 8.

Emergency Services requests approval for two salary adjustments that exceeds 10% above midpoint – Travis County Code § 10.03002, slot 26; Executive Asst; PG 17 and slot 35; Contract Compliance Spec; PG 21. HRMD has reviewed supporting documentation and recommends approval; PBO has confirmed sufficient funds.

If you have any questions or comments, please contact Diane Poirot at 854-9170 or Todd L. Osburn at 854-2744.

STAFF RECOMMENDATIONS:

N/A

ISSUES AND OPPORTUNITIES:

N/A

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials should be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.

FISCAL IMPACT AND SOURCE OF FUNDING:

None.

REQUIRED AUTHORIZATIONS:

Todd Osburn, Human Resources Management Department, 854-2744

Diane Poirot, Human Resources Management Department, 854-9170

Leslie Browder, Planning and Budget Office, 854-9106

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials should be submitted as a pdf to the County Judge's office, agenda@co.travis.tx.us by **Tuesdays at 5:00 p.m.** for the next week's meeting.



HRMD Human Resources Management Department

700 Lavaca Street, 4th Floor

• P.O. Box 1748

• Austin, Texas 78767

• (512) 854-9165 / FAX (512) 854-9757

December 28, 2012

ITEM # :

DATE: December 21, 2012

TO: Samuel T. Biscoe, County Judge
 Ron Davis, Commissioner, Precinct 1
 Sarah Eckhardt, Commissioner, Precinct 2
 Karen L. Huber, Commissioner, Precinct 3
 Margaret Gomez, Commissioner, Precinct 4

VIA: Leslie Browder, County Executive, Planning and Budget *LB*

FROM: Diane Poirot, Director, HRMD *DP*

SUBJECT: Weekly Personnel Amendments

Attached are Personnel Amendments for Commissioners Court approval.

- | |
|---|
| <p>A. Routine Personnel Actions – Pages 2 – 3.</p> <p>B. Non-Routine Personnel Actions – Pages 4 - 8.
 Emergency Services requests approval for two salary adjustments that exceeds 10% above midpoint – Travis County Code § 10.03002, slot 26; Executive Asst; PG 17 and slot 35; Contract Compliance Spec; PG 21. HRMD has reviewed supporting documentation and recommends approval; PBO has confirmed sufficient funds.</p> |
|---|

If you have any questions or comments, please contact Diane Poirot at 854-9170 or Todd L. Osburn at 854-2744.

LB/DP/TLO

Attachments

- cc: Planning and Budget Department
 County Auditor
 County Auditor-Payroll (Certified copy)
 County Clerk (Certified copy)

WEEKLY PERSONNEL AMENDMENTS --- ROUTINE

NEW HIRES				
Dept.	Slot	Position Title	Dept. Requests Level/Salary	HRMD Recommends Level/Salary
District Atty	285	Business Analyst III	26 / Level 1 / \$75,046.40	26 / Level 1 / \$75,046.40
Fac Mgmt	36	Groundskeeper*	8 / \$25,883.64	8 / \$25,883.64
Juvenile Probation	601	Juvenile Detention Ofcr II**	14 / Level 1 / \$33,321.60	14 / Level 1 / \$33,321.60
* Temporary to Regular			** Actual vs Authorized	

TEMPORARY APPOINTMENTS					
Dept.	Slot	Position Title	Dept. Requests Grade/Salary	HRMD Recommends Grade/Salary	**Temporary Status Type Code
County Clerk	50054	Office Asst	10 / \$11.87	10 / \$11.87	05
County Clerk	50056	Office Asst	10 / \$11.87	10 / \$11.87	05
**Temporary Status Type Codes: (Temporary less than 6 mos. = 02) (Project Worker more than 6 mos. = 05, includes Retirement Benefits).					

CAREER LADDERS - NON-POPS						
Dept.	Slot	Current Position Title/Grade	New Position Title/Grade	Current Annual Salary	Proposed Annual Salary	Comments Current HRMD Practice
Juvenile Probation	310	Juvenile Detention Ofcr I* / Grd 13	Juvenile Detention Ofcr II* / Grd 14	\$31,248.46	\$32,810.88	Career Ladder. Pay is between min and midpoint of pay grade.
* Actual vs Authorized						

PROMOTIONS / SALARY ADJUSTMENTS / LATERAL TRANSFERS / VOLUNTARY REASSIGNMENTS / TEMPORARY ASSIGNMENTS				
Dept. (From)	Slot – Position Title – Grade – Salary	Dept. (To)	Slot – Position Title – Grade – Salary	Comments
District Atty	Slot 214 / Attorney IV* / Grd 27 / \$77,956.53	District Atty	Slot 124 / Attorney IV* / Grd 27 / \$77,956.53	Error correction to Pers Amend 12/18/12. Correcting slot.
Emergency Services	Slot 31 / Financial Analyst Lead / Grd 23 / \$66,284.61	Emergency Services	Slot 31 / Financial Analyst Lead / Grd 23 / \$71,107.61	Salary adjustment. Pay is between min and midpoint of pay grade.
Emergency Services	Slot 32 / Emergency Wireless Comm Mgr / Grd 26 / \$83,787.60	Emergency Services	Slot 32 / Emergency Wireless Comm Mgr / Grd 26 / \$86,628.60	Salary adjustment. Pay is between min and midpoint of pay grade.
Juvenile Probation	Slot 136 / Mailroom Svcs Asst / Grd 9 / \$32,093.51	Juvenile Probation	Slot 139 / Housekeeper / Grd 7 / \$28,884.15	Employee demoted from pay grade 9 to 7. HRMD reviewed supporting documents. Pay is between midpoint and max of pay grade.
Juvenile Probation	Slot 324 / Juvenile Probation Ofcr II / Grd 16 / \$37,024.00	Juvenile Probation	Slot 232 / Juvenile Probation Ofcr III / Grd 17 / \$39,615.06	Promotion. Pay is at minimum of pay grade.
Juvenile Probation	Slot 564 / Court Clerk II / Grd 15 / \$35,651.20	Juvenile Probation	Slot 388 / Administrative Assoc / Grd 16 / \$39,249.60	Promotion. Pay is between min and midpoint of pay grade.
Juvenile Probation	Slot 599 / Juvenile Detention Ofcr II / Grd 14 / \$32,810.88	Juvenile Probation	Slot 108 / Juvenile Rsdntl Trt Ofcr II* / Grd 14 / \$32,810.88	Lateral transfer. Employee transferred to different slot, different position, same department, same pay grade, retains current pay.
Pretrial Services	Slot 78 / Office Spec Sr / Grd 13 / \$34,638.86	Pretrial Services	Slot 7 / Pretrial Ofcr I / Grd 16 / \$41,475.20	Promotion. Pay is between min and midpoint of pay grade.
* Actual vs Authorized				

SECTION B. NON-ROUTINE PERSONNEL ACTIONS

NON-ROUTINE – Salary Adjustments				
Dept. (From)	Slot – Position Title – Grade – Salary	Dept. (To)	Slot – Position Title – Grade – Salary	Comments
Emergency Services	Slot 26 / Executive Asst / Grd 17 / \$53,924.62	Emergency Services	Slot 26 / Executive Asst / Grd 17 / \$56,529.62	Salary adjustment. Pay is greater than 10% above midpoint, Travis County Code § 10.03002.
Emergency Services	Slot 35 / Contract Compliance Spec / Grd 21 / \$71,166.78	Emergency Services	Slot 35 / Contract Compliance Spec / Grd 21 / \$74,958.78	Salary adjustment. Pay is greater than 10% above midpoint, Travis County Code § 10.03002.

BY ORDER OF THE COMMISSIONERS COURT, THE PRECEDING PERSONNEL AMENDMENTS ARE APPROVED.

Samuel T. Biscoe, County Judge

Ron Davis, Commissioner, Pct. 1

Sarah Eckhardt, Commissioner, Pct. 2

Karen L. Huber, Commissioner, Pct. 3

Margaret Gomez, Commissioner, Pct. 4



HRMD Human Resources Management Department

1010 Lavaca Street, 2nd Floor • P.O. Box 1748 • Austin, Texas 78767 • (512) 854-9165 / FAX(512) 854-4203

MEMORANDUM

DATE: December 21, 2012

TO: Samuel T. Biscoe, County Judge
 Ron Davis, Commissioner, Precinct 1
 Sarah Eckhardt, Commissioner, Precinct 2
 Karen L. Huber, Commissioner, Precinct 3
 Margaret Gomez, Commissioner, Precinct 4

VIA: Leslie Browder, Executive Manager, Planning & Budget *JB*

FROM: Diane Poirot, Director of Human Resources *DP*

SUBJECT: Emergency Services Non-Routine Salary Actions, Slots 26 & 35

HRMD requests Commissioners Court to discuss and consider the following action.

Emergency Services Request:

Emergency Services requests approval to grant a 4.83% salary adjustment to one Executive Assistant (slot #26) and a 5.32% salary adjustment to one Contract Compliance Specialist (slot #35). The dollar increase for slot #26 is \$2,605 and the dollar increase for slot #35 is \$3,792. Each employee is just short of 10 percent above midpoint, and the proposed increases would place them above that threshold. The salary adjustments would apply to the following slots:

<u>Slot #</u>	<u>Title</u>	<u>Current</u>	<u>Proposed</u>
26	Executive Assistant	\$53,924.62	\$56,529.62
35	Contract Compliance Spec.	\$71,166.78	\$74,958.78

Policy:

Travis County Code §10.03002(b) states that existing employees may be moved along a pay range with permanent salary savings at the manager's discretion. Movement greater than 10% above midpoint requires Commissioners Court approval.

Recommendation:

HRMD recommends approval of the proposed salary actions. Emergency Services' requests are reasonable in light of the increased employee responsibilities and facilitate retention of key employees. Departments are encouraged to make use of the available range and these actions are consistent with the intent of the referenced policy. Planning and Budget Office (PBO) has confirmed funding.

EMERGENCY SERVICES

DANNY HOBBY, EXECUTIVE MANAGER

P. O. Box 1748

AUSTIN, TEXAS 78767

(512) 854-4416, FAX (512) 854-4786



*Emergency Management
Pete Baldwin, Emergency
Mgmt. Coordinator*

*Fire Marshal
Hershel Lee*

*Chief Medical Examiner
Dr. David Dolinak*

*STAR Flight
Casey Ping, Program
Director*

MEMORANDUM

To: Todd Osburn, Compensation Manager
Human Resources Management Department

From: Danny Hobby, County Executive, Emergency Services

Date: December 10, 2012

Subject: Salary Adjustments Request- Non Routine

I would request your assistance in processing the following salary adjustments for two administrative support staff within Emergency Services:

<u>Name/Title</u>	<u>Current Salary</u>	<u>Allocation</u>	<u>New Salary</u>
<i>Slot 35</i> Contract Compliance Specialist	\$71,166.78	5.328%	\$74,958.78
<i>Slot 26</i> Executive Assistant	\$53,924.62	4.83%	\$56,529.62

Emergency Services continues to grow in both services and budget, and along with this comes added strain and workload for existing support staff. I have a very small administrative staff, but I have a very dedicated and talented staff. I feel it is time to provide staff something to reward them in their continued dedication and commitment to all the departments, divisions, and outside agencies they serve on a daily basis.

Slot 35 has been with the County for over 13 years, has maintained excellent performance ratings, and serves all the Emergency Services departments as their central contracting agent. *Slot 35* also develops the contracts and interlocals for all County EMS station locations sites (Small Cities and ESDs), along with all EMS vehicle and equipment purchases. *Slot 35* handles the large RRS (regional radio system), CTECC, and City of Austin ILA contracts which require constant monitoring and support. *Slot 35* is a utility employee for Emergency Services in that *Slot 35* accepts anything that needs getting done. *Slot 35* acquired knowledge base and on-hands experience are deserving of this increase at this time.

7

. *Slot 26* has been with the County for 19 years, has maintained excellent performance ratings, and serves as my main support and the main administrative contact for all the Emergency Services departments/divisions and all county departments. As my support coordinates with all of our outside stakeholders in the system (City of Austin, ESDs, CAPCOG, Small Cities and Villages, residents, government offices, local residents, etc.). This past year we have added staff (PIO and HazMat Coordinator), along with major projects (Formula 1, Unified Fire Service, Medical School/Medical Examiner Office, EMS ILA enhancements, HazMat Program transition, Data Warehouse, etc.). also handles the office payroll, safety and security, administrative office equipment and supplies, human resources contact for hiring and employee relations, facility repairs and maintenance, and IT liaison for the office. The big benefit for me is that is my voice and support since I am out of the office most of the time, attending meetings, and facilitating meetings. has been with me since I started in 2002 and is deserving of this increase at this time.

PBO concurs that permanent salary savings are available for the proposed salary adjustments. The two salary adjustments total \$6,397.00.

Thank you for your assistance in this request.

8

Item 6



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: John Carr, 854-4772

Dept. Head: Roger El Khoury, M.S., P.E., Director, FMD, 854-4579

County Executive: Leslie Browder, Planning and Budget, 854-9106

Sponsoring Court Members: Judge Biscoe

Handwritten signature of Roger El Khoury in black ink.

AGENDA LANGUAGE:

Consider and take appropriate action regarding execution of parking leases between Travis County and others to include:

- A. Lease agreement with Central Parking System of Texas, Inc., for parking at the 812 San Antonio Parking Garage; and
- B. Lease agreement with Texas Oil & Gas Association for parking at 1300 Guadalupe.

BACKGROUND/SUMMARY OF REQUEST:

Travis County has maintained parking leases for slots at the 812 San Antonio Parking Garage and the surface lot at 1300 Guadalupe for over 10 years. The lease agreement for 65 spaces at the 812 San Antonio Parking Garage will terminate on December 31, 2012. The proposed lease with Central Parking Systems of Texas, Inc., at Attachment One will provide access to these 65 parking spaces for calendar year 2013 at a rate of \$100 per space per month. Facilities Management Department (FMD) has negotiated the terms and recommends approval of this new replacement lease.

Similarly, the lease agreement for 10 spaces at the surface lot at 1300 Guadalupe will terminate on December 31, 2012. The proposed lease with Texas Oil & Gas Association at Attachment Two will provide access to these 10 parking spaces for calendar year 2013 at the previous rated of \$80 per space per month. FMD also recommends approval of this replacement lease.

STAFF RECOMMENDATIONS:

Facilities Management Department recommends approval of:

- A. The parking lease with Central Parking Systems of Texas, Inc., for 65 parking spaces in the garage located at the 812 San Antonio garage; and
- B. The parking lease with Texas Oil & Gas Association for 10 parking spaces located at the 1300 Guadalupe surface lot.

ISSUES AND OPPORTUNITIES:

Approval of these two parking leases will provide continued access to these parking slots. The cost for both locations is fair and reasonable. The parking leases were prepared by Christopher Gilmore of the County Attorney's office. Funding for these leases is included in the FY 13 lease budget.

FISCAL IMPACT AND SOURCE OF FUNDING:

Annualize cost for these agreements:

- 812 San Antonio Garage (65 slots) - \$6,500 per month - \$78,000 per year
- 1300 Guadalupe (10 slots) - \$800 per month - \$9,600 per year

ATTACHMENTS/EXHIBITS:

1. Lease Agreement with Central Parking Systems of Texas, Inc.
2. Lease Agreement with Texas Oil & Gas Association

REQUIRED AUTHORIZATIONS:

Christopher Gilmore, Assistant County Attorney

STATE OF TEXAS

COUNTY OF TRAVIS

**LEASE FOR PARKING SPACES
AT 812 SAN ANTONIO**

Term: The term of this agreement (this "Agreement") shall commence January 1, 2013 (the "Commencement Date") and terminate December 31, 2013 (the "Current Term").

of Spaces: Central Parking System of Texas, Inc. ("Operator") shall provide sixty-five (65) parking spaces in the parking garage located at 812 San Antonio Street, Austin, Texas 78701 (the "Parking Garage").

Conditions: Travis County shall have the right to use the above-described 65 parking spaces in accordance with the terms and conditions set forth herein.

Beginning January 1, 2013, charges for each space incurred to date will be due; charges for each space to be paid each month thereafter will be payable throughout the term of this Agreement, in advance, on the first day of each month.

If Operator wishes to delete any parking space from the number of spaces covered by this Agreement, it shall give County thirty (30) days prior written notice; if such notice is not provided, no charges for the deleted space shall become due. In addition, Operator agrees to provide Travis County with immediate notification when and if any additional parking spaces in the Parking Garage become available for use by Travis County.

Charges are for spaces only. Neither Operator nor the owners of the Parking Garage assume responsibility whatsoever for loss or damage of vehicles or their contents, however caused. **VEHICLES SHOULD BE LOCKED AND VALUABLES SHOULD NOT BE LEFT IN VEHICLES.**

Travis County agrees to abide by any and all reasonable regulations pertaining to the use of the Parking Garage and the leased spaces as may, from time to time, be prescribed by Operator. Travis

County further agrees to park all vehicles in any area within the Parking Garage designated by Operator.

No refunds, credits or allowances will be granted to Travis County for absence, vacation or other non-use of the Parking Garage.

Rental Rate: \$6,500.00 per month (\$100.00 per space per month), payable in advance.

Operator may increase the rental rate only upon expiration of the Current Term and only by notifying Travis County of such increase at least ninety (90) days prior to the date of expiration of the Current Term. In the event Operator fails to provide the 90-day notice, or in the event Operator elects not to increase the rental rate, no rate increase shall take effect if and when Travis County exercises its right to renew this Agreement, as provided below, and the current rental rate shall continue to be effective for the duration of the renewal term.

Billing Address: Monthly parking invoices should be sent to Roger El-Khoury, P.E., Director, Travis County Facilities Management, P.O. Box 1748, Austin, Texas 78767. Any changes in the above billing address shall be provided to Operator by written notice by the 15th of the month.

Remitting Address: Monthly payments shall be remitted to: Central Parking System - Parking Office, 815 Brazos Street, Suite 100, Austin, Texas 78701.

Location: Vehicle(s) may be parked in any legal parking space(s) throughout the Parking Garage not signed "Reserved." Non-reserved parking spaces shall be available on a first-come, first-served basis.

Access: Access will be 24 hours a day, 7 days a week, 365 days a year.

Renewal: Travis County shall have the right to renew this Agreement for a period of one (1) year by providing Operator with thirty (30) days written notice prior to the expiration of the Current Term. In the event Travis County exercises its right to renew as provided herein, the rental rate for any such renewal period shall be as provided in the "Rental Rate" provision above.

Assignability: Travis County may not assign this Agreement without obtaining the prior written consent of Operator, said consent not to be unreasonably withheld.

Cancellation: Either party shall have the right to cancel this Agreement for any reason upon thirty (30) days written notice. Operator shall have the right to cancel this Agreement if the account is more than forty-five (45) days past due.

In addition, Operator has the right to cancel this Agreement upon written notice in the event the Parking Garage is sold or Operator's underlying agreement to operate the Parking Garage should terminate or expire.

County has the right to cancel this Agreement by giving ninety (90) days advance written notice to Operator stating that Travis County has failed to provide funding for this Agreement for the following fiscal year of Travis County, Texas. County, upon giving Operator the notice, may terminate this Agreement without any further liability, effective as of the last day of the 90-day notice period.

Forfeiture: If Operator has done business with a Key Contracting Person, as listed in "Exhibit A" to the affidavit attached as **Attachment 1** and made a part hereof, during the 365-day period immediately prior to the date of execution of this Agreement by Operator or does business with any such key person at any time after the date of execution of this Agreement by Operator and prior to full performance of this Agreement, Operator shall forfeit all benefits of this Agreement, and Travis County shall retain all performance by Operator and shall recover all consideration, or the value of all consideration, paid to Operator pursuant to this Agreement; provided, however, that this section may be waived by the Travis County Commissioners Court pursuant to section 32.004(f) of the Travis County Ethics Policy. Operator may utilize "Exhibit B" to **Attachment 1** for this purpose. "Has done business" and "does business" mean:

(i) paying or receiving in any calendar year any money or valuable thing which is worth more than \$250 in the aggregate in exchange for personal services or for the purchase of any property or property interest, either real or personal, either legal or equitable; or,

(ii) loaning or receiving a loan of money; or goods or otherwise creating or having in existence any legal obligation or debt with a value of more than \$250 in the aggregate in a calendar year; but does not include

(iii) any retail transaction for goods or services sold to a Key Contracting Person at a posted, published, or marked price available to the public;

(iv) any financial services product sold to a Key Contracting Person for personal, family or household purposes in accordance with pricing guidelines applicable to similarly situated individuals with similar risks as determined by Operator in the ordinary course of its business; and

(v) a transaction for a financial service or insurance coverage made on behalf of Operator if Operator is a national or multinational corporation by an agent, employee or other representative of Operator who does not know and is not in a position that he or she should have known about this Agreement.

Mediation:

When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in §154.073 of the Texas Civil Practice and Remedies Code, unless both parties agree, in writing, to waive the confidentiality.

Conflict of Interest

Questionnaire:

If required under Chapter 176 Texas Local Government Code, Operator shall file a completed Conflict of Interest Questionnaire in accordance with the requirements of that Chapter. Within the applicable, authorized time period prescribed in Chapter 176, Operator shall file the completed Conflict of Interest Questionnaire with the Travis County Clerk, Recording Division, 5501 Airport Blvd., Austin, Texas 78751. Operator shall file an updated, completed questionnaire with the Travis County Clerk not later than

the seventh (7th) business day after the date of an event that would make a statement in the questionnaire incomplete or inaccurate. Operator should note that the law requires that the County provide access to a filed Questionnaire on the official Travis County Internet website. However, the law does not require that the County release information which is excepted from disclosure under the Texas Public Information Act. As between County and Operator, Operator shall be solely responsible for the preparation of its Conflict of Interest Questionnaire, the accuracy and completeness of the content contained therein and ensuring compliance with all applicable requirements of Chapter 176, Local Government Code.

W-9: Operator shall provide County with an Internal Revenue Form W-9, Request for Taxpayer Identification Number and Certification, that is completed in compliance with the Internal Revenue Code and its rules and regulations before any Agreement funds are payable.

Property Taxes: In the event any property taxes on any property owned by Operator located in Travis County, Texas, are overdue and delinquent, then the overdue and delinquent amount shall be withheld from any payments due Operator and paid to the appropriate taxing jurisdiction. Operator assigns any payments due under this Agreement to the Travis County Tax Assessor-Collector for the payment of the delinquent taxes.

Exempt Contract: The Travis County Commissioners Court hereby orders this Agreement exempted from the bidding requirements of the County Purchasing Act pursuant to Section 262.024(a)(6) of the Local Government Code in that it involves land.

Entirety: This Agreement represents the entire and integrated Agreement between Operator and Travis County and supersedes all prior negotiations, representations, or agreements, either oral or written. This Agreement may be amended only by written instrument signed by both Operator and Travis County. NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF TRAVIS COUNTY HAS ANY AUTHORITY, EXPRESS OR IMPLIED, TO AMEND THIS CONTRACT, EXCEPT BY SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE COMMISSIONERS COURT OF THE COUNTY.

TRAVIS COUNTY

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

CENTRAL PARKING SYSTEM OF TEXAS, INC.

By: _____

Date: _____

ATTACHMENT 1

STATE OF TEXAS
COUNTY OF TRAVIS}

}

ETHICS AFFIDAVIT

Date: _____
Name of Affiant: _____
Title of Affiant: _____
Business Name of Operator: _____
County of Operator: _____

Affiant on oath swears that the following statements are true:

1. Affiant is authorized by Operator to make this affidavit for Operator.
2. Affiant is fully aware of the facts stated in this affidavit.
3. Affiant can read the English language.
4. Operator has received the list of key contracting persons associated with this solicitation which is attached to this affidavit as Exhibit "A".
5. Affiant has personally read Exhibit "A" to this affidavit.
6. Affiant has no knowledge of any key contracting person on Exhibit "A" with whom Operator is doing business or has done business during the 365-day period immediately before the date of this affidavit whose name is not disclosed in Exhibit "B" to this affidavit.

Signature of Affiant

Address

SUBSCRIBED AND SWORN TO before me by _____, 20__.

Notary Public of the
State of Texas

Printed Name of Notary
My commission expires: _____

Exhibit "A" to Attachment 1
LIST OF KEY CONTRACTING PERSONS
November 30, 2012
EXHIBIT A
LIST OF KEY CONTRACTING PERSONS
November 20, 2012

CURRENT

Position Held	Name of Individual Holding Office/Position	Name of Business Individual is Associated
County Judge	Samuel T. Biscoe	
County Judge (Spouse)	Donalyn Thompson-Biscoe	
Executive Assistant	Cheryl Brown	
Executive Assistant	Melissa Velasquez	
Executive Assistant	Josie Z. Zavala	
Executive Assistant	Vacant	
Commissioner, Precinct 1	Ron Davis	
Commissioner, Precinct 1 (Spouse)	Annie Davis	Seton Hospital
Executive Assistant	Deone Wilhite	
Executive Assistant	Felicitas Chavez	
Commissioner, Precinct 2	Sarah Eckhardt	
Commissioner, Precinct 2 (Spouse)	Kurt Sauer	Daffer McDaniel, LLP
Executive Assistant	Loretta Farb	
Executive Assistant	Joe Hon	
Executive Assistant	Peter Einhorn	
Commissioner, Precinct 3	Karen Huber	
Commissioner, Precinct 3 (Spouse)	Leonard Huber	Retired
Executive Assistant	Garry Brown	
Executive Assistant	Julie Wheeler*	
Executive Assistant	Jacob Cottingham	
Commissioner, Precinct 4	Margaret Gomez	
Executive Assistant	Edith Moreida	
Executive Assistant	Norma Guerra	
County Treasurer	Dolores Ortega-Carter	
County Auditor	Nicki Riley*	
County Executive, Administrative	Vacant	
County Executive, Planning & Budget	Leslie Browder*	
County Executive, Emergency Services	Danny Hobby	
County Executive, Health/Human Services	Sherri E. Fleming	
County Executive, TNR	Steven M. Manilla, P.E.*	
County Executive, Justice & Public Safety	Roger Jefferies	
Director, Facilities Management	Roger El Khoury, M.S., P.E.	
Interim Chief Information Officer	Tanya Acevedo	
Interim Chief Information Officer	Rod Brown	
Interim Chief Information Officer	Walter Lagrone	
Director, Records Mgmt & Communications	Steven Broberg	
Travis County Attorney	David Escamilla	
First Assistant County Attorney	Steve Capelle	
Executive Assistant, County Attorney	James Collins	
Director, Land Use Division	Tom Nuckols	
Attorney, Land Use Division	Julie Joe	
Attorney, Land Use Division	Christopher Gilmore	
Director, Transactions Division	John Hille	

Attorney, Transactions Division..... Vacant
 Attorney, Transactions Division..... Elizabeth Winn
 Attorney, Transactions Division..... Mary Etta Gerhardt
 Attorney, Transactions Division..... Barbara Wilson
 Attorney, Transactions Division..... Jim Connolly
 Attorney, Transactions Division..... Tenley Aldredge
 Director, Health Services Division Beth Devery
 Attorney, Health Services Division Prema Gregerson
 Purchasing Agent Cyd Grimes, C.P.M., CPPO
 Assistant Purchasing Agent Marvin Brice, CPPB
 Assistant Purchasing Agent Bonnie Floyd, CPPO, CPPB, CTPM
 Purchasing Agent Assistant IV CW Bruner, CTP
 Purchasing Agent Assistant IV Lee Perry
 Purchasing Agent Assistant IV Jason Walker
 Purchasing Agent Assistant IV Richard Villareal
 Purchasing Agent Assistant IV Patrick Strittmatter*
 Purchasing Agent Assistant IV Lori Clyde, CPPO, CPPB
 Purchasing Agent Assistant IV Scott Wilson, CPPB
 Purchasing Agent Assistant IV Jorge Talavera, CPPO, CPPB
 Purchasing Agent Assistant IV Loren Breland, CPPB
 Purchasing Agent Assistant IV John E. Pena, CTPM
 Purchasing Agent Assistant IV Rosalinda Garcia
 Purchasing Agent Assistant IV Angel Gomez*
 Purchasing Agent Assistant III Shannon Pleasant, CTPM
 Purchasing Agent Assistant III David Walch
 Purchasing Agent Assistant III Michael Long, CPPB
 Purchasing Agent Assistant III Nancy Barchus, CPPB
 Purchasing Agent Assistant III Jesse Herrera, CTP, CTPM, CTCM*
 Purchasing Agent Assistant III Sydney Ceder*
 Purchasing Agent Assistant III Vacant
 Purchasing Agent Assistant II Jayne Rybak, CTP*
 Purchasing Agent Assistant II L. Wade Laursen*
 Purchasing Agent Assistant II Sam Francis*
 HUB Coordinator Sylvia Lopez
 HUB Specialist Betty Chapa
 HUB Specialist Jerome Guerrero
 Purchasing Business Analyst..... Scott Worthington
 Purchasing Business Analyst..... Jennifer Francis

FORMER EMPLOYEES

<u>Position Held</u>	<u>Name of Individual</u> <u>Holding Office/Position</u>	<u>Date of Expiration</u>
Purchasing Agent Assistant IV	Diana Gonzalez..	12/16/12
Purchasing Agent Assistant III	Elizabeth Corey, C.P.M.	03/14/13
Attorney, Transactions Division	Tamara Armstrong	03/30/13
Executive Assistant.....	Lori Duarte.....	06/15/13
Chief Information Officer.	Joe Harlow	07/31/13
County Auditor	Susan Spataro, CPA.....	08/31/13
Purchasing Agent Assistant IV	George R. Monnat, C.P.M., A.P.P. .	09/26/13
Executive Assistant.....	Cheryl Aker.....	10/05/13

* - Identifies employees who have been in that position less than a year.

Exhibit "B" to Attachment 1

Operator acknowledges that Operator is doing business or has done business during the 365-day period immediately prior to the date on which this proposal is due with the following key persons and warrants that these are the only such key persons:

If no one is listed above, Operator warrants that Operator is not doing business and has not done business during the 365-day period immediately prior to the date on which this proposal is due with any key person.

STATE OF TEXAS

COUNTY OF TRAVIS

**LEASE FOR PARKING SPACES
AT 1300 GUADALUPE**

Term: The term of this agreement (this "Agreement") shall commence January 1, 2013 (the "Commencement Date") and terminate December 31, 2013 (the "Current Term").

of Spaces: Texas Oil & Gas Association ("Operator") shall provide ten (10) parking spaces in the parking lot located at 1300 Guadalupe, Austin, Texas 78701 (the "Parking Lot").

Conditions: Travis County shall have the right to use the above-described 10 parking spaces in accordance with the terms and conditions set forth herein.

Travis County agrees to contract for and Operator shall activate 10 parking spaces by the Commencement Date. Beginning January 1, 2013, charges for each space incurred to date will be due; charges for each space to be paid each month thereafter will be payable throughout the term of this Agreement, in advance, on the first day of each month.

If Operator wishes to delete any parking space from the number of spaces covered by this Agreement, it shall give County thirty (30) days prior written notice; if such notice is not provided, no charges for the deleted space shall become due. In addition, Operator agrees to provide Travis County with immediate notification when and if any additional parking spaces in the Parking Lot become available for use by Travis County.

Charges are for spaces only. Operator assumes no responsibility whatsoever for loss or damage of vehicles or their contents, however caused. VEHICLES SHOULD BE LOCKED AND VALUABLES SHOULD NOT BE LEFT IN VEHICLES.

Travis County agrees to abide by any and all reasonable regulations pertaining to the use of the Parking Lot and the leased spaces as may, from time to time, be prescribed by Operator. Travis County

further agrees to park all vehicles in any area within the Parking Lot designated by Operator.

No refunds, credits or allowances will be granted to Travis County for absence, vacation or other non-use of the Parking Lot.

Rate: \$800.00 per month.

Billing Address: Monthly parking invoices should be sent to Roger El Khoury, P.E., Director, Travis County Facilities Management, P.O. Box 1748, Austin, Texas 78767. Any changes in the above billing address shall be provided to Operator by written notice by the 15th of the month.

Remitting Address: Monthly payments shall be remitted to: Texas Oil & Gas Association, Inc., 304 West 13th Street, Austin, Texas 78701-1823.

Location: Vehicle(s) may be parked in any legal parking space(s) throughout the Parking Lot not signed "Reserved." Non-reserved parking spaces shall be available on a first-come, first-served basis.

Access: Access will be 24 hours a day, 7 days a week, 365 days a year.

Assignability: Travis County may not assign this Agreement without obtaining the prior written consent of Operator, said consent not to be unreasonably withheld.

Cancellation: Either party shall have the right to cancel this Agreement for any reason upon thirty (30) days written notice. Operator shall have the right to cancel this Agreement if the account is more than forty-five (45) days past due.

In addition, Operator has the right to cancel this Agreement upon written notice in the event the Parking Lot is sold.

County has the right to cancel this Agreement by giving ninety (90) days advance written notice to Operator stating that Travis County has failed to provide funding for this Agreement for the following fiscal year of Travis County, Texas. County, upon giving Operator the notice, may terminate this Agreement without any further liability, effective as of the last day of the 90-day notice period.

Forfeiture: If Operator has done business with a Key Contracting Person, as listed in "Exhibit A" to the affidavit attached as **Attachment 1** and

made a part hereof, during the 365-day period immediately prior to the date of execution of this Agreement by Operator or does business with any such key person at any time after the date of execution of this Agreement by Operator and prior to full performance of this Agreement, Operator shall forfeit all benefits of this Agreement, and Travis County shall retain all performance by Operator and shall recover all consideration, or the value of all consideration, paid to Operator pursuant to this Agreement; provided, however, that this section may be waived by the Travis County Commissioners Court pursuant to section 32.004(f) of the Travis County Ethics Policy. Operator may utilize "Exhibit B" to **Attachment 1** for this purpose. "Has done business" and "does business" mean:

(i) paying or receiving in any calendar year any money or valuable thing which is worth more than \$250 in the aggregate in exchange for personal services or for the purchase of any property or property interest, either real or personal, either legal or equitable; or,

(ii) loaning or receiving a loan of money; or goods or otherwise creating or having in existence any legal obligation or debt with a value of more than \$250 in the aggregate in a calendar year;

but does not include

(iii) any retail transaction for goods or services sold to a Key Contracting Person at a posted, published, or marked price available to the public,

(iv) any financial services product sold to a Key Contracting Person for personal, family or household purposes in accordance with pricing guidelines applicable to similarly situated individuals with similar risks as determined by Operator in the ordinary course of its business; and

(v) a transaction for a financial service or insurance coverage made on behalf of Operator if Operator is a national or multinational corporation by an agent, employee or other representative of Operator who does not know and is not in a position that he or she should have known about this Agreement.

Mediation:

When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a

mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in §154.073 of the Texas Civil Practice and Remedies Code, unless both parties agree, in writing, to waive the confidentiality.

Conflict of Interest

Questionnaire:

If required under Chapter 176 Texas Local Government Code, Operator shall file a completed Conflict of Interest Questionnaire in accordance with the requirements of that Chapter. Within the applicable, authorized time period prescribed in Chapter 176, Operator shall file the completed Conflict of Interest Questionnaire with the Travis County Clerk, Recording Division, 5501 Airport Blvd., Austin, Texas 78751. Operator shall file an updated, completed questionnaire with the Travis County Clerk not later than the seventh (7th) business day after the date of an event that would make a statement in the questionnaire incomplete or inaccurate. Operator should note that the law requires that the County provide access to a filed Questionnaire on the official Travis County Internet website. However, the law does not require that the County release information which is excepted from disclosure under the Texas Public Information Act. As between County and Operator, Operator shall be solely responsible for the preparation of its Conflict of Interest Questionnaire, the accuracy and completeness of the content contained therein and ensuring compliance with all applicable requirements of Chapter 176, Local Government Code.

W-9:

Operator shall provide County with an Internal Revenue Form W-9, Request for Taxpayer Identification Number and Certification, that is completed in compliance with the Internal Revenue Code and its rules and regulations before any Agreement funds are payable.

Property Taxes:

In the event any property taxes on any property owned by Operator located in Travis County, Texas, are overdue and delinquent, then the overdue and delinquent amount shall be withheld from any payments due Operator and paid to the appropriate taxing jurisdiction. Operator assigns any payments due

under this Agreement to the Travis County Tax Assessor-Collector for the payment of the delinquent taxes.

Exempt Contract: The Travis County Commissioners Court hereby orders this Agreement exempted from the bidding requirements of the County Purchasing Act pursuant to Section 262.024(a)(6) of the Local Government Code in that it involves land.

Entirety: This Agreement represents the entire and integrated Agreement between Operator and Travis County and supersedes all prior negotiations, representations, or agreements, either oral or written. This Agreement may be amended only by written instrument signed by both Operator and Travis County. NO OFFICIAL, EMPLOYEE, AGENT, OR REPRESENTATIVE OF TRAVIS COUNTY HAS ANY AUTHORITY, EXPRESS OR IMPLIED, TO AMEND THIS CONTRACT, EXCEPT BY SUCH EXPRESS AUTHORITY AS MAY BE GRANTED BY THE COMMISSIONERS COURT OF THE COUNTY.

TRAVIS COUNTY

By: _____
Samuel T. Biscoe
Travis County Judge

Date: _____

TEXAS OIL & GAS ASSOCIATION, INC.

By: _____
Bill Ennis
Vice-President for Member and Media Relations

Date: _____

ATTACHMENT 1

STATE OF TEXAS §
COUNTY OF TRAVIS §

ETHICS AFFIDAVIT

Date: _____
Name of Affiant: _____
Title of Affiant: _____
Business Name of Operator: _____
County of Operator: _____

Affiant on oath swears that the following statements are true:

1. **Affiant is authorized by Operator to make this affidavit for Operator.**
2. **Affiant is fully aware of the facts stated in this affidavit.**
3. **Affiant can read the English language.**
4. **Operator has received the list of key contracting persons associated with this solicitation which is attached to this affidavit as Exhibit "A".**
5. **Affiant has personally read Exhibit "A" to this affidavit.**
6. **Affiant has no knowledge of any key contracting person on Exhibit "A" with whom Operator is doing business or has done business during the 365-day period immediately before the date of this affidavit whose name is not disclosed in Exhibit "B" to this affidavit.**

Signature of Affiant

Address

SUBSCRIBED AND SWORN TO before me by _____, 2013.

Notary Public of the
State of Texas

Printed Name of Notary
My commission expires: _____

Exhibit "A" to Attachment 1
LIST OF KEY CONTRACTING PERSONS
December 17, 2012

CURRENT

<u>Position Held</u>	<u>Name of Individual Holding Office/Position</u>	<u>Name of Business Individual is Associated</u>
County Judge	Samuel T. Biscoe	
County Judge (Spouse)	Donalyn Thompson-Biscoe	
Executive Assistant	Cheryl Brown	
Executive Assistant	Melissa Velasquez	
Executive Assistant	Josie Z. Zavala	
Executive Assistant	Vacant	
Commissioner, Precinct 1	Ron Davis	
Commissioner, Precinct 1 (Spouse)	Annie Davis	Seton Hospital
Executive Assistant	Deone Wilhite	
Executive Assistant	Felicitas Chavez	
Commissioner, Precinct 2	Sarah Eckhardt	
Commissioner, Precinct 2 (Spouse)	Kurt Sauer	Daffer McDaniel, LLP
Executive Assistant	Loretta Farb	
Executive Assistant	Joe Hon	
Executive Assistant	Peter Einhorn	
Commissioner, Precinct 3	Karen Huber	
Commissioner, Precinct 3 (Spouse)	Leonard Huber	Retired
Executive Assistant	Garry Brown	
Executive Assistant	Julie Wheeler*	
Executive Assistant	Jacob Cottingham	
Commissioner, Precinct 4	Margaret Gomez	
Executive Assistant	Edith Moreida	
Executive Assistant	Norma Guerra	
County Treasurer	Dolores Ortega-Carter	
County Auditor	Nicki Riley*	
County Executive, Administrative	Vacant	
County Executive, Planning & Budget	Leslie Browder*	
County Executive, Emergency Services	Danny Hobby	
County Executive, Health/Human Services	Sherri E. Fleming	
County Executive, TNR	Steven M. Manilla, P.E.*	
County Executive, Justice & Public Safety	Roger Jefferies	
Director, Facilities Management	Roger El Khoury, M.S., P.E.	
Interim Chief Information Officer	Tanya Acevedo	
Interim Chief Information Officer	Rod Brown	
Interim Chief Information Officer	Walter Lagrone	
Director, Records Mgmt & Communications	Steven Broberg	
Travis County Attorney	David Escamilla	
First Assistant County Attorney	Steve Capelle	
Executive Assistant, County Attorney	James Collins	
Director, Land Use Division	Tom Nuckols	
Attorney, Land Use Division	Julie Joe	
Attorney, Land Use Division	Christopher Gilmore	
Director, Transactions Division	John Hille	
Attorney, Transactions Division	Daniel Bradford	
Attorney, Transactions Division	Elizabeth Winn	

Attorney, Transactions DivisionMary Etta Gerhardt
 Attorney, Transactions DivisionBarbara Wilson
 Attorney, Transactions DivisionJim Connolly
 Attorney, Transactions DivisionTenley Aldredge
 Director, Health Services DivisionBeth Devery
 Attorney, Health Services DivisionPrema Gregerson
 Purchasing AgentCyd Grimes, C.P.M., CPPO
 Assistant Purchasing AgentMarvin Brice, CPPB
 Assistant Purchasing AgentBonnie Floyd, CPPO, CPPB, CTPM
 Purchasing Agent Assistant IVCW Bruner, CTP
 Purchasing Agent Assistant IVLee Perry
 Purchasing Agent Assistant IVJason Walker
 Purchasing Agent Assistant IVRichard Villareal
 Purchasing Agent Assistant IVPatrick Strittmatter
 Purchasing Agent Assistant IVLori Clyde, CPPO, CPPB
 Purchasing Agent Assistant IVScott Wilson, CPPB
 Purchasing Agent Assistant IVJorge Talavera, CPPO, CPPB
 Purchasing Agent Assistant IVLoren Breland, CPPB
 Purchasing Agent Assistant IVJohn E. Pena, CTPM
 Purchasing Agent Assistant IVRosalinda Garcia
 Purchasing Agent Assistant IVAngel Gomez*
 Purchasing Agent Assistant IIIShannon Pleasant, CTPM
 Purchasing Agent Assistant IIIDavid Walch
 Purchasing Agent Assistant IIIMichael Long, CPPB
 Purchasing Agent Assistant IIINancy Barchus, CPPB
 Purchasing Agent Assistant IIIJesse Herrera, CTP, CTPM, CTCM*
 Purchasing Agent Assistant IIISydney Ceder*
 Purchasing Agent Assistant IIIVacant
 Purchasing Agent Assistant II.....Jayne Rybak, CTP*
 Purchasing Agent Assistant II.....L. Wade Laursen*
 Purchasing Agent Assistant II.....Sam Francis*
 HUB Coordinator.....Sylvia Lopez
 HUB SpecialistBetty Chapa
 HUB SpecialistJerome Guerrero
 Purchasing Business AnalystScott Worthington
 Purchasing Business AnalystJennifer Francis

FORMER EMPLOYEES

<u>Position Held</u>	<u>Name of Individual Holding Office/Position</u>	<u>Date of Expiration</u>
Purchasing Agent Assistant III	Elizabeth Corey, C.P.M....	03/14/13
Attorney, Transactions Division	Tamara Armstrong	03/30/13
Executive Assistant.....	Lori Duarte.....	06/15/13
Chief Information Officer	Joe Harlow	07/31/13
County Auditor	Susan Spataro, CPA	08/31/13
Purchasing Agent Assistant IV	George R. Monnat, C.P.M., A.P.P. .	09/26/13
Executive Assistant.....	Cheryl Aker.....	10/05/13

* - Identifies employees who have been in that position less than a year.

Exhibit "B" to Attachment 1

Operator acknowledges that Operator is doing business or has done business during the 365-day period immediately prior to the date on which this proposal is due with the following key persons and warrants that these are the only such key persons:

If no one is listed above, Operator warrants that Operator is not doing business and has not done business during the 365-day period immediately prior to the date on which this proposal is due with any key person.

Item 7



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Jesus Angel Gómez/854-1187; Marvin Brice, CPPB/854-9765

Elected/Appointed Official/Dept. Head: Cyd V. Grimes, C.P.M., CPPO

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Approve contract award for Collier-East Command Office Building Replace Cooling Tower, IFB No. 1210-010-AG, to the low bidder, Acme Heating and Cooling, LLC.

- **Purchasing Recommendation and Comments:** Purchasing concurs with department and recommends approval of requested action. This procurement action meets the compliance requirements as outlined by the statutes.

This contract requires the Contractor to provide labor, equipment, materials and supervision necessary for the replacement of the cooling tower, at Collier-East Command Office Building, 7811 Burleson-Manor Road, Manor, Texas.

IFB 1210-010-AG was issued on November 7, 2012, to solicit bids for the project referenced above. After a total of twenty-nine (29) vendors were solicited, five (5) bids were received electronically in response to the solicitation when subject IFB opened on November 28, 2012, at 2:00 p.m. The low bidder is Acme Heating and Cooling, LLC, with a Base Bid of \$72,900. As a matter of interest to the Court, the reason there is zero HUB participation is that the Contractor will be self-performing the work so there are no available subcontracting opportunities.

Facilities Management Department (FMD) recommends that a contract be awarded to Acme Heating and Cooling, LLC, in the amount of \$72,900. FMD has determined that the price is fair and reasonable. Purchasing concurs with FMD's contract award recommendation.

- **Contract-Related Information:**

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.

Award Amount: \$72,900

Contract Type: Construction

Contract Period: 60 Calendar Days after NTP issuance

➤ **Solicitation-Related Information:**

Solicitations Sent: 29

Responses Received: 5

HUB Information: 2

% HUB Subcontractor: 0

➤ **Special Contract Considerations:**

Award has been protested; interested parties have been notified.

Award is not to the lowest bidder; interested parties have been notified.

Comments:

➤ **Funding Information:**

Shopping Cart/Funds Reservation in SAP: 300000392

Cost Center-G/L no'(s): 1140090001-510030, Fund 0001

Comments:

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



Angel
12-10-12
MB

FACILITIES MANAGEMENT DEPARTMENT

Roger A. El Khoury, M.S., P.E., Director

1010 Lavaca Street, Suite 400 • P.O. Box 1748, Austin, Texas 78767 • Phone: (512) 854-9661 • Fax: (512) 854-9226

MEMORANDUM

Project No: EASTC-13-13F-1M
File: 703

TO: Cyd Grimes, CPM, Purchasing Agent
FROM: Roger A. El Khoury, M.S., P.E., Director
DATE: December 6, 2012
SUBJECT: Collier-East Command Office Building
Replace Cooling Tower
Award Recommendation, Solicitation 1210-010-AG

Facilities Management Department (FMD) recommends award of a contract to replace the Cooling Tower at Collier-East Command office building to the apparent low bidder, Acme Heating and Cooling, LLC. Five bids have been reviewed and the low bid of \$72,900.00 was determined to be fair and reasonable. Performance period is 60 calendar days from issuance of notice to proceed and liquidated damages are \$200 per day. Facilities Management Department recommends approval.

Funding is located in cost center 1140090001, product code 721011511. The funds reservation number is 300000392. Please call Lloyd Evans at 4-4773 if you have any questions.

In accordance with the procedure to award this project to Acme Heating and Cooling LLC, this request is being forwarded along with the supporting documents for Commissioners Court approval. Please post an agenda item on the Court for December 18, 2012. We appreciate your assistance with this request. Please direct questions to Lloyd Evans by email or phone @ 4-4773.

ATTACHMENT:

- 1) Bid Tabulation

COPY:

- Leslie Browder, County Executive, PBO
- Lloyd Evans, Maintenance Division Director, FMD
- Amy Draper, C.P.A., Financial Manager, FMD
- Marvin Brice, CPPB, Assistant Purchasing Agent, Purchasing Office

RECEIVED
TRAVIS COUNTY
PURCHASING
OFFICE
2012 DEC -7 AM 3:58

Funds Reservation 300000392

General Data			
Document type	FC	Document type	030
Company code	1000	Document date	10/15/2012
FM area	1000	Posting date	10/15/2012
Controlling area	1000	Currency	USD/ 1.00000
Statistics			
Entered by	DRAPER A	Created on	10/15/2012
Last changed by	HUFFH	Last changed	12/14/2012
More Data			
Text	Replace Cooling Tower at Collier		
Reference	COLLIER COOL TWR		
Overall Amount	72,900.00 USD		

Document item 001			
Text	Replace Cooling Tower at Collier		
Commitment item	510030	Funds center	1140090001
Fund	0001	G/L account	510030
Cost center	1140090001	Due on	
Vendor		Customer	
Amount	72,900.00 USD		

13-13F-1M AAE

Bid #1210-010-AG, FMD PROJECT NO. EASTC-12-12R-4M - Collier-East Command Office Building - Replace Cooling Tower

Creation Date **Oct 23, 2012**

End Date **Nov 28, 2012 2:00:00 PM CST**

Start Date **Nov 7, 2012 2:24:16 PM CST**

Awarded Date **Not Yet Awarded**

1210-010-AG, FMD PROJECT NO. EASTC-12-12R-4M--01-01 Collier-East Command Office Bldg. -Replace Cooling Tower					
Supplier	Unit Price	Qty/Unit	Total Price	Attch.	Docs
<u>Acme Heating and Cooling, LLC</u>	<input checked="" type="checkbox"/> First Offer - \$72,900.00	1 / lump sum	\$72,900.00		Y
Product Code: Unit Amount Text: Total Amount Text: Agency Notes:			Supplier Product Code: Supplier Notes:		
<u>Climate Solutions</u>	First Offer - \$74,470.00	1 / lump sum	\$74,470.00	Y	Y
Product Code: Unit Amount Text: Seventy four thousand four hundred and seventy dollars and no cents Total Amount Text: Seventy four thousand four hundred and seventy dollars and no cents Agency Notes:			Supplier Product Code: LSWA-P91A-2 Supplier Notes:		
<u>Thermal Mechanical Contractors</u>	<input checked="" type="checkbox"/> First Offer - \$77,800.00	1 / lump sum	\$77,800.00		Y
Product Code: Unit Amount Text: Total Amount Text: Agency Notes:			Supplier Product Code: Supplier Notes:		
<u>JOHNSON CONTROLS</u>	First Offer - \$77,978.00	1 / lump sum	\$77,978.00	Y	Y
Product Code: Unit Amount Text: Seventy Seven Thousand Nine Hundred Seventy Eight and zero cents Total Amount Text: Seventy Seven Thousand Nine Hundred Seventy Eight and zero cents Agency Notes:			Supplier Product Code: Supplier Notes:		
<u>Peak Pure Air</u>	<input checked="" type="checkbox"/> First Offer - \$82,560.00	1 / lump sum	\$82,560.00		Y
Product Code: Unit Amount Text: Total Amount Text: Agency Notes:			Supplier Product Code: Supplier Notes:		

Supplier Totals

<u>Acme Heating and Cooling, LLC</u>	\$72,900.00
Bid Contact Mark Langley acmecooleheat.com Ph 210-861-4872	Address 28720 I10 West Boerne, TX 78006
Agency Notes:	Supplier Notes:
<u>Climate Solutions</u>	\$74,470.00
Bid Contact MacLean Dove mac@climatesolutionstx.com Ph 512-260-9955	Address 715 Discovery Blvd. Suite 506 Cedar Park, TX 78613
Qualifications SB	
Agency Notes:	Supplier Notes:
<u>Thermal Mechanical Contractors</u>	\$77,800.00
Bid Contact Clint Smith cs.tmc@sbcglobal.net Ph 512-272-4547	Address PO Box 646 Manor, TX 78653

Agency Notes:	Supplier Notes:	
<u>JOHNSON CONTROLS</u>		\$77,978.00
Bid Contact MATT SULLIVAN <u>Wesley.a.ferry@jci.com</u> Ph 512-339-5753	Address 11500 METRIC BLVD AUSTIN, TX 78758	
Bid Notes Please see attached Delegation of Authority and Bid Bond.		
Agency Notes:	Supplier Notes:	
	Please see attached Delegation of Authority and Bid Bond.	
<u>Peak Pure Air</u>		\$82,560.00
Bid Contact Jon Peacock <u>jp@peakpureair.net</u> Ph 866-253-1746	Address P.O.Box 5098 18762 FM1431 Jonestown, TX 78645-9636	
Agency Notes:	Supplier Notes:	

**

AGREEMENT FOR CONSTRUCTION SERVICES

CONTRACT NO. 4400001219; IFB NO. 1210-010-AG

This Agreement for Construction Services (the "Construction Contract") is entered into by and between Travis County, Texas, a political subdivision of the State of Texas (the "Owner"), and Acme Heating and Cooling, LLC (the "Contractor").

WHEREAS, the Owner desires to enter into the Construction Contract for the Collier-East Command Office Building Replace Cooling Tower (the "Project") in accordance with the provisions of the state statutes and in conformance with the Notice to Proceed (as issued by the Travis County Purchasing Agent), the Contractor's Bid (including the Bidding Documents, the Bid Form, any appendices to the Specifications addressing additional technical or other Project requirements, and any Addenda or Amendments thereto), General Conditions, Supplementary Conditions, and the Specifications, which term shall include the Drawings and/or Plans marked as, Collier-East Command Office Building Replace Cooling Tower IFB No. 1210-010-AG; and

WHEREAS, the Contractor has been engaged in and does comparable work and represents that it is fully equipped, competent and capable of performing the above-desired work, and desires to perform such work in accordance with the provisions of the Construction Contract; and

NOW, THEREFORE, in consideration of the mutual covenants and conditions stated herein, the Owner and the Contractor agree as follows:

ARTICLE I

- 1.1 In addition to such other terms as may be specifically defined herein, the capitalized terms referenced herein shall have the meanings ascribed to such terms in the General Conditions.
- 1.2 The written notice to proceed as issued by the Travis County Purchasing Agent (the "Notice to Proceed"), the Contractor's Bid as accepted by the Travis County Commissioners Court, the General Conditions, the Supplementary Conditions, the Specifications (which term shall include the Drawings and Plans marked Collier-East Command Office Building Replace Cooling Tower IFB No. 1210-010-AG, any appendices to the Specifications addressing additional technical or other Project requirements, and all addenda issued by the Architect/Engineer or the Travis County Purchasing Agent prior to the execution of this Construction Contract are incorporated in the Construction Contract as if set out at length.
- 1.3 The Contractor agrees to perform the work described in this Construction Contract and any and all documents incorporated therein (the "Work"). The Contractor shall commence the Work upon issuance of the Notice to Proceed, and subject to authorized adjustments, shall achieve substantial completion of the Work within 60 calendar days of such issuance (the "Substantial Completion Date"). All time limits stated in the Construction Contract, and/or the Contract Documents are of the essence. The Substantial Completion Date will not be modified, extended, or otherwise revised except because of rain or other adverse weather conditions or as expressly provided in the Construction Contract documents, and the Contractor acknowledges that it may be required to work on weekends or holidays in order to achieve substantial completion by the Substantial Completion Date.
- 1.4 If the Contractor fails to achieve substantial completion of the Work by the Substantial Completion Date, the Contractor, by execution of this Construction Contract, specifically acknowledges that the Owner will sustain damages for each day the Work extends beyond the Substantial Completion Date. Because of the impracticality and extreme difficulty of fixing and ascertaining the Owner's actual damages, the Contractor agrees \$200.00 per calendar day shall be retained by the Owner from any amounts due the Contractor for every day that the Contractor's performance of the Work extends beyond the Substantial Completion Date.

ARTICLE II

- 2.1 For and in consideration of the Contractor's performance of the Work, the Owner shall pay the Contractor, in the manner provided for in Article 9 of the General Conditions, the total sum of \$72,900.00 (the "Contract Sum"). The Contract Sum is comprised of (i) \$61,700.00 for materials to be incorporated into the Project or completely consumed at the job site and services required by or integral to the performance of this Construction Contract and (ii) \$11,200.00 for all other charges, including the cost of other services, overhead, and materials which do not become part of the finished project or are reusable. This division of the Contract Sum is made to reflect sales tax purposes only. Invoices and payments need not reflect this division. However, Contractor shall maintain internal records to verify. Contractor shall make these records available upon request of the Travis County Auditor.
- 2.2 If at any time during the performance of this Construction Contract the Travis County Commissioners Court (i) fails to provide funding for this Construction Contract during the following fiscal year of Travis County, Texas, (ii) does not adopt a budget for expenditures, or (iii) is able only to partially fund the expenditures required by this Construction Contract, then the Owner may, upon giving the Contractor written notice of such failure to fund and termination, terminate this Construction Contract, or a part thereof, without any further liability, effective thirty (30) days after the Owner notifies the Contractor in writing of such failure to fund and termination. The Owner shall pay the Contractor for any portion of the Work completed up to the effective date. The Contractor shall have no recourse as to sums beyond those for any portion of the Work performed up to the effective date, including without limitation any recovery for lost profits anticipated to be made hereunder.
- 2.3 This Construction Contract may be amended only by a Travis County construction "Change Order" form signed by the Travis County Facilities Management Department (TCFMD), the Contractor, the Purchasing Agent, and the Commissioners Court, as necessary.
- 2.4 The Owner may terminate this Construction Contract if it is found that the Contractor offered or gave gratuities to any employee of the Owner with the intent to influence the purchasing process in any manner, either before or after the award of this Construction Contract. The Travis County Commissioners Court shall determine if the Contractor used gratuities to influence the process. If so determined and the Owner terminates this Construction Contract, the Owner shall be entitled to (i) pursue the same remedies against the Contractor as it could pursue if this Construction Contract were breached by the Contractor, and (ii) collect exemplary damages in an amount determined by the Travis County Commissioners Court which shall be not less than three nor more than ten times the amount given to any officer or employee of the Owner. The rights and remedies in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law.
- 2.5 The Contractor represents and warrants that no person or selling agency has been employed or retained to solicit or secure this Construction Contract upon an understanding for a commission, percentage, brokerage, or contingent fee, excepting bonafide employees and established commercial selling agencies maintained by the Contractor to secure business. If the Contractor breaches this warranty, then the Owner shall have the right to terminate this Construction Contract without liability, or in its discretion to deduct from the amount due to the Contractor from the Owner, or otherwise recover, the full amount of commission, percentage, brokerage, or contingent fee.
- 2.6 No action or failure to act by the Owner or the Contractor shall constitute a waiver of any right or duty afforded either of them under this Construction Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

The effective date of this Construction Contract shall for all purposes be the date of the execution of the last to sign, whether the Owner or the Contractor.

IN WITNESS WHEREOF, the parties have executed this Construction Contract as of the date(s) set forth below.

TRAVIS COUNTY, TEXAS

Acme Heating and Cooling, LLC

By: _____
Samuel T. Biscoe
Travis County Judge
Date: _____

By: Mark Langley
Name: Mark Langley
Title: Owner
Date: 12/19/12

APPROVED AS TO FORM BY:

County Attorney

FUNDS VERIFIED BY:

County Auditor

APPROVED BY PURCHASING AGENT:

County Purchasing Agent



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Shannon Pleasant, CTPM 854-1181 /
Marvin Brice, CPPB 854-9765

Elected/Appointed Official/Dept. Head: Cyd Grimes, C.P.M., CPPO

Commissioners Court Sponsor: Judge Biscoe

Agenda Language: Consider and Take Appropriate Action on Request to Renew List Of Certain Health and Human Services and Veterans Services Social Service Contracts which Expire December 31, 2012.

Travis County Health and Human Services and Veteran Services Department has requested the Purchasing Office to place on the Court's Agenda the attached list of Social Services Contracts which will expire December 31, 2012. HHS & VS is currently working with the County Attorney's office on finalizing the Statement of Work and funding of these contracts; and as such they were not ready for presentation to the Court at the time of this agenda preparation. Once the contracts are finalized, and funding secured, they will be presented under another agenda posting to the Court for signature. However, in order to prevent contract expiration, the attached list (Attachment A) is being presented for Court approval at this time.

REQUESTED ACTION:

APPROVE () DISAPPROVE ()

Samuel T. Biscoe, County Judge

Date

➤ Contract-Related Information: See Attachment A

ID #7800

AGENDA REQUEST DEADLINE: All agenda requests and supporting materials must be submitted as a pdf to Cheryl Aker in the County Judge's office, Cheryl.Aker@co.travis.tx.us by Tuesdays at 5:00 p.m. for the next week's meeting.



**TRAVIS COUNTY HEALTH and HUMAN SERVICES
and VETERANS SERVICE
502 E. Highland Mall Blvd.
P. O. Box 1748
Austin, Texas 78767**

**Sherri E. Fleming
County Executive
for TCHHSVS
(512) 854-4100
Fax (512) 279-1608**

DATE: December 5, 2012

TO: Cyd Grimes, Travis County Purchasing Office

FROM:

Sherri E. Fleming

Sherri E. Fleming
County Executive for Travis County Health and Human Services
and Veterans Service

SUBJECT: Contract renewals

Proposed Motions:

Consider and take appropriate action to approve two TCHHSVS contract renewals that are currently being reviewed by the respective vendors and will not be returned in time to be posted on the final 2012 Commissioners Court agenda.

Summary and Staff Recommendations:

- 1) UT Ray Marshall Center
Contract Number: 4400000370
Contract Period: 1/1/13 – 12/31/13
Contract Amount: \$78,400

Contract Description:

The 2013 contract will continue the work the Ray Marshall Center started in 2006. This work offers independent evaluation of the benefits Travis County creates through its investments in workforce development. This evaluation provides valuable insight into the effectiveness and impact of these investments. County staff continues to use the findings of this evaluation to inform both new investments and make improvements in existing investments.

Contract Status:

The 2013 contract has been drafted and sent to UT for review.

2) ATCIC Main

Contract Number: 4400000375

Contract Period: 1/1/13 – 12/31/13

Contract Amount: \$1,411,054

Contract Description:

Under this Interlocal, Austin Travis County Integral Care (ATCIC) is required to serve as the lead in assessment, planning, and evaluation functions relative to mental health, developmental disabilities, and substance abuse services in support of the Community Action Network process. (Substance abuse services are primarily funded through a separate interlocal contract between the City of Austin, ATCIC and the County referred to as the SAMSO contract.) ATCIC uses funding from the County, and the City of Austin under a separate agreement, to fulfill its obligations as the designated Mental Health and Developmental Disability Authority in Travis County. ATCIC also is responsible for the provision of certain mental health and developmental disability services, either as a direct provider or through subcontracts with other providers, for the priority populations defined by the Texas Department of State Health Services. The priority populations include adult diagnoses of schizophrenia, bi-polar disorder or clinically severe depression and children with severe and persistent mental illness, including those with current or previous involvement in the criminal justice system.

Contract Status:

The 2013 contract has been drafted and sent to the ATCIC General Counsel for review.

TCHHSVS staff recommends approving these renewals.

Budgetary and Fiscal Impact:

This information is included with each contract listed above.

Issues and Opportunities:

The services provided by these contracts need to be continued while the renewals are being reviewed.

Background:

TCHHSVS is working to get these renewals back from the vendors as soon as possible.

Cc: Nicki Riley, Travis County Auditor
Patti Smith, Chief Assistant County Auditor
Mary Gerhardt, Assistant County Attorney
Leslie Browder, Executive Manager, Planning and Budget Office
Diana Ramirez, Analyst, Planning and Budget Office
Cyd Grimes, C.P.M., Travis County Purchasing Agent

**Shannon Pleasant, Assistant Purchasing Agent, Travis County Purchasing
Office**

Old HTE Contract Number	SAP Contract Number	Contract Description	Contract Expiration Date	Supplier	Department Contact
IL060254RE	4400000370	Independent evaluation of TC workforce development	12/31/2012	UT Ray Marshall Center	John Bradshaw
IL070171RE	4400000375	Mental Health Services	12/31/2012	Austin Travis County Integral Care (ATCIC)	John Bradshaw



Item 11

Travis County Commissioners Court Agenda Request

Meeting Date: January 8, 2013

Prepared By: Rose Farmer **Phone #:** 854-7214

Division Director/Manager: Jon White, TNR-NREQ

Department Head: Steven M. Manila, P.E., County Executive-TNR

Sponsoring Court Member: County Judge Samuel T. Biscoe

AGENDA LANGUAGE: Consider and take appropriate action on a proposed amendment to the Interlocal Cooperation Agreement between Travis County and the City of Austin implementing the Balcones Canyonlands Conservation Plan- Shared Vision.

BACKGROUND/SUMMARY OF REQUEST:

This proposed amendment would increase the membership in the Coordinating Committee for the Balcones Canyonlands Conservation Plan (BCCP) from having one member per agency to having two members per agency. This proposed change in membership would help foster better communication between the committee members and agencies they represent.

The Interlocal Cooperation Agreement between Travis County and the City of Austin implementing the Balcones Canyonlands Conservation Plan-Shared Vision was signed by both agencies on August 3, 1995. This agreement between the co-permit holders was signed prior to the issuance of the federal permit (BCCP) under Section 10(a) of the Endangered Species Act which was issued to the City of Austin and Travis County on May 2, 1996 by the U.S. Fish and Wildlife Service (USFWS). This Interlocal-Shared Vision Agreement outlined the basic structure of the relationship between the two agencies to administer and implement the plan.

In Section 2.3 of this agreement, it outlines the membership composition of the BCCP Coordinating Committee (the governing body for this permit). Coordinating Committee membership currently consists of one voting member from Travis County Commissioners Court, one voting member from the Austin City Council, and one non-voting member from USFWS. Changing the number of voting members from one per agency to two per agency would not change the composition of the committee but would help improve member communication on issues of concern and also improve voting since working on a committee of just two voting members has occasionally been problematic.

In Section 7.2 of this agreement, it lists the official process to amend the Interlocal-Shared Vision agreement. If Travis County wishes to amend this agreement, it can submit a written proposal requesting that this be discussed by the BCCP Coordinating Committee at a regular or special meeting. The Coordinating Committee will then review and make a recommendation to the Travis County Commissioners Court and Austin City Council for their official votes to amend this agreement. If the two agencies adopt this amendment, they would send copies of the adopted resolutions to the BCCP Coordinating Committee Secretary with a copy of the amendment to USFWS for their approval.

In addition, the two agencies would also seek approval from USFWS under the BCCP permit which would likely result in a minor administrative amendment. USFWS staff believe that this would be approved as a minor amendment since the composition (percentage of membership per agency) of the Coordinating Committee will not have changed.

STAFF RECOMMENDATIONS:

TNR recommends that Travis County send an official proposal requesting that the BCCP Coordinating Committee consider an amendment to increase the BCCP Coordinating Committee membership to: two County Commissioners (voting members), two City Council Members (voting members), and one USFWS (non-voting member) to be discussed at the next regular meeting.

ISSUES AND OPPORTUNITIES:

NA

FISCAL IMPACT AND SOURCE OF FUNDING:

NA

ATTACHMENTS/EXHIBITS:

Draft Amendment to the Interlocal Cooperation Agreement between Travis County and the City of Austin implementing the Balcones Canyonlands Conservation Plan-Shared Vision

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Jon White	Division Director, NREQ	TNR	854-7212
William Conrad	BCCP Coordinating Committee Secretary	COA	972-1661
Sherri Kuhl	AWU BCCP Program manager	COA	972-1664

Linda Laack	BCCP Sr. Biologist	TNR	219-6190x8
-------------	--------------------	-----	------------

CC:

Mike Wallace	Envioronmental Specialist	TNR	854-7213

: :
0901 - BCP -

AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT
BETWEEN TRAVIS COUNTY, TEXAS, AND THE
CITY OF AUSTIN IMPLEMENTING THE BALCONES
CANYONLAND CONSERVATION PLAN-SHARED VISION

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This amendment is between the City of Austin, hereafter referred to as "Austin", and the Travis County hereafter referred to as "County". This Amendment modifies the Interlocal Agreement signed by the above listed parties on August 3, 1995, in accordance with Section 7.2 of that Agreement. There has been one previous amendment, approved by Austin and County in 1998, to the Interlocal Agreement.

I. Subsection (a) of Section 2.3 is amended to read as follows:

- (a) The Coordinating Committee shall consist of four (4) voting members and one (1) non-voting ex-officio member to be appointed as follows:
 - (1) Two voting members appointed by the County from among the County Commissioners Court,
 - (2) Two voting members appointed by Austin from among the City Council,
 - (3) One non-voting ex-officio member appointed by the United States Fish and Wildlife Service ("USFWS").

II. Subsection (c) of Section 2.5 is amended to read as follows:

- (c) A quorum of the Coordinating Committee is three voting members. A majority vote is required to enact Coordinating Committee motions. A Coordinating Committee member may send a proxy to vote in his or her place, provided that the proxy is a member of the same governing body as the Coordinating Committee member.

III. This Amendment is effective upon execution by both parties.

IV. The remainder of the Interlocal Agreement and Amendment 1 are affirmed and remain in effect.

CITY OF AUSTIN:

By: _____

Assistant City Manger

Date: _____

APPROVED AS TO FORM:

By: _____

City of Austin, Law Department

TRAVIS COUNTY:

By: _____

Samuel J. Biscoe
County Judge

Date: _____

APPROVED AS TO FORM:

By: _____

Travis County Attorney's Office

Item C3



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Gillian Porter, Commissioners Court Specialist, 512-854-4722

Elected/Appointed Official/Dept. Head: Dana DeBeauvoir, Travis County Clerk

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: Approve the Commissioners Court Minutes for the Special Voting Session of November 19, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

Call to Order

Meeting called to order on November 19, 2012, 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.

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Absent

Agenda Items

1. Consider and take appropriate action on order canvassing election returns in Travis County for the November 6, 2012 Joint General and Special Election for Federal, State, District and County officeholders and local County-ordered propositions.

Members of the Court heard from:

Dana DeBeauvoir, Travis County Clerk

Michael Winn, Division Director, Elections, Travis County Clerk's Office

MOTION: Waive the reading of the tally precinct by precinct and accept the summary, with the understanding that the results are available to all residents.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

MOTION: Approve the canvass.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge



Travis County Commissioners Court Agenda Request

Meeting Date: December 28, 2012

Prepared By/Phone Number: Gillian Porter, Commissioners Court Specialist, 512-854-4722

Elected/Appointed Official/Dept. Head: Dana DeBeauvoir, Travis County Clerk

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: Approve the Commissioners Court Minutes for the Voting Sessions of November 13, 20, 27 and December 4, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:

Call to Order

Meeting called to order on November 13, 2012, 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.

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. Receive comments regarding a request to authorize the filing of an instrument to vacate a 7.5 foot wide public utility easement located along the rear lot line of Lot 105, Block 1 of Steiner Ranch, Phase One, Section Two, in Precinct Two. (Commissioner Eckhardt) (Action Item # 9)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:

Anna Bowlin, Division Director, Engineering Services, Transportation and Natural Resources (TNR)

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

2. Receive comments regarding a request to authorize the filing of an instrument to release the non-disturbance easements located over and across several sections of the Overlook Estates, Phase 1 subdivision; replace them by separate instrument at the same time the vacation is recorded – Precinct Three. (Commissioner Huber) (Action Item # 10)

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:
Anna Bowlin, Division Director, Engineering Services, TNR

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Citizens Communication

Members of the Court heard from:
Gus Peña, Travis County Resident
Clay Defoe, Travis County Resident
Will McCloud, Travis County Resident
Dr. John K. Kim, Travis County Resident

Special Items

3. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

Members of the Court heard from:
Hershel Lee, Fire Marshall

MOTION: Prohibit outdoor burning in unincorporated areas until December 12, 2012.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Resolutions and Proclamations

4. Approve Proclamation regarding Hunger and Homelessness Awareness Week to be held November 10 through November 17, 2012 at various locations throughout Travis County.

Members of the Court heard from:
Sherri Fleming, County Executive, Health and Human Services Department, (HHSD)
Anne Howard, Executive Director, Ending Community Homelessness Coalition, (ECHO)
Liz Irely, ECHO Volunteer
Gus Peña, Travis County Resident

MOTION: Approval of Proclamation.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

5. Approve Resolution declaring the month of November 2012 as, "Pancreatic Cancer Awareness Month" in Travis County. (Commissioner Eckhardt)

MOTION: Approve the month of November 2012 as "Pancreatic Cancer Awareness

Month".
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Purchasing Office Items

6. Approve Modification No. 10 to Interlocal Contract No. 4400000350 (H.T.E. Contract No. IL030285LC), City of Austin, for the operation and maintenance of the Combined Transportation, Emergency & Communications Center (CTECC).

RESULT: ADDED TO CONSENT

7. Declare certain items surplus property and sell at public auction, pursuant to Section 263.151.

RESULT: ADDED TO CONSENT

8. Approve Contract Award for cabling installation services, time and materials, Contract No. 4400001201, to the lowest responsive bidder, ACS Dataline, LP d/b/a Black Box Network Services.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

9. Consider and take appropriate action regarding a request to authorize the filing of an instrument to vacate a 7.5 foot wide public utility easement located along the rear lot line of Lot 105, Block 1 of Steiner Ranch, Phase One, Section Two, in Precinct Two. (Commissioner Eckhardt)

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on a request to authorize the filing of an instrument to release the non-disturbance easements located over and across several sections of the Overlook Estates, Phase 1 subdivision; replace them by separate instrument at the same time the vacation is recorded – Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

11. Consider and take appropriate action on a Cash Security Agreement with Butterfield Custom Homes, LLC., for sidewalk fiscal for the Preserve at Lost Gold Cave Phase 2 for Lot 12, Block A, in Precinct Three. (Commissioner Huber)

Members of the Court heard from:
Will McCloud, Travis County Resident
Steven Manilla, County Executive, TNR

RESULT: ADDED TO CONSENT

12. Consider and take appropriate action on the following requests:
 - a. Web-based opinion survey on water supply issues; and

- b. A formal request by Commissioners Court for local agencies to participate in the web-based survey.

Members of the Court heard from:

Steven Manilla, County Executive, TNR
Clay Defoe, Travis County Resident

MOTION: Approve the use of a web based opinion survey in order to broaden the outreach effort and for the Court to see a draft survey for approval

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

- 13. Consider and take appropriate action on a Plat for recording in Precinct One: Lakeside at Blackhawk Section 3 final plat (Long Form Final Plat -54 total lots -27.6 acres -Winding Shore Lane -City of Pflugerville ETJ); and a Travis County Subdivision Construction Agreement between Travis County and Rowe Lane Development, Ltd. (Commissioner Davis)

RESULT: **ADDED TO CONSENT**

- 14. Consider and take appropriate action on a Transportation Enhancement Program Project (Decker Lane/FM 3177 sidewalk) submittal located in Precinct One. (Commissioner Davis)

MOTION: Approve Item 14.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

- 15. Consider and take appropriate action on the following requests in Precinct Three: (Commissioner Huber)

- a. An exemption from platting requirements for Southwest Hills Condominiums – 7 commercial units; and

- b. A Condominium Construction Agreement.

RESULT: **ADDED TO CONSENT**

Planning and Budget Dept. Items

- 16. Consider and take appropriate action on budget amendments, transfers and discussion items.

RESULT: **ADDED TO CONSENT**

- 17. Review and approve the immediate release of reimbursement payment to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$503,241.66, for the period of October 26 to November 1, 2012.

RESULT: **ADDED TO CONSENT**

- 18. Consider and take appropriate action on proposed routine personnel amendments.

RESULT: **ADDED TO CONSENT**

19. Consider and take appropriate action regarding the draft economic development incentive policy for Travis County. (May also be taken into Executive Session pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

Members of the Court heard from:

Leslie Browder, County Executive, Planning and Budget Office, (PBO)
Mary Etta Gerhardt, Assistant County Attorney
Katie Peterson, Senior Budget Analyst, PBO
Joanne Robinson, Travis County Resident
Dave Porter, Greater Austin Chamber of Commerce
Greg Casar, Workers Defense Project
Aaron Chappell, Laborers International Union of North America (LUNA)
Philip Lawhon, Representative, International Brotherhood of Electrical Workers (IBEW)
Jeremy Martin, Greater Austin Chamber of Commerce

Clerk's Note: The Court discussed whether to adopt a rebate process or an abatement policy.

MOTION: Indicate the Court's intention to adopt the rebate process.
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner

FRIENDLY

AMENDMENT: Include an option for tax abatement in the policy.
MOVER: Sarah Eckhardt, Commissioner
RESULT: **FRIENDLY NOT AMENDMENT ACCEPTED**

Clerk's Note: A Vote on the Standing Motion was taken.

RESULT: **APPROVED [4 TO 1]**
AYES: Samuel T. Biscoe, Ron Davis, Karen L. Huber, Margaret J. Gómez
NAYS: Sarah Eckhardt

Clerk's Note: The Court discussed whether a supermajority of the Court be required to either waive an element of the policy or amend the policy.

MOTION: Not require a supermajority on any decisions related to the economic development policy.
RESULT: **APPROVED [3 TO 2]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Margaret J. Gómez
NAYS: Sarah Eckhardt, Karen L. Huber

Clerk's Note: The Court discussed whether leasehold improvements should be eligible for incentives.

MOTION: Approve Staff recommendations to accept leasehold improvements as eligible for incentives and that the term of the lease be equal to or exceed the term of the incentive agreement.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed whether to approve a \$25M minimum for capital investment and the creation of 50 new jobs or higher.

MOTION: Approve Staff recommendation of \$25M minimum for capital investment and

creation of at least 100 new jobs.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed health benefit requirements.

MOTION: Approve Staff recommendation as well as adding to the language, state and federal requirements including a level of provision of benefits that meets or exceeds the Affordable Care Act requirements in place at the time of the policy.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed whether location should be a baseline requirement.

MOTION: Approve making location a baseline requirement rather than a preference
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed setting as a preference that the applicant could earn up to 5% additional rebate if they fill 50% of new jobs from Travis County Residents.

MOTION: Approve Staff recommendation.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed whether there should be mandatory recapture provisions.

MOTION: Approve the mandatory recapture language by striking the words "if appropriate".
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner

WITHDRAWAL

OF MOTION: **MADE BY:** Sarah Eckhardt, Commissioner
RESULT: **NO VOTE TAKEN**

MOTION: Strike the first clause of 28.008 (b) (5).
RESULT: **APPROVED [3 TO 2]**
MOVER: Sarah Eckhardt Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Margaret J. Gómez
NAYS: Samuel T. Biscoe, Karen L. Huber

Clerk's Note: The Court discussed whether a \$1,000.00 application fee should be required.

MOTION: Approve the \$1,000.00 fee and that we revisit this based on the City of Austin policy revisions.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

Clerk's Note: The Court discussed that the duration of the incentive agreement term would be 10 years.

MOTION: Accept the Staff recommendation for the limit of 10 years.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

Clerk's Note: The Court discussed whether a living wage will be a requirement, including for construction workers.

MOTION: Approve the draft language in 28.004 (a) (IX)
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Ron Davis, Commissioner

WITHDRAWAL

OF MOTION **MADE BY:** Sarah Eckhardt, Commissioner
RESULT: **NO VOTE TAKEN**

MOTION: Approve amending the language in 28.004 (a) (ix) to read: "Provide salaries to all employees including contract employees and employees hired by contractors for construction of the company's facilities related to incentive agreements at an hourly wage that equals or exceeds the County's established minimum wage."

RESULT: **APPROVED [3 TO 1]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Margaret J. Gómez
NAYS: Samuel T. Biscoe
ABSENT: Karen L. Huber

Clerk's Note: The County Judge requested a clean copy with the changes by Tuesday, November 20, 2012.

Other Items

20. Consider and take appropriate action on reappointment of Melvin Wrenn to the Strategic Housing Finance Corporation Board of Directors for a term effective immediately through December 31, 2014. (Commissioner Davis)

Items 20 and 21 are associated with one another and were called for concurrent discussion.

Members of the Court heard from:

Deece Eckstein, Coordinator, Office of Intergovernmental Relations, (IGR)

MOTION: Approve reappointment of Melvin Wrenn to serve through December 31, 2014.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

21. Consider and take appropriate action on reappointment of Richard Moya to serve on the Strategic Housing Finance Corporation Board of Directors with a term to expire December 31, 2018. (Commissioner Gomez)

Items 20 and 21 are associated with one another and were called for concurrent discussion.

Members of the Court heard from:
Deece Eckstein, Coordinator, IGR

MOTION: Approve Richard Moya to serve on the board of Strategic Housing Finance Corporation through December 31, 2018.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Consider and take appropriate action regarding Travis County and joint Travis County-City of Austin appointments to the Central Health Board of Managers.

Members of the Court heard from:
Deece Eckstein, Coordinator, IGR

MOTION: Send out the call for applications, approve the process and time table for applications to be due December 1, 2012, and substitute the conflict of interest affidavit.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

MOTION: Approve Staff recommendations in the reappointment of Anthony Haley
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

23. Consider and take appropriate action on Travis County appointment to the Travis Central Appraisal District Board of Directors.

Members of the Court heard from:
Deece Eckstein, Coordinator, IGR

MOTION: Approve to reappoint Michelle DeGrant for an additional term to end on December 31, 2014.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Ron Davis, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

24. Consider and take appropriate action on transportation related issues at the Formula I event from November 16 through 18, 2012.

Members of the Court heard from:

Steven Manilla, County Executive, TNR
David Greear, Senior Engineer, TNR
Mike Hemby, Planning Manager, Travis County Sheriff's Office, (TCSO)

RESULT: DISCUSSED

25. Consider and take appropriate action on acceptance of a donation of \$10,000 from Paul Larkin for the benefit of the 403rd District Court Youthful Offender Program.

Members of the Court heard from:

Clay Defoe, Travis County Resident
Daniel Bradford, Assistant County Attorney

MOTION: Approve application to CAMPO for transportation and enhancement monies.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

26. Consider and take appropriate action on request to consider and approve findings and Resolutions for adoption by the Commissioners Court of Travis County, Texas related to issuance of the City of Newark, Texas Cultural Education Facilities Finance Corporation Revenue Bonds for the benefit of Goodwill Industries of Central Texas and Goodwill Temporary Services, Inc.

MOTION: Approve Item 26.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

27. Receive briefing and take appropriate action regarding report of eminent domain authority required by Section 2206.101 of the Texas Government Code. (May also be taken into Executive Session Pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

RESULT: POSTPONED **Reset for: 11/20/2012**

Executive Session Items

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

28. Consider and take appropriate action on a counter-offer received by Travis County from Quarry Lot 8, Ltd. for sale of various parcels of property needed for right-of-way and associated

easements, and required for transportation-related improvements planned as part of the Slaughter Lane (East) Roadway Improvement Project in Precinct Four. (Commissioner Gomez) ²

Judge Biscoe announced that Item 28 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: Reject counter offer.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

29. Consider and take appropriate action on a counter-offer received by Travis County from Dannelly Tract, Ltd. for sale of various parcels of property needed for right-of-way and associated easements, and required for transportation-related improvements planned as part of the Slaughter Lane (East) Roadway Improvement Project in Precinct Four. (Commissioner Gomez) ²

Judge Biscoe announced that Item 29 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: Reject counter offer.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez
ABSENT: Karen L. Huber

30. Consult with County Attorney and take appropriate action regarding requirements of Internal Revenue Code related to reporting income related to benefits for certain dependents. ¹

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **DISCUSSED**

31. Consider and take appropriate action on an offer from the City of Austin to acquire an electric transmission easement across the East Command Center tract in Precinct One. ^{1 and 2}

RESULT: **POSTPONED** **Reset for: 11/20/2012**

32. Consult with County Attorney and take appropriate action regarding the appeal of the Texas Commission on Environmental Quality's decision to issue a permit to Waste Management of Texas, Inc. for the expansion of the Austin Community Landfill. ¹

Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **DISCUSSED**

33. Consultation with County Attorney and take appropriate action regarding roles and responsibilities of County Auditor and Commissioners Court on accounting and audit services and County programs, including a revised job description. ¹

Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: POSTPONED

34. Consider and take appropriate action on a request from Texas Department of Transportation for County to become a participating agency in the development of the EIS on U.S. Highway 290/State Highway 71 West from State Loop 1 (Mopac) to Ranch-to-Market Road 1826 in Travis County, Texas. ¹

Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:
John Hille, Assistant County Attorney

MOTION: Approve the request and designate Jon White, Natural Resource Environmental Quality Division Director, TNR and Steve Manilla, County Executive, TNR as the County representatives.

RESULT: APPROVED [3 TO 0]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSTAIN: Margaret J. Gómez

ABSENT: Karen L. Huber

35. Consult with County Attorney and take appropriate action in cause No. D-1-GN-11-001312, Merilee Peterson v. Travis County, Texas, et al., in the 250th Judicial District, Travis County Texas. ¹

Judge Biscoe announced that Item 35 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve a settlement offer of a top number of \$100,000 and the authorization for the County Attorney's Office to begin the hiring process of experts.

RESULT: APPROVED [3 TO 0]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSTAIN: Margaret J. Gómez

ABSENT: Karen L. Huber

36. Consider and take appropriate action regarding amendments to real estate contract with D2000. ^{1 and 2}

Judge Biscoe announced that Item 36 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 amendments to the contract proposed and recommended by Staff.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez

ABSENT: Karen L. Huber

37. Consult with County Attorney and take appropriate action on amendments to Slaughter Lane Participation Agreement. ¹

RESULT: NOT NEEDED

38. Consider and take appropriate action regarding security coverage at 5501 Airport Boulevard, Austin. ^{1 and 4}

Judge Biscoe 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. 551.076, Security.

MOTION: Approve the recommended temporary resolution at a cost of \$137,560 funded from the Allocated Reserve.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Margaret J. Gómez

ABSENT: Karen L. Huber

Consent Items

Members of the Court heard from:

Will McCloud, Travis County Resident

Steven Manilla, County Executive, TNR

MOTION: Approve the following Consent Items: C1–C2, 6, 7, 8, 9, 10, 11, 13, 15.a–b, 16, 17, 18, A1.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

1. Receive bids from County Purchasing Agent.
2. Approve payment of claims and authorize County Treasurer to invest County funds.

Added Items

1. Consider and take appropriate action to approve Amendment Number One to Decker Lake Road amended and restated Participation Agreement. (Commissioner Davis)

RESULT: ADDED TO CONSENT

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge

Call to Order

Meeting called to order on November 20, 2012, 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.

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Absent
Margaret J. Gómez	Precinct 4, Commissioner	Absent

Citizens Communication

Members of the Court heard from:

Kristina Kubeck, Walnut Place Neighborhood Association
Joyce Thoreson, President, Walnut Place Neighborhood Association
Stacey Scheffel, Program Manager, On-site Sewage Facilities, Transportation and Natural Resources (TNR)
Anna Bowlin, Program Manager, Planning and Engineering, TNR

Clerk's Note: Commissioner Eckhardt noted that the Save Barton Creek Association presented Travis County TNR with a "Public Servants Protecting Our Water" award.

Special Item

1. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

RESULT: DISCUSSED

Clerk's Note: The County Judge announced that by taking no action, the prohibition against outdoor burning remains in place.

Resolutions and Proclamations

2. Consider and take appropriate action on Resolution recognizing the Simpson United Methodist Church for 16 years of dedicated service, mentoring and support of Travis County and the Adult Drug Diversion Program.

Members of the Court heard from:

Dr. Geraldine Nagy, Community Supervision and Corrections Director, Adult Probation

Sharon Caldwell-Hernandez, Program Administrator, Social Services. Pretrial Services
Irma Valdez, Former program participant

MOTION: Approve the Resolution in Item 2.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

Transportation and Natural Resources Dept. Items

3. Consider and take appropriate action on the acceptance of the dedication of the public street and drainage facilities within Gaston-Sheldon Subdivision, Section Five in Precinct One. (Commissioner Davis)

RESULT: ADDED TO CONSENT

4. Consider and take appropriate action on the satisfactory completion of construction of the private streets in Tierra Vista, in Precinct Three. (Commissioner Huber)

RESULT: ADDED TO CONSENT

5. Consider and take appropriate action on a request for a variance to County on-site sewage facility regulations to allow a second single family residence to be placed on less than two acres at 9415 Rodriguez Road, Austin. (Commissioner Gómez)

Judge Biscoe announced that Item 5 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Stacey Scheffel, Program Manager, On-site Sewage Facilities, TNR
John Hille, Assistant County Attorney
Brandon Couch, Engineering Associate, TNR
Toby Rocha, Engineer representing the applicants

MOTION: Follow Staff recommendations and grant the request and authorize Staff to further negotiate with the homeowners on an acceptable volume of sewage.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

Planning and Budget Dept. Items

6. Consider and take appropriate action on budget amendments, transfers and discussion items.

RESULT: ADDED TO CONSENT

7. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:
 - a. Annual Contract with the University of North Texas to continue the Seniors and Volunteers for Childhood Immunization Program in Health and Human Services and Veterans Service Department;
 - b. Annual Contract with the Corporation for National and Community Service with funds originating from the Texas Department on Aging and Disability Services for Health and Human Services and Veterans Service to receive operating resources to continue the Coming of Age Program;
 - c. Annual contract with the Texas Department of Housing and Community Affairs to receive U.S. Department of Energy funds for the Weatherization Assistance Program in the Health and Human Services Department; and
 - d. Annual contract with Atmos Energy Corporation to continue the Share the Warmth Program through the Health and Human Services Department.

RESULT: ADDED TO CONSENT

8. Review and approve the immediate release of reimbursement payment to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$2,004,819.80 for the period of November 2 to November 8, 2012.

RESULT: ADDED TO CONSENT

9. Consider and take appropriate action on proposed routine personnel amendments.

RESULT: ADDED TO CONSENT

10. Consider and take appropriate action on proposed defeasance of County debt related to Proposition Three – SH45 North and FM 1826 right-of-way projects approved as part of the 2001 bond election.

Members of the Court heard from:

Jessica Rio, Budget Director, Planning and Budget Office (PBO)
Glen Opel, Bond Counsel, Bracewell & Giuliani
Ladd Pattillo, Travis County Financial Advisor
Steve Manilla, County Executive, TNR

MOTION: Authorize Staff to work with the appropriate individuals at the County and outside, including the engagement of a verification agent and an escrow agent, to put together an appropriate order for the Court to consider Tuesday, November 27, 2012, which will allow Travis County to defease part of the debt.

RESULT: APPROVED [2 TO 0]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Samuel T. Biscoe, Sarah Eckhardt

ABSTAIN: Ron Davis

ABSENT: Karen L. Huber, Margaret J. Gómez

11. Consider and take appropriate action on request to approve broker/dealer applicants for conducting investment business with Travis County.

Members of the Court heard from:

Debbie Lauder milk, Investment Manager, Cash/Investment Management

MOTION: Approve Item 11.
RESULT: **APPROVED [2 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Sarah Eckhardt, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt
ABSTAIN: Ron Davis
ABSENT: Karen L. Huber, Margaret J. Gómez

12. Consider and take appropriate action regarding the draft economic development incentive policy for Travis County. (May also be taken into Executive Session pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

Members of the Court heard from:

Leslie Browder, County Executive, PBO
Paul Saldano, Minority Trade Association
Phil Thoden, President, Austin Chapter, Associated General Contractors of America
Phillip Lawhon, Electrician's Union
Juanna Silva, Construction Worker
Gregorio Casar, Workers Defense Project
Brian Gassaro, Construction Worker
Dave Porter, Greater Austin Chamber of Commerce
Mary Etta Gerhardt, Assistant County Attorney

RESULT: **DISCUSSED**

Reset for: 11/27/2012

Purchasing Office Items

13. Approve order exempting the purchase of Honda motorcycle OEM parts and service from Kent Powersports of Austin from the competitive procurement process pursuant to Section 262.024 (A)(7)(D) and Section 262.024 (A)(11) of the County Purchasing Act.

RESULT: **ADDED TO CONSENT**

14. Approve order exempting the purchase of Allis Chalmers construction equipment, Fiat-Allis, Bomag, Hyster compaction equipment, Tiger Mowers, Laymor, Cedarapids, Liu Gong, Grove Cranes, National Boom Trucks and Kobelco Crane, original equipment manufacturer (OEM) parts and service from Anderson Machinery Austin, Inc. from the competitive procurement process pursuant to Section 262.024 (A)(7)(D) and Section 262.024 (A)(11) of the County Purchasing Act.

RESULT: **ADDED TO CONSENT**

15. Approve contract awards for sheriff uniforms, IFB No. 120219-LD, to the low responsive bidders:
 - a. Miller Uniforms, all line items in Groups A through M, V, X, Z, AA, BB, Line Items 33-01, 33-02; and
 - b. GT Distributors, Groups S, T, U, W and Line Item 34-01.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent

Maria Wedhorn, Financial Analyst, Travis County Sheriff's Office (TCSO)
Eric Miller, Sales Representative, Fechheimer
Samantha Peterman, Accounting Clerk, TCSO

RESULT: DISCUSSED

Reset for: 11/27/2012

Other Items

16. Consider and approve authorizing Travis County Sheriff to sign and execute a Memorandum of Understanding with the Texas A&M Forest Service relating to participation in the state-wide Regional Incident Management Team.

RESULT: ADDED TO CONSENT

17. Receive briefing and take appropriate action regarding report of eminent domain authority required by Section 2206.101 of the Texas Government Code. (May also be taken into Executive Session Pursuant to Tex. Gov't. Code Ann. Section 551.071, Consultation with Attorney)

Judge Biscoe announced that Item 17 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
Kevin Morse, Assistant County Attorney

MOTION: Authorize the County Judge to sign and send to the appropriate State agency on behalf of the Commissioner Court the requested form regarding eminent domain authority at Travis County pursuant to State law.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

18. Consider and take appropriate action on changes to the conflict of interest statement required of applicants for the Travis County appointment to the Central Health Board of Managers.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Approve Item 18.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Samuel T. Biscoe, Judge

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

Executive Session Items

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

19. Consider and take appropriate action regarding roles and responsibilities of County Auditor and Commissioners Court on accounting and audit services and County programs, including a revised job description. ¹

RESULT: NOT NEEDED

20. Consider and take appropriate action regarding:

- a. Requirements of the Internal Revenue Code related to reporting income related to benefits for certain dependents; and

Judge Biscoe announced that Item 20.a would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

John Hille, Assistant County Attorney

MOTION: Authorize the County Attorney to negotiate an appropriate contract with the attorney Robert Reetz, with funding to come from the Allocated Reserve if the County Attorney does not have the necessary funds in his budget.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt

ABSENT: Karen L. Huber, Margaret J. Gómez

- b. The amount at which non-monetary compensation is valued pursuant to Texas Government Code Section 841.001(6) in relation to the contributions by employees with imputed income to the Texas County and District Retirement System. ¹

Judge Biscoe announced that Item 20.b would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

Reset for: 11/27/2012

21. Consider and take appropriate action on amendments to Slaughter Lane Participation Agreement, and 2011 Bond Project guidelines for public/private partnerships. ¹

Judge Biscoe announced that Item 21 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Tom Nuckols, Assistant County Attorney

MOTION: Approve the proposed amendment which is a Performance Deed of Trust on the construction of Vertex Boulevard and the performance deed be substituted for what is usually is fiscal security. Authorize the County Judge to sign the papers when ready. In lieu of the foregoing cost sharing, the County and a private or public partner may agree that the County will make certain improvements to County maintained transportation facilities in

exchange for the partner making certain improvements to related non-county public transportation facilities. The improvements must combine to provide enhanced level of service, safety, congestion relief, or access to schools, parks, affordable housing, transit oriented development, alternative transportation modes, or similar community benefits. The level of each party's contribution to the project must be proportionate to the level of enhancement it contributes to overall project functionality. The private or public partner's improvements need not be to facilities in the current CAMPO Plan.

RESULT: APPROVED [UNANIMOUS]
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

Clerk's Note: The Court that noted by approving the above Motion the Court has amended the 2011 guidelines for public/private partnerships for transportation projects.

22. Consider and take appropriate action in Lippincott Capital. Ltd. vs. Travis County, et al; cause No. D-1-GN-12-003224. ¹

Judge Biscoe announced that Item 22 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Accept settlement offer by Plaintiff Lippincott (as memorialized in the proposed settlement agreement). where the plaintiff agrees to:

- o Pay to Travis County \$2,400.00 in application fees
- o Pay to Travis County \$5,000.00 in costs
- o File the Restated or Amended declaration with agree terms including the OSSFs sewage licenses being maintained and controlled by the Association and notice to Travis County of any relevant amendments to the Declaration
- o Plaintiff will non-suit of Travis County, and
- o Travis County will file a Release of Notice

The Motion also:

- o Authorizes County Judge Biscoe to sign the settlement agreement on behalf of Travis County, and
- o Authorizes Stacey Scheffel, Program Manager, On-site Sewage Facilities, TNR to sign the Release of Notice filed on behalf of Travis County.

RESULT: APPROVED [UNANIMOUS]
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

23. Consider and take appropriate regarding lease agreement with Bruce Lipshy for 700 Lavaca, Suite 405. ^{1 and 2}

Judge Biscoe announced that Item 23 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: Authorize the filing of an appropriate lawsuit, and taking the appropriate steps to collect on any judgment.

RESULT: APPROVED [UNANIMOUS]
MOVER: Samuel T. Biscoe, Judge

SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

24. Receive briefing and take appropriate action regarding Travis County Chapter 9 and 10 – Investigation – HRMD. ¹

Judge Biscoe announced that Item 24 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: DISCUSSED

Consent Items

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 3, 4, 6, 7.a–d, 8, 9, 13, 14, and 16.
RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt
ABSENT: Karen L. Huber, Margaret J. Gómez

C1. Receive bids from County Purchasing Agent.

C2. Approve payment of claims and authorize County Treasurer to invest County funds.

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge

Call to Order

Meeting called to order on November 27, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputy Chasity Sandoval.

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Citizens Communication

Members of the Court heard from:

Charlotte Ready, Granada Hills Resident
Bruce Felder, Developer, Granada Hills Subdivision
Bill Staten, Travis County Resident
Patricia Garrett, Travis County Resident
Steve Manilla, County Executive, Transportation & Natural Resources (TNR)
Gus Peña, Travis County Resident
Anna Bowlin, Engineering Services Director, TNR
Stacey Scheffel, Permit Program Manager, TNR
Dr. John K. Kim, Travis County Resident
Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)

Special Item

1. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

RESULT: DISCUSSED

Clerk's Note: The County Judge announced that by taking no action, the prohibition against outdoor burning remains in place.

Health and Human Services Dept. Items

2. Consider and take appropriate action on items related to the Program Year 2011 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant provided by HUD:
 - a. Summary of the Annual Performance Report; and

- b. Draft of the Program Year 2011 Consolidated Annual Performance Evaluation Report to post for public comment.

Members of the Court heard from:

Christy Moffet, Manager, Travis County Health and Human Services (TCHHS)
Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services, (TCHHS&VS)

MOTION: Approve the draft Annual Performance Evaluation Report in Item 2.b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

3. Receive update on Children's Optimal Health and take appropriate action.

Members of the Court heard from:

Maureen Britton, Executive Director, Children's Optimal Health (COH)
Sherri Fleming, County Executive, TCHHS&VS
Dr. Susan Millea, Community GIS Facilitator, COH
Ashton Cumberbatch, Jr., Vice President, Advocacy and Community Relations, Seton Healthcare Family
Gus Peña, Travis County Resident

RESULT: **DISCUSSED**

Planning and Budget Dept. Items

4. Consider and take appropriate action on budget amendments, transfers and discussion items.

Members of the Court heard from:

Jessica Rio, Budget Director, Planning and Budget Office (PBO)

MOTION: Approve Item 4 A1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

MOTION: Approve Item 4 T1.
RESULT: **ADOPTED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

MOTION: Approve Item 4 O1.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

Clerk's Note: Please note that for this Item, references to A1, T1, and O1 refer to numbered items in separate budget document, not these minutes. See supporting documentation.

5. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- a. Annual application to the Task Force on Indigent Defense to continue the Formula Grant – Indigent Defense Grant Program in the criminal courts;

RESULT: ADDED TO CONSENT

- b. New application to the Meadows Foundation for a Juvenile Probation Pre-Doctoral Psychology Internship Program;

RESULT: POSTPONED

Reset for: 12/4/2012

- c. Annual Contract with the Department of Health and Human Services for Substance Abuse and Mental Health Services Administration to continue the federally funded portion of the Driving While Intoxicated Court Program managed by the Community Supervision and Corrections Department;

RESULT: ADDED TO CONSENT

- d. Annual Contract with the United States Department of Justice, Bureau of Justice Assistance, to continue the State Criminal Alien Assistance Program in the Travis County Sheriff's Office; and

Members of the Court heard from:
Travis Gatlin, Senior Budget Analyst, PBO

Clerk's Note: The Court approved Item 5.d without objection, with Commissioner Margaret J. Gómez abstaining. The Court also noted that Commissioner Margaret J. Gómez objects to the use of the word "alien" in the grant paperwork.

- e. New Contract to accept the "2012 Remembering When" grant from the National Fire Protection Association for the Fire Marshall's Office in Emergency Services.

RESULT: ADDED TO CONSENT

6. Review and approve the immediate release of reimbursement payment to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$856,605.61 for the period of November 9 through November 15, 2012.

RESULT: ADDED TO CONSENT

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

- a. Proposed routine personnel amendments;
- b. Non-routine request from Tax Assessor-Collector's Office for a variance to Travis County Code Section 10.03009, Voluntary Job Change; and
- c. Non-routine request from Constable Precinct Two for a variance to Travis County Code Section 10.0295, Peace Officer Pay Scale.

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on an order authorizing the defeasance of certain outstanding tax-supported bonds issued by Travis County, Texas; authorizing the execution and delivery of an escrow agreement; and enacting other provisions relating thereto.

RESULT: POSTPONED

Reset for: 12/4/2012

9. Consider and take appropriate action regarding the draft economic development incentive policy for Travis County.

Members of the Court heard from:

Leslie Browder, County Executive, PBO
Mary Etta Gerhardt, Assistant County Attorney
Philip Lawhon, Representative, International Brotherhood of Electrical Workers (IBEW)
Unidentified speaker
Dave Porter, Greater Austin Chamber of Commerce
Gus Peña, Travis County Resident
Daniel Bradford, Assistant County Attorney

MOTION: Approve Item 9.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Ron Davis, Commissioner

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Purchasing Office Items

10. Approve Modification No. 5 to Contract No. 4400000094 (H.T.E. Contract No. 10T00142NB), Garratt Callahan Company for additional water treatment services to the SMART Facility.

RESULT: ADDED TO CONSENT

11. Approve Contract Awards for drug and alcohol testing services, RFS# 1208-005-ML, to the following:

- a. Arcpoint Labs of Austin;
- b. Phamatech Laboratories;
- c. Source 1 Solutions;
- d. Promed Medical Care Center;
- e. Concentra Health Services, Inc; and
- f. Proresults.

RESULT: ADDED TO CONSENT

12. Approve Contract Award for Travis County Correctional Complex Building 140 roof replacement, IFB No. 1210-001-PS, to the low bidder, QA Construction Services, Inc.

RESULT: ADDED TO CONSENT

13. Approve Contract Award for Slaughter Lane Goodnight Phase I Project, IFB No. B1208-004-JW, to the low bidder, DNT Construction, LLC.

RESULT: ADDED TO CONSENT

14. Authorize Purchasing Agent to commence negotiations with the most highly qualified firm, LJA Engineering, Inc. for engineering services in response to RFQ No. Q120156-JW, FM 969 Improvements Project.

RESULT: ADDED TO CONSENT

15. Authorize Purchasing Agent to commence negotiations with the most highly qualified firm, Klotz Associates, Inc. for engineering services in response to RFQ No. Q120157-JW, FM 1626 Improvements Project.

RESULT: ADDED TO CONSENT

16. Approve FY2013 Renewal (Modification No. 8) to Interlocal Agreement No.4400000367 (H.T.E. Contract No. IL060040RE), Austin Community College, for early childhood mentoring (Teacher TRAC).

RESULT: ADDED TO CONSENT

17. Approve twelve-month extension (Modification No. 12) to Contract No. 4400000011 (H.T.E. Contract No. 03T00058OJ), Alliance Work Partners, for the employee assistance program for Travis County employees.

RESULT: ADDED TO CONSENT

Transportation and Natural Resources Dept. Items

18. Consider and take appropriate action on requests to approve the following:
 - a. An Advance Funding Agreement with Texas Department of Transportation for Circle Drive at US 290 Intersection Improvements Project; and
 - b. A Resolution supporting the Advance Funding Agreement with Texas Department of Transportation for intersection improvements at Circle Drive at US 290. (Commissioner Huber)

RESULT: ADDED TO CONSENT

19. Consider and take appropriate action on the following requests:
 - a. Web-based opinion survey on water supply issues; and
 - b. A formal request by Commissioners Court for local agencies to participate in the web-based survey.

Members of the Court heard from:
Steve Manilla, County Executive, TNR

RESULT: DISCUSSED

Other Items

20. Consider and take appropriate action on Equitable Sharing Agreement and certification for federal forfeiture proceeds for the District Attorney's Office.

RESULT: ADDED TO CONSENT

21. Consider and take appropriate action regarding the transfer of District Attorney's Office and County Attorney's Office Family Violence Protection Team Grant Positions to the general fund.

Members of the Court heard from:

Rosemary Lehmborg, Travis County District Attorney
David Escamilla, Travis County Attorney
Katie Peterson, Senior Budget Analyst, PBO
Jessica Rio, Budget Director, PBO

MOTION: Approve Item 21.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Sarah Eckhardt, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

22. Consider and take appropriate action on the Chapter 59 Asset Forfeiture Report by Law Enforcement Agency (Texas Office of Attorney General Filing). (Sheriff's Office)

RESULT: ADDED TO CONSENT

23. Consider and take appropriate action on the Equitable Sharing Program Compliance Notice for Federal Forfeitures (U.S. Department of Justice Filing) (Sheriff's Office)

RESULT: ADDED TO CONSENT

24. Consider and take appropriate action regarding the following Phase II SAP implementation recommendations:

- a. Change in timekeeping process for exempt employees; and
- b. Timing of employee payroll deductions for health and other insurance.

Members of the Court heard from:

Nicki Riley, Travis County Auditor
Diane Poirot, Director, Human Resources Management Department (HRMD)
Christina Adair, Project Manager, SAP Implementation

MOTION: Approve Items 24.a–b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

25. Consider and approve reimbursement of actual moving expenses of up to \$5,000 for the new employee who will fill slot 138 in ITS Department (SAP developer)

Members of the Court heard from:

Christina Adair, Project Manager, SAP Implementation
Diane Poirot, Director, HRMD
Katie Peterson, Senior Budget Analyst, PBO

MOTION: Approve Item 25.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

Executive Session Items

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

26. Consider and take appropriate action on an offer from the City of Austin to acquire an Electric Transmission Easement across the East Command Center Tract in Precinct One.
(Commissioner Davis) ^{1 and 2}

Judge Biscoe announced that Item 26 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 and grant easement in exchange for \$48,312.00 paid to Travis County.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

27. Consider and take appropriate action regarding:
- a. Requirements of the internal revenue code related to reporting income related to benefits for certain dependents; and
 - b. The amount at which non-monetary compensation is valued pursuant to Texas Government Code Section 841.001(6) in relation to the contributions by employees with imputed income to the Texas County and District Retirement System.

Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:
John Hille, Assistant County Attorney

RESULT: POSTPONED

Reset for: 12/4/2012

28. Consider and take appropriate action on an offer-to-sell parcels #4 and #4e from Butler Broadcasting Co., Ltd. for right-of-way in the Wells Branch Parkway Improvement Project (CIP Bond Program) located in Precinct Two. (Commissioner Eckhardt)^{1 and 2}

Judge Biscoe announced that Item 28 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 from Butler Broadcasting Co., Ltd. to sell the two parcels for \$2,250.00.

RESULT: APPROVED [UNANIMOUS]

MOVER: Sarah Eckhardt, Commissioner

SECONDER: Ron Davis Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

29. Receive briefing from County Attorney in Travis County, et al v. Mozell Swist (Ira Strange, Jr. resale deed) and take appropriate action.¹

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

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Ira Strange, Jr. who has paid Travis County the sum of \$6,200.00, in cash.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

30. Receive briefing from County Attorney in Travis County, et al v. Roy G. and Vivian F. Forte (Debra Dozier resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Debra Dozier who has paid Travis County the sum of \$2,500.00 for lot 3306 Bar K Ranches Plat Number 3.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

31. Receive briefing from County Attorney in Travis County, et al v. Debra Ford and Joseph Reid (Debra Dozier resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 31 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Debra Dozier who has paid Travis County the sum of \$4,500.00 for lot 3269 Bar K Ranches Plat Number 3.

RESULT: APPROVED [UNANIMOUS]

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

32. Receive briefing from County Attorney in Travis County, et al v. James Capital Corp. (Debra Dozier resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 32 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Debra Dozier who has paid Travis County the sum of \$2,500.00 for lot 3008 Bar K Ranches Plat Number 3.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Karen L. Huber, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

33. Receive briefing from County Attorney in Travis County, et al v. Juan Vasquez and Bicenta Vasquez (Candelaria Calderon resale deed) and take appropriate action.¹

Judge Biscoe announced that Item 33 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Authorize the County Judge to sign on behalf of the Commissioners Court the proposed tax resale deed to Candelaria Calderon who has paid Travis County the sum of \$11,777.00, in cash.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Margaret J. Gómez, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

34. Consider and take appropriate action on economic development agreement with Austin Executive Airport.¹

Judge Biscoe announced that Item 34 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

RESULT: **POSTPONED**

Reset for: 12/4/2012

Consent Items

MOTION: Approve the following Consent Items: C1–C4 and Agenda Items 5.a, 5.c, 5.e, 6, 7.a–b, 10, 11.a–f, 12, 13, 14, 15, 16, 17, 18.a–b, 20, 22, 23.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Margaret J. Gómez, Commissioner

SECONDER: Ron Davis, Commissioner

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

C1. Receive bids from County Purchasing Agent.

C2. Approve payment of claims and authorize County Treasurer to invest County funds.

C3. Approve setting a public hearing on Tuesday, December 18, 2012 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public

utility easements located along the common lot line of Lots 1471 and 1472 of Apache Shores, Section Three amended -Precinct Three. (Commissioner Huber)

- C4. Approve setting a public hearing on Tuesday, December 18, 2012 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 43 and 44 of Cardinal Hills Estates Unit 14 -Precinct Three. (Commissioner Huber)

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge

Call to Order

Meeting called to order on December 4, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX, Dana DeBeauvoir, County Clerk, was represented by Deputies Gillian Porter and Robert Resnick

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

Public Hearings

1. Receive public comments regarding the Program Year 2011 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant Provided by HUD.

MOTION: Open the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Members of the Court heard from:

Christy Moffet, Planning Project Manager, Travis County Health and Human Services
(TCHHS)

MOTION: Close the Public Hearing.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Citizens Communication

Members of the Court heard from:

Gus Peña, Travis County Resident
Robert Teaford, Travis County Resident
Dr. John K. Kim, Travis County Resident
Donna Stirman, Senior Risk Safety Specialist, Human Resources Management Department
(HRMD)
Zetta Garnet, Senior Benefits and Wellness Specialist, HRMD

Special Items

2. Consider and take appropriate action on an order concerning outdoor burning in the unincorporated areas of Travis County.

RESULT: DISCUSSED

Reset for: 12/11/2012

Clerk's Note: The County Judge announced that by taking no action, the prohibition against outdoor burning stays in place.

Planning and Budget Dept. Items

3. Consider and take appropriate action on budget amendments, transfers and discussion items.

RESULT: ADDED TO CONSENT

4. Consider and take appropriate action on an order authorizing the defeasance of certain outstanding tax-supported bonds issued by Travis County, Texas; authorizing the execution and delivery of an escrow agreement; and enacting other provisions relating thereto.

Members of the Court heard from:

Jessica Rio, Budget Manager, Planning and Budget Office (PBO)

Glenn Opel, Bracewell & Giuliani, Travis County Bond Counsel

MOTION: Approve Item 4.

RESULT: **APPROVED [4 TO 0]**

MOVER: Samuel T. Biscoe, Judge

SECONDER: Sarah Eckhardt, Commissioner

AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez

ABSTAIN: Ron Davis

5. Review and approve requests regarding grant programs, applications, contracts and related special budgets, and permissions to continue:

- a. New application to the Meadows Foundation for a Juvenile Probation Pre-Doctoral Psychology Internship Program;
- b. Contract amendment to the Texas Department of Housing and Community Affairs to amend the budget for the Comprehensive Energy Assistance Program in Health and Human Services Department;
- c. Grant Contract amendment with the Texas Department of Agriculture for the National School Lunch/School Breakfast Program managed by the Juvenile Probation Department to add a new authorized representative to the grant's certificate of authority.

RESULT: ADDED TO CONSENT – is this an orphan?

6. Review and approve the immediate release of reimbursement payment to United Health Care for claims paid for participants in the Travis County Employee Health Care Fund for payment of \$1,140,771.38 for the period of November 16 to November 22, 2012.

RESULT: ADDED TO CONSENT

7. Consider and take appropriate action on proposed routine personnel amendments.

RESULT: ADDED TO CONSENT

8. Consider and take appropriate action on request to proceed with the demolition of the building and associated underground storage tanks at 5325 Airport Boulevard, Austin. (Facilities)

RESULT: ADDED TO CONSENT

Justice and Public Safety Items

9. Consider and take appropriate action on the Mutual Agreements to terminate the 1992 Mutual Aid Agreements between Travis County and the cities of Creedmoor and Sunset Valley.

RESULT: ADDED TO CONSENT

Purchasing Office Items

10. Approve contract awards for sheriff uniforms, IFB No. 120219-LD, to the low responsive bidders:
 - a. Miller Uniforms, all line items in Groups A through M, V, X, Z, AA, BB, Line Items 33-01, 33-02; and
 - b. GT Distributors, Groups S, T, U, W and Line Item 34-01.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Paul Matthews, Financial Manager, Travis County Sheriff's Office (TCSO)
Darren Long, Major, TCSO
Jim Sylvester, Chief Deputy, TCSO
Bonnie Alcorn, Supply Officer, TCSO

MOTION: Approve Staff recommendations in Items 10.a–b.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

11. Approve Contract No. 4400001197, Chardonnay Poole, PsyD., CCTP, to provide trauma focused therapy for youth referred from the COPE Mental Health Court and Crossover Unit.

RESULT: ADDED TO CONSENT

12. Approve Contract No. 4400001198, Sylvan J. Fluharty, MS-ATR, to provide art therapy for youth referred from the COPE Mental Health Court and Crossover Unit.

RESULT: ADDED TO CONSENT

13. Approve Contract No. 4400001200, Orion Research and Management Services, for wildlife management services.

Members of the Court heard from:

Steve Manilla, County Executive, Transportation and Natural Resources (TNR)

MOTION: Approve Item 13.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Transportation and Natural Resources Dept. Items

14. Consider and take appropriate action to approve a Possession and Use Agreement between Frederic A. Bittner, owner, and Travis County regarding Parcel 2 of the Jesse Bohls Road and Bridge Improvement Project. (Commissioner Davis)

RESULT: ADDED TO CONSENT

15. Consider and take appropriate action to approve a Possession and Use Agreement between Allen Wayne Vorwerk, owner, and Travis County regarding Parcels 1 and 1E of the Jesse Bohls Road and Bridge Improvement Project. (Commissioner Davis)

RESULT: ADDED TO CONSENT

16. Consider and take appropriate action to approve a License Agreement for Violet Crown Sports Association to hold a bike race at Webberville Park. (Commissioner Davis)

RESULT: ADDED TO CONSENT

17. Consider and take appropriate action on proposed revisions to the 2005 Guidelines for Public/Private Partnerships. (Commissioner Gómez)

Members of the Court heard from:
Steve Manilla, County Executive, TNR

MOTION: Approve Item 17.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

18. Consider and take appropriate action on the following requests:
- a. Web-based opinion survey on water supply issues; and
 - b. A formal request by Commissioners Court for local agencies to participate in the web-based survey.

Members of the Court heard from:
Steve Manilla, County Executive, TNR
Tom Weber, Environmental Program Manager, TNR

MOTION: Conduct a hybrid survey.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Karen L. Huber, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Clerk's Note: The Court discussed conducting a "hybrid" survey, with the option to answer specific or general questions.

19. Consider and take appropriate action on various issues pertaining to County transportation facilities in the vicinity of Circuit of the Americas, including an amendment to the Kellam Road real estate contract and acceptance of Kellam Road for County maintenance in Precinct Four. (Commissioner Gómez)

Judge Biscoe announced that Item 19 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Steve Manilla, County Executive, TNR
Tom Nuckols, Assistant County Attorney
David Greear, Senior Engineer, TNR
Jerry Harris, Circuit of the Americas (COTA)

MOTION: Approve Issues 1-5, as set forth in the memo from TNR Staff, and draft a contract as prepared by the County Attorney's office.
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner

Clerk's Note: The Court did not take a Vote on the Standing Motion at this time.

FRIENDLY

AMENDMENT: Accept the part of Kellam Road as discussed and to authorize the County Judge to sign an agreement plus an acceptance document on behalf of the Commissioners Court.

MOVER: Samuel T. Biscoe, Judge

RESULT: **FRIENDLY AMENDMENT ACCEPTED**

Clerk's Note: A Vote on the Standing Motion was taken.

Add space

RESULT: **APPROVED [UNANIMOUS]**

AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Health and Human Services Dept. Items

20. Consider and take appropriate action on request from Travis County Health and Human Services and Veterans Services to pay a \$500 invoice for training.

RESULT: **ADDED TO CONSENT – is this an orphan**

21. Consider and take appropriate action regarding a request to appoint Travis County residents to the Joint Subcommittee's Family and Children School Task Force.

Members of the Court heard from:

Sherri Fleming, County Executive, Travis County Health, Human Services, and Veterans' Services (TCHHS&VS)

MOTION: Approve Item 21.

RESULT: **APPROVED [UNANIMOUS]**

MOVER: Sarah Eckhardt, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Other Items

(This item to be taken up at 1:30 p.m.)

22. Consider and take appropriate action on request from Travis County District and County Judges to support the creation of two additional criminal courts in the upcoming 83rd legislative session, including
- a. A report on projected need for additional criminal courts; and
 - b. A report on the fiscal impact of additional criminal courts.

Members of the Court heard from:

The Honorable Julie Kocurek, Judge, 390th District
Roger Jefferies, County Executive, Justice and Public Safety (JPS)
Tonya Mills, Planning Manager, JPS
Leslie Browder, County Executive, PBO
Debra Hale, Court Coordinator, Criminal Courts
Leroy Nellis, Transition Budget Director, PBO
Deece Eckstein, Intergovernmental Relations Officer, Intergovernmental Relations (IGR)
John Hille, Assistant County Attorney
Susan Spataro, Travis County Resident

MOTION: Ask (reformat)The Honorable Julie Kocurek, Judge, 390th Districtand Deece Eckstein, Intergovernmental Relations Officer, IGR to meet with State Senator Kirk Watson and Representative Elliot Naishtat and inform them that the Commissioners Court is considering the creation of two new Criminal Courts, and try to figure out the best language for possible legislation to give Travis County complete discretion over implementation and bring it back to the Court for review, The Court is seeking language that ties implementation to the availability of funds.

MOVER: Samuel T. Biscoe, Judge
SECONDER: Ron Davis, Commissioner

MOTION

CLARIFICATION: This decision would be made in the light of all the County's mandated programs.

BY: Samuel T. Biscoe, Judge

RESULT: **APPROVED [4 TO 0]**

AYES: Samuel T. Biscoe, Ron Davis, Sarah Eckhardt, Karen L. Huber

ABSTAIN: Margaret J. Gómez

Clerk's Note: The Court noted that this item will be brought back for consideration on Tuesday, December 11, 2012.

23. Receive update and take appropriate action on appointments to the following boards:
- a. Housing Authority of Travis County Board of Commissioners; and
 - b. Strategic Housing Finance Corporation Board of Directors.

Members of the Court heard from:

Deece Eckstein, Intergovernmental Relations Officer, IGR

MOTION: Approve Staff recommendations for Item 23.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

24. Consider and take appropriate action on the non-disclosure agreement with the Conference of Urban Counties (CUC) Techshare for the Juvenile Case Management System.

MOTION: Approve Item 24.
RESULT: **APPROVED [4 TO 0]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

25. Approve extension of Bond from November 7 to December 31, 2012 for Judge of County Court at Law No. 8, the Honorable Carlos Humberto Barrera.

RESULT: **ADDED TO CONSENT**

26. Consider and take appropriate action regarding a contract for a disparity study to enforce Travis County Historically Underutilized Business Program policies. (Commissioner Davis and Commissioner Eckhardt) (This item may be taken into Executive Session under the Consultation with Attorney exception 551.071)

Judge Biscoe announced that Item 26 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

Members of the Court heard from:

Cyd Grimes, Travis County Purchasing Agent
Sylvia Lopez, Program Coordinator, HUB Program, Purchasing
Diana Ramirez, Budget Analyst, PBO

RESULT: **DISCUSSED**

Executive Session Items

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

27. Consider and take appropriate action on economic development agreement with Austin Executive Airport. ¹

Judge Biscoe announced that Item 27 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney and Gov't. Code Ann 551.087, Economic Development Negotiations.

MOTION: Reject the Economic Development Agreement with Austin Executive Airport.
RESULT: **APPROVED [3 TO 2]**
MOVER: Ron Davis, Commissioner
SECONDER: Sarah Eckhardt, Commissioner
AYES: Ron Davis, Sarah Eckhardt, Karen L. Huber
NAYS: Samuel T. Biscoe, Margaret J. Gómez

28. Consider and take appropriate action on an exemption to subdivision platting for a 1.156 acre tract in Precinct Three.

Judge Biscoe announced that Item 28 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Deny the request for an exemption.
RESULT: **APPROVED [4 TO 0]**
MOVER: Karen L. Huber, Commissioner
SECONDER: Samuel T. Biscoe, Judge
AYES: Samuel T. Biscoe, Sarah Eckhardt, Karen L. Huber, Margaret J. Gómez
ABSTAIN: Ron Davis

29. Receive briefing from County Attorney and take appropriate action regarding claim by Sadd Jackson against Travis County.

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

MOTION: Reject the offer to settle.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

30. Consider and take appropriate action regarding:

- a. Requirements of the internal revenue code related to reporting income related to benefits for certain dependents; and
- b. The amount at which non-monetary compensation is valued pursuant to Texas Government Code Section 841.001(6) in relation to the contributions by employees with imputed income to the Texas County and District Retirement System.

Judge Biscoe announced that Item 30 would be considered in Executive Session pursuant to Gov't. Code Ann. 551.071, Consultation with Attorney.

MOTION: Approve a one-time compensation adjustment for employees affected by dependent benefits income in 2012 and that the source of funding would be from Allocated Reserve.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Samuel T. Biscoe, Judge
SECONDER: Margaret J. Gómez, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Consent Items

MOTION: Approve the following Consent Items: C1–C2 and Agenda Items 3, 5.a–c, 6, 7, 8, 9, 11, 12, 14, 15, 16, 20, and 25.

Item 2



Travis County Commissioners Court Agenda Request Northwest Travis County Road District No. 3

Meeting Date: December 28, 2012

Prepared By/Phone Number: Gillian Porter, Commissioners Court Specialist, 512-854-4722

Elected/Appointed Official/Dept. Head: Dana DeBeauvoir, Travis County Clerk

Commissioners Court Sponsor: Judge Biscoe

AGENDA LANGUAGE: Approve the Northwest Travis County Road District No. 3 Minutes for the Voting Session of December 4, 2012.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

STAFF RECOMMENDATIONS:

ISSUES AND OPPORTUNITIES:

FISCAL IMPACT AND SOURCE OF FUNDING:

REQUIRED AUTHORIZATIONS:



Minutes for the Northwest Travis County Road District No. 3 (Golden Triangle) Tuesday, December 4, 2012 Voting Session

Minutes Prepared by the Travis County Clerk

512-854-4722 • www.co.travis.tx.us • PO Box 149325, Austin, TX 78714-9325

Meeting called to order on December 4, 2012, in the Travis County Administration Building, Commissioners Courtroom, 700 Lavaca Street, 1st Floor, Austin, TX. Dana DeBeauvoir, County Clerk, was represented by Deputy Robert Resnick.

Samuel T. Biscoe	County Judge	Present
Ron Davis	Precinct 1, Commissioner	Present
Sarah Eckhardt	Precinct 2, Commissioner	Present
Karen L. Huber	Precinct 3, Commissioner	Present
Margaret J. Gómez	Precinct 4, Commissioner	Present

1. Approve payment of claims and authorize County Treasurer to invest Road District funds.

MOTION: Approve the investments in Item 1.
RESULT: **APPROVED [UNANIMOUS]**
MOVER: Margaret J. Gómez, Commissioner
SECONDER: Ron Davis, Commissioner
AYES: Biscoe, Davis, Eckhardt, Huber, Gómez

Minutes approved by the Commissioners Court

Date of Approval

Samuel T. Biscoe, Travis County Judge